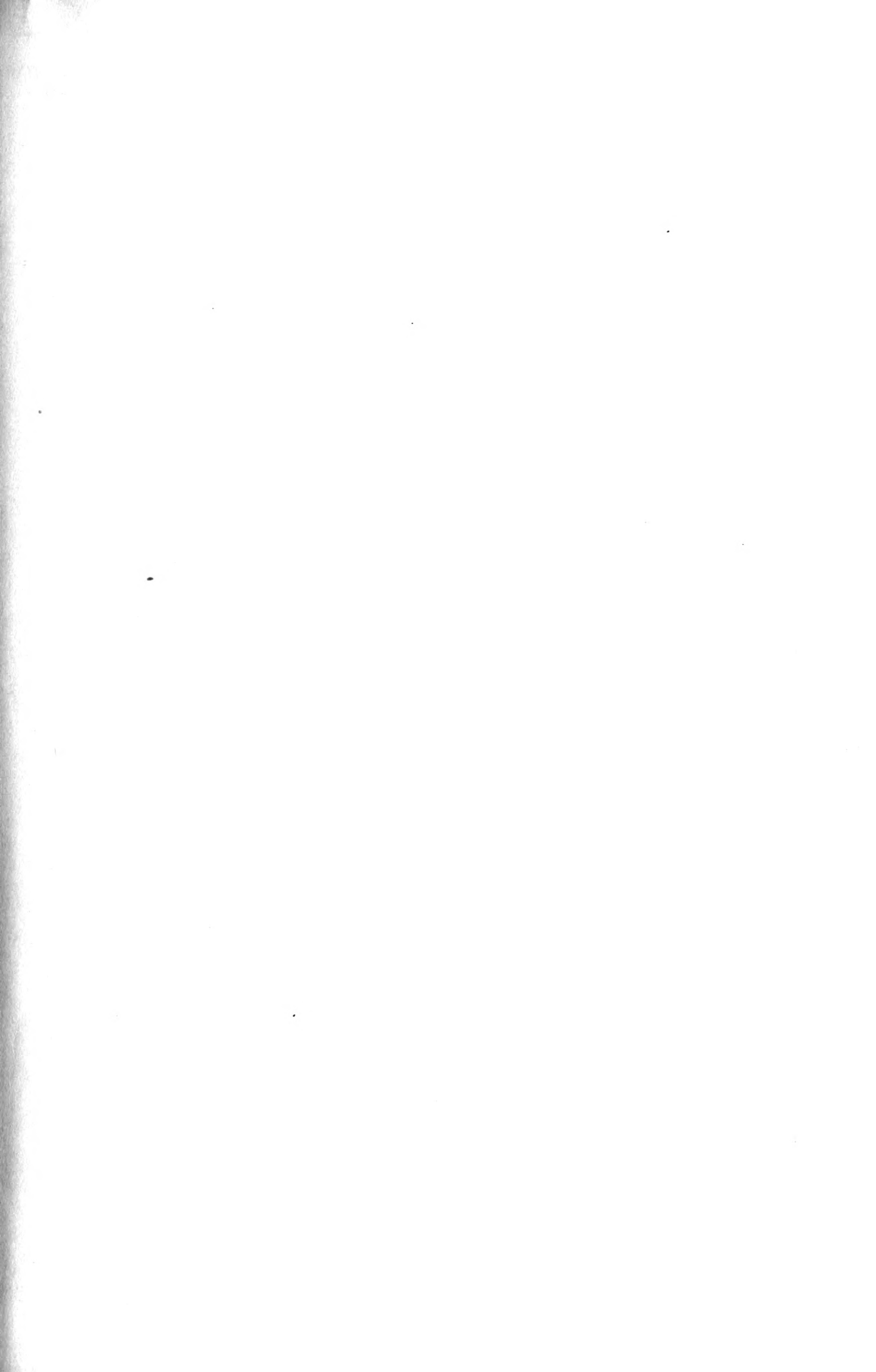




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No. 53



ONTARIO

ONTARIO

Legislature of Ontario

Debates

OFFICIAL REPORT—DAILY EDITION

Third Session of the Twenty-Seventh Legislature

Monday, March 22, 1965

Speaker: Honourable Donald H. Morrow
Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

MONDAY, MARCH 22, 1965

The House met at 3 o'clock, p.m.

Prayers.

Mr. Speaker: We are always pleased to have visitors to the Legislature and today we welcome as guests, students from the following schools: In the west gallery, Bramalea secondary school and H. B. Beal secondary school, London; in the east gallery, South Mount high school, Hamilton; and also in the east gallery, the Catholic Women's League of Canada from Our Lady of Sorrows Church, Toronto.

Petitions.

Presenting reports by committees.

Motions.

Introduction of bills.

THE DEPARTMENT OF MUNICIPAL AFFAIRS ACT

Hon. J. W. Spooner (Minister of Municipal Affairs) moves first reading of bill intituled, An Act to amend The Department of Municipal Affairs Act.

Motion agreed to; first reading of the bill.

Hon. J. W. Spooner (Minister of Municipal Affairs): Mr. Speaker, a short explanation: This Act contains two amendments; one is to authorize the licensing of municipal assessors by the department, and the other is to provide that where property is vested in the municipality under the tax arrears legislation the clerk of the municipality can on behalf of the municipality insure the property and make necessary repairs to maintain it. At the present time there is a hiatus for a period of 30 days in which nothing can be done by the municipality.

Mr. V. M. Singer (Downsview): I wonder if the hon. Minister would permit a question in regard to the first Act? Is the licensing of municipal assessors about to become mandatory, or is it just something the department is working towards?

Hon. Mr. Spooner: We are working towards that end at the present time. This amendment is to authorize the department to license assessors, although we are not in a position to begin with this immediately. However, it is a step in the right direction, I maintain.

THE LOCAL IMPROVEMENT ACT

Hon. Mr. Spooner moves first reading of bill intituled, An Act to amend The Local Improvement Act.

Motion agreed to; first reading of the bill.

Hon. Mr. Spooner: Mr. Speaker, this amendment is to elucidate upon the use of the word "published." It was recently held that publication in a newspaper that had general circulation but that was not published in the municipality was not sufficient notice since the definition required publication in the municipality or in an adjacent or neighbouring municipality. This is to correct this small deficiency in the Act.

THE PUBLIC UTILITIES ACT

Hon. Mr. Spooner moves first reading of bill intituled, An Act to amend The Public Utilities Act.

Motion agreed to; first reading of the bill.

Hon. Mr. Spooner: Mr. Speaker, the purpose of these amendments is to provide the municipal corporation with power to pass by-laws to regulate the supply and to prohibit wrongful use of water. Other sections are for the purpose of increasing the penalty for wilful damage and causing injury to public utility works.

THE TRUSTEE ACT

Hon. A. A. Wishart (Attorney General) moves first reading of bill intituled, An Act to amend The Trustee Act.

Motion agreed to; first reading of the bill.

Hon. A. A. Wishart (Attorney General): Mr. Speaker, this is a very simple and short Act. It simply provides that trustees may invest in the securities, the bonds and debentures of the World Bank in addition to those others for which it now has authority.

THE PROCEEDINGS AGAINST THE CROWN ACT, 1962-1963

Hon. Mr. Wishart moves first reading of bill intituled, An Act to amend The Proceedings against the Crown Act, 1962-1963.

Motion agreed to; first reading of the bill.

Hon. Mr. Wishart: Mr. Speaker, in explanation of the intent and purpose of this bill, it is to provide first of all for some notice to be given where a claim is being made against the Crown in order that there may be some investigation and possibility of a settlement being reached. This is necessary because the Crown in all its departments and in all its works is spread wide geographically as well as in an administrative sense.

This Act also provides the names and indicates the persons who may be examined for discovery in a department of the government and the type of certificate or affidavit which shall be furnished on production where discovery is required.

THE CORONERS ACT

Hon. Mr. Wishart moves first reading of bill intituled, An Act to amend The Coroners Act.

Motion agreed to; first reading of the bill.

Hon. Mr. Wishart: Mr. Speaker, to give the House an explanation of the purpose and intent of this bill, I think I should say that considerable study has been going forward with respect to The Coroners Act and coroners' procedures generally. This is now before the law reform commission out of which may come a different procedure or rewriting of the Act, that remains to be seen. This Act simply defines certain additional powers, or limits or extends certain powers, with respect to the supervising coroner and other procedures with respect to the holding of coroners' inquests.

PRIVATE INVESTIGATORS AND SECURITY GUARDS

Hon. Mr. Wishart moves first reading of bill intituled, An Act to regulate private investigators and security guards.

Motion agreed to; first reading of the bill.

Hon. Mr. Wishart: Mr. Speaker, we have on our statute books at the moment The Private Investigators Act. This Act picks up the provisions of that Act, with some amendments and enlargements, and now includes security guards with provisions for their licensing, registration and certain provisions as to the control of their activities.

Mr. K. Bryden (Woodbine): Mr. Speaker, before the orders of the day, I would like to ask the hon. Attorney General if he will refer Frederick Fawcett to a panel of outstanding psychiatrists from outside the country for examination and report.

Hon. Mr. Wishart: Mr. Speaker, the answer to the question as it is framed must be no.

I would add that on two occasions the Supreme Court of Ontario has found Frederick Fawcett's detention valid. On each of these occasions, Fawcett was examined by very competent psychiatrists and was given every opportunity to adduce all evidence he or his counsel deemed necessary or advisable. He has been examined by at least eight psychiatrists, of whom five were of the opinion that Fawcett is mentally ill. I sincerely believe that these psychiatrists are as competent as any to be found anywhere.

I assure the hon. member that there is no desire to keep this man in custody any longer than necessary, consistent with the protection of the public. He will be examined from time to time by competent psychiatrists and he will be released as soon as it is possible to do so.

If Mr. Fawcett or his advisors are dissatisfied with his treatment or detention they may, of course, at any time apply to the courts for relief as they have done on two occasions before.

Mr. Bryden: There is a supplementary question, Mr. Speaker.

May I ask the hon. Attorney General how many of the five psychiatrists whose reports were unfavourable to Fawcett are employed by the government of Ontario?

Hon. Mr. Wishart: I cannot answer that at the moment. I could get the answer. Possibly three!

Does the hon. member imply that they do not give an honest opinion?

Mr. Bryden: I am implying no such thing, Mr. Speaker, but I think it is relevant information. They are all working for the same employer and therefore may have a tendency to back each other up.

Hon. Mr. Wishart: I reiterate, Mr. Speaker, that the policy with respect to any person detained in a mental institution is not to keep him there. The goal is to have him released as soon as possible, as soon as he is fit. Those psychiatrists would not be so inclined, I am sure, because they believed it was government policy to keep him there.

Mr. F. R. Oliver (Grey South): I listened to my hon. friend on a television programme last night and I understood him to say that it was his feeling that if Fawcett dispossessed himself of the farm, the psychiatrists who had said that Fawcett was insane would then in all probability change their minds and say that he was not insane. Is that my hon. friend's present feeling on this?

Hon. Mr. Wishart: Mr. Speaker, I think I can clarify this for the benefit of the hon. member. The question was put to me by the persons who were interviewing me as to whether the sale of Fawcett's farm would resolve this situation. Of course, I could not answer that and did not answer that. It was their proposal.

I did say that Mr. Justice Spence, at the hearing which he had in 1962 as to the mental capacity or mental state of Fawcett, found on the evidence of the majority of psychiatrists that the paranoia—this man has been found to be a paranoiac—and that the paranoia was concerned and related to the geographical area of his farm and that apart from that he might be very normal through his other walks of life. This is, I understand, quite a common thing in a paranoid situation.

Mr. Bryden: Outstanding psychiatrists say it is nonsense. Better men than—

Hon. Mr. Wishart: Just allow me to say what Mr. Justice Spence found.

Then I was asked, "Would the sale of the farm relieve the situation?" I distinctly recall saying, "I can't and I don't propose to direct and I do not think anybody would want me or the department or any government to direct, that he must sell his farm." Perhaps this might clear up the situation, over which psychiatrists say his paranoia exists.

Mr. L. Troy (Nipissing): Mr. Speaker, I have a question to the hon. Minister of Public Welfare (Mr. Cecile). I presume he has received a copy of the question.

Does the hon. Minister of Public Welfare intend to order an inquiry into the administration of Castle Home, the home for the aged at North Bay? Before he answers the question, I might point out that the chair-

man of the Castle Home board welcomes the inquiry.

Hon. L. P. Cecile (Minister of Public Welfare): Mr. Speaker, in answer to the question of the hon. member I would say that upon the request of the board of management for an inquiry I will be pleased to send a representative immediately from our homes for the aged branch, for that purpose. So far I have no request from anyone.

Mr. S. Lewis (Scarborough West): Mr. Speaker, to pick up on the previous topic, I would like to direct a question to the hon. Minister of Health (Mr. Dymond).

In view of the Frederick Fawcett case, would the hon. Minister consider amending section 45 of The Mental Hospitals Act to provide statutory basis for his special committee of three, made up of Mr. Justice C. Stewart, Dr. W. E. Boothroyd and Dr. Elliot Markson, to examine patients where grounds for discharge are in dispute?

Hon. M. B. Dymond (Minister of Health): Mr. Speaker, the answer to the hon. member's question is "no." It would not be in order for The Department of Health to pass legislation that would interfere with the functions of the courts. In this particular case, the decision that the patient is mentally ill and dangerous to be at large has been made by the court, and I do not feel that we are in a position to raise this question again at the present time.

Mr. S. Lewis: May I then direct a question to the hon. Minister of Labour (Mr. Rowntree)?

Has the Ontario human rights commission studied the Frederick Fawcett case to determine whether there has been any violation of the Ontario human rights code or the Canadian bill of rights?

Hon. H. L. Rowntree (Minister of Labour): Mr. Speaker, the Ontario human rights commission has not received any form of complaint in connection with the case of Mr. Frederick Fawcett. From our information, it would appear that this case does not fall within the jurisdiction of the Ontario human rights code, which applies only to discrimination in employment, housing, public accommodation and public notices based on race, colour, creed, nationality, ancestry or place of origin.

The responsibility for dealing with violations of the Canadian bill of rights rests entirely with the federal authorities, and for the information of the House, I would note

this, that before either authority can officially study a case to determine if a violation exists, a formal complaint must be registered under either the Ontario human rights code or the Canadian bill of rights.

Mr. Bryden: Mr. Speaker, I would now like to direct a question—I think it is in three parts—to the hon. Minister of Health.

First, did Frederick Fawcett return to his farm for a period of more than a week at any time while an inmate of an Ontario hospital? If so, when did this occur, and for how long? And were any untoward results observed during or after, which could be attributed to the fact that he had returned to his farm?

Hon. Mr. Dymond: Mr. Speaker, through you, may I ask that hon. members, when referring to persons confined to Ontario hospitals, refer to them as patients and not as inmates.

The answer to the hon. member's question is that Mr. Fawcett failed to return from an authorized weekend leave on July 24, 1964. The Ontario provincial police and the Metropolitan Toronto police were advised. An effort was made by the hospital staff to have his family persuade him to return. When this was unsuccessful, the provincial police were asked to apprehend him. He returned to the Ontario hospital, Toronto, by himself on August 16, 1964. Mentally and physically he was approximately the same as when he left the hospital. No untoward incidents during his period of absence were reported to us.

Mr. Speaker: Orders of the day.

Hon. J. Yaremko (Provincial Secretary) begs leave to present to the House:

The report of the Minister of Public Works, province of Ontario, for the year ending March 31, 1964.

Mr. D. C. MacDonald (York South): Mr. Speaker, I wonder if I might direct a question to the hon. Prime Minister (Mr. Robarts) in regard to this Fred Fawcett case?

In view of all the far-ranging ramifications of it, and since it hinges on many departments, would the hon. Prime Minister himself consider intervening to give special consideration to this? It would seem to me that it is in the interest of the government that this should be done. The government may think it is on strong ground but an overwhelming proportion of the population of the province does not think so, and the issue is going to get publicity. It would seem to me to be in the government's interest to want to resolve

it. Would the hon. Prime Minister consider this?

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, I noticed the series of questions that were asked today and I assume there was some pattern behind them. As far as I, personally, am concerned, I want to know all about it and I have so asked. I think the answers given to the questions asked are satisfactory—I have heard them all over the last three or four days. However, I want to make it very clear that as the hon. Attorney General has said, today there is no interest for this government, nor I believe any government, in keeping a man incarcerated in any place if he does not need to be there, and it seemed to me as I listened to these questions in this House that we are calling into question the judgment of psychiatrists.

Mr. Bryden: There are psychiatrists of all sorts.

Hon. Mr. Robarts: However, in my own interests, I really want to know what this is about and I have asked for a complete report on the whole case.

Mr. Speaker: Orders of the day.

THE ONTARIO HUMAN RIGHTS CODE, 1961-1962

Hon. H. L. Rowntree (Minister of Labour) moves second reading of Bill No. 30, An Act to amend The Ontario Human Rights Code, 1961-1962.

Mr. L. A. Braithwaite (Etobicoke): Mr. Speaker, during the debate on the Speech from the Throne, I brought to the attention of the government certain areas where our party felt the Ontario human rights code could be strengthened. This bill takes some of my remarks into consideration, but in the view of this party, it does not go nearly far enough.

I need not tell this House how important the matter of human rights is to all citizens of Ontario. This being so, I cannot understand why the government does not remove, once and for all, various areas and loopholes in our society, which allow discrimination in any form to exist.

It would seem to me, and I believe I speak for the large proportion of this House, that when one considers human rights and human dignity there is nothing more important. So far as this party is concerned, Mr. Speaker, we have the distinct impression that this government is using the Ontario human

rights code as a political football, a play-thing.

I wonder, Mr. Speaker, whether this government is not milking this code for all that it can? Every time that an improvement is made, a mighty press release is sent out and the government takes credit for being progressive. This could go on for years. Meanwhile, some citizens continue to be deprived of their rights.

This is not right! As long as one citizen is so deprived we say, Mr. Speaker, that the code should be perfected at once and for all time.

As an example of what I have said, I draw the attention of this House to section 3 of the code, as it stands and I quote:

No person, directly or indirectly, alone or with another, by himself or by the interposition of another shall:

(a) deny to any person or class of persons occupancy of any apartment in any building that contains more than six self-contained dwelling units;

(b) discriminate against any person or class of persons with respect to any term or condition of occupancy of any apartment in any building that contains more than six self-contained dwelling units;

because of his race, creed, colour, nationality, ancestry or place of origin of such person or class of persons.

Now, Mr. Speaker, you will note that the number six is used. By clause 3 of the Act as proposed, six has been reduced to three. I wonder, Mr. Speaker, if next year it will be reduced to two? And how about the year 1967?

We want it reduced to one self-contained unit now. We want the code perfected!

Now let us look at the present section 4, subsection 4-b of the code. We feel that this subsection of the code should be amended so that the distinction between public and private institutions can no longer be in doubt insofar as discrimination in employment is concerned.

Continuing with the field of employment, section 4, subsection 4-c of the code as it stands states as follows:

This section does not apply to any employer who employs fewer than five employees.

One wonders why the number of employees is set at five. Why not three, or two or none?

Mr. Speaker, the Liberal Party does not, and never has, taken the point of view that discrimination should be legislated out of

existence by number or by progression. We firmly believe that the Ontario human rights code should be tightened up now so that prejudice and discrimination can be eradicated once and for all from Ontario.

However, since this bill is an improvement of the existing legislation, we will support it.

Mr. D. C. MacDonald (York South): Mr. Speaker, I feel it is accurate to state that this is a bill the original principle of which everybody in the province has supported for years. It is also a bill the original principle of which, as the hon. member who has just taken his seat has indicated, this government has proclaimed. Indeed, I believe a previous Prime Minister said it was the legislation he regarded as his proudest legislative achievement.

I think in one respect, Mr. Speaker, it is accurate to say that our record in the province of Ontario and our record in Canada in this field, relatively speaking, is a good one. Indeed as far back as 1792, years ahead of Great Britain, years ahead of that civil war in the United States, the Legislature of Upper Canada, the province of Ontario, passed the first anti-slavery bill. But I think, Mr. Speaker, we have now moved into a stage in world history when the conscience of mankind has been aroused to a point in which any continued affront to individual rights and human dignity, and half measures which because the other half is ignored in effect legalizes discrimination, has become intolerable.

I was interested in the historical context that I have spelled out here, to go back and read a magnificent speech, so magnificent, indeed, that the publication put out by our human rights commission printed it in total a year or so ago. It was a speech of George Brown, delivered to the Toronto anti-slavery association on March 24, 1852, 113 years ago, almost to the date.

Mr. Speaker, just to get this principle enunciated in terms which I think are eternal—they do not change—and also for the interest of the hon. members of this House, in light of events that have taken place in recent weeks, where a number of Canadians have seen fit to participate in these events, so that the fruits of that victory a hundred years ago might be reaped instead of withering on the vine, as they have throughout those hundred years, I would just like to quote a portion of that speech by George Brown. It is almost as relevant today as it was back at that time. He said this:

The first time I ever entered an American church was in the city of New York, a

Presbyterian church. A friend who was with me went into one pew and I entered another. Immediately I noticed several persons staring at him in a particular manner; and at last a gentleman rose, went to one of the office bearers, whispered and pointed to my friend. The second gentleman left his pew, went to my friend and more politely conducted him to another seat.

Both of us attributed the circumstance at first to courtesy, but we soon learned that he had gotten into the black pew, in which no white man should be degraded to worship his Maker. The thing is too common to be denied. Also, at the sacrament table, the black Christian must sit apart from his white brother worm.

The question is often put: What have we in Canada to do with American slavery? We have everything to do with it. It is a question of humanity, and no man has a right to refuse his aid whatever it may be in ameliorating the woes of his fellow man. It is a question of Christianity, and no Christian can have a pure conscience who hesitates to lift his voice against a system which, under the sanction of the Christian altar, sets at defiance every principle of Christianity.

We have to do with it on the score of self-protection; the leprosy of the atrocious system affects all around it. It leavens the thoughts, the feelings, the institutions of the people who touch it. It is a barrier to the spread of liberal principles.

Who can talk gravely of liberty and equality in the state, while slavery exists? Every intelligent American who professes to be a Christian and upholds slavery is committed to a glaring infidelity which must lead him continually astray in trying to square with it his everyday conduct.

We are alongside this great evil. Our people mingle with it. We are affected by it now and every day enhances the evil.

But how shall we proceed? What shall we do? Speak against it! Write against it! Agitate against it! And when you get a hold of a Yankee, drive it home to him.

Tell him his country is disgraced, wound his pride! Tell him his pure institutions are a great sham, send him home thoroughly ashamed of the black spot on his country's escutcheon.

In steamboat or railroad, or wherever you are, hunt up a Yankee and speak to him faithfully. There is no other man so sensitive as to what other people think of

him. You will find strange arguments to meet, but every man of them will be "as much opposed to slavery in the abstract as you."

It's a great evil, they will say, but what is to be done with it? Tell them that slavery is not an evil, but a sin.

Here, the hon. Minister of Health (Mr. Dymond), with his rich Presbyterian background, will agree that George Brown was getting back to original sin here. "This is not just an evil, it is a sin," he said.

A breach of every commandment in the Decalogue, and that there is no choice but immediate emancipation.

Tell them there was once a tea tax attempted to be imposed on them, and there was no word of "what's to be done" then. They flung the tea into the Boston harbour, and they must send slavery after it.

They will say with the deepest sympathy that "the poor creatures could not take care of themselves," but you can tell them that we have 30,000 of them in Canada, that they all seem to get along and that the men whom the colonizations wish to make missionaries to the heathen may be safely left to find for themselves food and clothing. They will presently get angry, and assert that but for the violence of the abolitionists, slavery would have been done away with long ago, but you can tell them that the cry of every despot since the world began has been, "Oh, these pests that turn the world upside down."

I repeat, Mr. Speaker, in the wake of events of the last week or two, indeed in the wake of events that are taking place today in that historic march from Selma to the capital of Alabama, and of the protests of Canadians in this country, no more than a few hundred yards from here, at the American consulate we hear the same arguments used today as George Brown suggested would have to be contended with in 1852.

I think this underlines the validity of the contention that has been advanced by the hon. member for Etobicoke in regard to our reaction in this House to this piece of legislation. For example, when the government first brought in a bill with regard to a law forbidding discrimination, against those seeking accommodation, they did not make it apply to six units or less. We, for example, in trying to lead this government to perfection, suggested three. This was voted down.

I think the time has come, Mr. Speaker, to cease playing with any figure—let us look at the principle. We cannot continue to prate

about human rights and at the same time wink at the violation of human rights. More important, as a Legislature we have gone too far in proclaiming our beliefs and our determination to have them translated into action, to pass legislation which is a half measure and which in effect legalizes discrimination. That is what this amendment to the human rights code proposes to do.

That this government should initiate such a bill makes a mockery of its high-sounding proclamations down through the years, and now the very fact that the government should introduce such a bill reveals a disturbing willingness on its part to make exceptions, to tolerate qualifications on what has been presented by it as an article of faith.

I want to suggest to you, Mr. Speaker, that the principle is very clear. If it is a self-contained unit, then there should be no discrimination at all in the renting of that property. We concede that if a dwelling unit is not self-contained—in other words, if it is without separate entrance and without separate facilities—an owner has the right to decide, in effect, with whom he is going to share his home. This is his basic right. But if there is a separate entrance and if there are separate facilities, then he does not have the right to discriminate against those who may seek to rent that property because he does not happen to like their race or their colour or their creed.

Quite apart from the principle, I want to draw attention to two other factors which seem to me to bolster the argument that the principle itself should be upheld. I want to suggest that what the government is proposing, for example, is both unreasonable and a piece of political folly. It is unreasonable for this reason, Mr. Speaker: If a man goes out and builds, for example, half a dozen separate cottages or half a dozen separate buildings, he will not have the right to discriminate in deciding to whom he is going to rent those buildings. If for whatever reason—financial, the amount of space available, or whatever—he decides that he is going to put these buildings under the same roof, he is going to have the right to discriminate up to six on the basis of the Act we have had, and now the government is going to say “up to three.” I suggest that there is no rhyme nor reason to this kind of thinking.

I also want to suggest, Mr. Speaker, that it is political folly, and why politicians should be indulging in political folly is always a bit mystifying to me. I suggest it is political folly for this reason, that those who support the principle, and really mean it, are going to be opposed to this bill, because it is a half

measure and in effect it legalizes discrimination. But those who do not support the principle underlying the human rights code—and tragically there are many in our population still who do not—are not going to be influenced and persuaded because the government reduces the figure from six to three.

They were opposed to it when it was at six; they are going to be opposed to it when it is at three. They think they should have the right to discriminate under any circumstances. Unfortunately, nobody is going to change the thinking of these people immediately by any Act of the Legislature. Their thinking is poisoned by the virus of racial discrimination which is tearing the American nation apart, which is plaguing the world with problems that compound the problems it already has, and indeed is creating some problems here in our own country. So the government is going to end up by pleasing nobody. Those who are in favour of the principle will not like the bill because the principle is violated; those who are opposed to the principle will not like it because the government is playing with the principle, as the hon. member for Etobicoke said.

Therefore we want to urge the government strongly that it reconsider the legislation that it has, and there will be opportunities to assist it in reconsidering it when we get to the committee stage. But at the moment, if the government really believes in this principle, I think it is about time that it acted in accordance with its proclamations, and it has not done so with the amendment it has brought before this House.

Mr. J. B. Trotter (Parkdale): Mr. Speaker, I would just like to add a few remarks in this debate and to say that we here agree with what has been said by the last two previous speakers. For too long now, our governments have been taking very mincing steps in this problem of treating everyone as an equal. I think that the governments in the western world today, and particularly the government of Ontario, are behind public opinion. It is becoming more and more obvious—judging by the public response that we have seen as to what has been going on down in the state of Alabama—that the people of Ontario and the people of Canada want to see to it that this business of preaching that we are all equal is put into practice. So often when we read the constitutions of some countries we find they have fancy words but they are not put into practice. If western civilization is to survive, and if we, as a free and democratic society, are going to be respected, we are going to have to show that we not only preach the

principles of freedom, but we carry them out in our laws.

It is most unfortunate that we of the western world seem to have lost the drive that we once had. Seventy-five years ago, as people from Great Britain and people from the US were going around the world, it was the thing to do to be a part of what the US and Great Britain were doing. But today there is much more opposition to us, simply because we seem to have lost that drive that attracts. We have found out that the western world has a lot of money. We can go out and we can spend it, and yet at the same time it does not win us friends. It is the drive to have ideals and principles that will attract the nations of the world to us and to what we want to do.

Let us bear in mind, Mr. Speaker, that we of the white race—of the more-or-less more fortunate people at the present time—are a minority in the world, and that the other races of the world are on the march and they are going to hold us accountable for not only what we have done in the past, but what we are doing today. So I say to you, Mr. Speaker, that this legislation, although it is a step forward, is not good enough and the time has come to treat an individual as an individual, as a person, and not according to what his creed is, or to what his colour is, or to when his ancestor arrived on the boat.

I would like to move an amendment, seconded by Mr. Newman.

Mr. J. B. Trotter moves, seconded by Mr. B. Newman, that section 2 of Bill No. 30 be amended to read as follows:

(a) deny to any person or class of persons occupancy of any commercial unit or any apartment in any building.

Hon. H. L. Rowntree (Minister of Labour): Mr. Speaker, may I ask your ruling? This, as I understand it, is completely out of order on second reading.

Mr. Speaker: I might say to the member that he can move an amendment to the sections in committee stage, but not on second reading.

Mr. Trotter: Very well, I will do that at that time and then we will move the amendment.

But I just want to emphasize this again: Can I not question that ruling, Mr. Speaker? This is a principle of the bill.

Mr. Speaker: I understand that you are moving an amendment to a section of the bill?

Mr. Trotter: Yes, but it contains the principle of the bill.

Mr. Speaker: Quite true. If you move an amendment to a section, naturally it would be relevant to the whole bill; but I would suggest the place to do it would be in the committee of the whole House.

Mr. Trotter: I can see your technical question, but bear in mind that section 2 really is the centre of the principle of the bill.

Mr. Speaker: I will consult the Clerk on the matter.

Yes, I understand that you cannot move an amendment to the bill during the motion for second reading.

Mr. Trotter: Although we feel that the bill does not go far enough, Mr. Speaker, if it is your ruling we will naturally abide by it. We will probably have the opportunity to change the section.

We can say of the government that it is a step forward, but it is so difficult to understand why the government over the years takes these mincing steps. It is either a good principle or it is a bad principle; and certainly, I am sure everyone in this House, agrees that it is a good principle to judge an individual as a person.

So for this moment, and for this particular principle, I say to you, Mr. Speaker, that we on this side of the House will support the bill on principle as it is, but regret most deeply that more has not been done.

Hon. J. Yaremko (Provincial Secretary and Minister of Citizenship): Mr. Speaker, reference has been made in this House to the fact that a former Prime Minister of Ontario, the Hon. Leslie M. Frost, made a point of stating that of his long career in this Legislature what he was perhaps most proud of was his record in this field.

Mr. Speaker, Mr. Frost could say that justifiably and deservedly so. Indeed, as a private member and subsequently as a member of the government I take exactly the same position. There is nothing I have supported as a private citizen; as a private member; as a member of Mr. Frost's government, and presently as a member of the present administration, that has given me so much pride in having had the privilege of participation in than bringing these things to pass.

The present hon. Minister of Labour during the course of his tenure of office has brought in legislation of a wide and encompassing nature covering the many aspects

within the field of labour-management relationships, workmen's compensation, safety and the like. When the time comes, in the long and distant future, for him to reminisce I think that these amendments which he will have the honour of introducing in this Legislature will stand out in his mind and be long remembered by him.

Mention has been made of the place of this administration in the enactments that have been made in the past. If one were to stop and consider the reasons why this administration has had the affairs of this province in its hands during that period of years, I would think that its record within this field is probably one of the outstanding reasons.

The hon. member for York South has pointed out the fact that this province of Ontario, as early as in 1793, in the first Legislature that ever met, took steps in this direction. Amongst my Canadiana collection I count as a special item the statutes of that day, and it was purchased by me primarily because it contains that legislation.

The years went by and this administration, in the early 1940s took a look at it, as a result of which we in this province were set on a new course in human relationships. In 1944, four years ahead of the United Nations' declaration of human rights, this Legislature took its first major step in "An Act to prevent the publication of discriminatory matter referring to race or creed."

Hon. members of this House will have heard me refer in the past to matters coming within my department and other departments as being the best in Canada, on the continent, and in some instances in the world. Hon. members of the Opposition have not liked to listen to this description.

In this field, not only have we been amongst the best, this administration has invariably been in the forefront, going back to 1944 when this new series began. Here I refer to the *Labour Gazette* of February, 1961, which reviewed all the legislation within this field throughout Canada. So that it will not be my opinion, my word in this regard, I should like to quote from this edition. I commend all of it to hon. members of the House. I quote:

In 1944, Ontario enacted The Racial Discrimination Act, making it an offence to display or publish any notice, sign, symbol or other representation expressing religious or racial discrimination.

The introduction to that sentence was:

A major development during the decade was the enactment of legislation designed

to eliminate discriminatory practices in respect of employment and public accommodation.

This is the first of a series within this province. Then I quote again:

The movement for positive government action against discrimination in employment began in 1951 when Ontario enacted The Fair Employment Practices Act which provided that race, creed, colour, nationality, ancestry or place of origin must not be determining factors in the hiring, firing, promotion or conditions of work.

Mr. Speaker, that Act—although I was not a member of the House I was a supporter of the party—was of significance to me because in the year 1937 I was fired from a job only because of my name. I was engaged one day, and 24 hours later I was discharged because within the 24-hour period my employment card had passed before the works manager and he decided on that name alone to discharge me. Fortunately, the then president of the Steel Company of Canada, Mr. Hilton, was of a different mind and I was re-employed in a different works, at a better job and a higher salary.

So when I saw that this administration in 1951 had placed, in April of that year, an Act which had within it a preamble—now preambles are not popular with the legislative counsel, at least I am told that, but this had a preamble and I should like to read it:

Whereas it is contrary to public policy in Ontario to discriminate against men and women in respect of their employment because of race, creed, colour, nationality, ancestry or place of origin; whereas it is desirable to enact a measure designed to promote observance of this principle; and whereas to do so is in accord with the universal declaration of human rights as proclaimed by the United Nations.

You will see, Mr. Speaker, that now the province of Ontario, which had taken steps four years prior to the United Nations Declaration was now participating in upholding it.

I return to the *Labour Gazette*, and I would refer to the fact that on page 142 of that edition, the following words appear:

Ontario passed the first Fair Accommodation Practices Act in 1954.

So it was in 1954, as a private member and a supporter of the government of the day, that I was enabled for the first time to participate in the enactment of legislation which was the first of its kind and, indeed, it is that Act which in a way is related to what we are doing this afternoon.

Then in 1958 The Ontario Anti-Discrimination Commission Act was passed, and was amended in 1961. So also was the present section to which the hon. members of the House have referred this afternoon, An Act to amend The Fair Accommodation Practices Act. All of these were first in their field.

I agree with the hon. member for Etobicoke that perfection is something for which men and women should continuously strive. Within our community were men and women in 1944, and indeed earlier, who could have come to this Legislature and have said: "Gentlemen, these are the things that should be done." It would not take those individuals 20 years to bring to the attention of the members those things in human relationships which should be attended to. Yet it is our way in a democracy that there is a continuous process of evolution. We could not have attained the perfection in 1944; we cannot attain perfection in the year 1965—

Mr. MacDonald: Therefore let us postpone it. Why?

Hon. Mr. Yaremko: —and I dare say that we cannot attain perfection the field of human relationships in 1985.

Mr. MacDonald: That is an excuse and procrastination. Try it.

Hon. Mr. Yaremko: We can try, and we are trying. The record of this administration is all on the books and it has been the best of its kind at the time, and the first of its kind.

Several hon. members: Hear, hear!

Hon. Mr. Yaremko: And in 1962 there came the period when this Legislature saw fit to codify all this legislation into the "Ontario Code of Human Rights," and to provide for its administration. That Act encompassed what had been done in the past. We saw fit at that time, and rightly so, to make available to the people of the province of Ontario this document which I have in my hand and which can hang in their homes, in their schools, in their churches and gathering places. I say that this document—The Ontario human rights code over the signature of the hon. Prime Minister, John P. Robarts—is a document that can rightfully take a place of honour in the home or the establishment of any individual.

The Toronto *Telegram* during that time—March, 1961—in referring to the proposed codification, referred to it as being "logical and commendable." But then it went on to

say: "But this should be no cause for resting on laurels."

So, as we approach a decade with the experience of the past, we are now, I suggest to the hon. members of this House, we are embarked on a new series of legislative enactments which to all of us can be and will be a source of pride through the years ahead. We will not have done everything that is possible, but just as the concern of every single man who is hungry, is the concern of this Legislature so long as he exists, so, too, it will be the concern of this Legislature so long as there is one man or one woman against whom an unfair prejudice exists. It must, of necessity, be of concern to the hon. members of this House. At no time, neither in 1945 nor 1965, nor 1985 nor 2005, in the development of the relations of human beings will there ever be a cause for complacency, or time to stop and rest on one's laurels, because this is one of the most challenging things that can be placed before men and women.

I referred to the fact that I was fired because of my name. It did not stop there. When I went to article as a graduate of the University of Toronto law faculty in one of the law firms downtown, the senior member; the partner, in a tone as kind and as gentle as he could make it sound, indicated to me that they would be delighted to have me a member of the firm if I changed my name. I decided not to. Fortunately, down the very hall in the same building, I went into a firm just as large, where there was no hesitation and no questions asked, and I became an articulated student. It may be that those situations still exist today.

I can say that it was during this last 20 years, the term of office in which the administration of provincial affairs have been in the hands of the Progressive-Conservative Party; that this legislation came into being. This is no time for political partisanship, it is true. The hon. member for Etobicoke tells us where the Liberal Party stands. I have indicated to him not where the Progressive-Conservative Party stands; I have indicated where it has stood and where it has taken action. If anything deserved the commendation, not only of the people of the province of Ontario but of the other provinces, that such an administration was in power to lead the way, it is this one and I think there is a debt of gratitude owed by men and women, citizens all across Canada, that there was a Progressive-Conservative administration in power in the province of Ontario that spelled out the public policy that now exists today.

This policy is in the preamble of the

Ontario human rights code, and the preamble today is no longer related to any specific activity as was the preamble written in 1951 which was related to the field of employment. The preamble today states—and this is where the Progressive-Conservative administration of this province stands, under the leadership of John Robarts—

It is public policy in Ontario that every person is free and equal in dignity and right without regard to race, creed, colour, nationality, ancestry, or place of origin.

Mr. MacDonald: Except those who live in two-unit buildings.

Mr. Speaker: The member for Wentworth East.

Mr. R. Gisborn (Wentworth East): Mr. Chairman, in rising to make some brief remarks in relation to the principle of this bill, I must say that I do so with some sense of shame. I recall that about 1959, or maybe late 1960, I introduced a bill to bring about exactly what section 2 of this bill now asks for. I say that I rise to oppose the principle of this bill, because it places restrictions and has a discriminatory flavour.

I am opposed to discrimination in any sense. When I introduced the bill, asking for the same provisions provided in clause 2, in 1959 I did so reluctantly. I discussed the problem with the civil rights committee of the Toronto and district labour council, a dedicated and progressive group, and they also were reluctant to recommend that kind of a measure at that time. They felt we should ask for the removal of any restrictions in regard to public accommodation, but they said we have to look at it logically and in a practical way. They said our experience with this government is not such that we will have any success whatsoever, and so we should move slowly in keeping with the type of government we are dealing with. I reluctantly accepted that kind of a proposition and introduced the bill to bring about what clause 2 now provides.

I have grown up a little bit more in the past few years, and I think it is a shame that we have to be dealing with the principle of a bill that does provide discrimination in regard to accommodation. I therefore have to vote against this bill on second reading.

Mr. Speaker: The member for Scarborough West.

Mr. S. Lewis (Scarborough West): Mr. Speaker, my remarks will be brief, and I have but three points to make.

First, we in the New Democratic Party

feel that there is an untenable irony between section 1 of this bill as presently constituted, of this amendment, and section 2. Indeed there is an even more dramatic irony as indicated by the hon. Provincial Secretary when he suggested that the preamble excludes no categories of persons in any area. At one point, back in 1951, there was such a specific designation. In 1965, in the preamble to the Ontario human rights code, there is no such exclusion.

May I point out that in section 1 of the bill, no person directly or indirectly, alone or with another, by himself or by the interposition of another shall—and I will move to sub-section (b)—discriminate against any person or class of persons with respect to the accommodation, services, or facilities available because of the race, creed, colour, nationality, and so on.

Section 2 then, in juxtaposition to section 1, says that in fact such discrimination will be countenanced by the government, where it relates to dwellings with three self-contained units.

That is our first term of opposition, Mr. Speaker.

One second is that we cannot accept the Liberal Party rationale. Although we understand and appreciate the dilemma that these things evolve gradually, we cannot accept the rationale that it is valid to legalize discrimination where three such units are involved, but invalid to accept it where six such units are involved. It may be right to make the amendment when we are in committee but we will have to oppose, as a party, the principle.

The third factor I should like to suggest is that the entire current of history in this field on the North American continent is presently irresistible. When the hon. Provincial Secretary talks about perfection, he is not relating his words to the administration of highways or safety construction or municipal regions. He is relating his remarks to a delicate, sensitive and paramount field of human relations. Although we may not be able to enunciate the perfection and to enforce it in a legal sense, it is right and just that it should be embodied in the statutes of this province.

Dean Rostow of the law school at Yale has written, and I should like to read this into the record:

Men often say that one cannot legislate morality. I should say that we legislate hardly anything else. All movements of law reform seek to carry out certain social judgments as to what is fair and just in the conduct of society.

Mr. Speaker, we in this party feel that it is fair and just in the conduct of this society that we unequivocally reject legalized discrimination in relation to three self-contained dwelling units in this bill and would therefore oppose the principle on second reading. If that is defeated, we will of course then support an amendment in committee of the whole.

Mr. D. A. Paterson (Essex South): Mr. Speaker, in rising to take part in this debate on second reading I, like the other hon. members of our party, am somewhat reluctant to proceed and support this bill. I am sure that when the hon. member for Parkdale submits an amendment to this that I and the hon. members of my party in the Opposition will give this our wholehearted support, and I trust that other hon. members of the House will do likewise.

I feel that I must take part in this debate, as to the best of my knowledge I have been the only member to date so far to have spoken on behalf of the rural ridings. I believe I represent the most cosmopolitan rural riding in the province of Ontario. As I stated in this House last year, these are among the finest people in the world.

The second point concerning my riding that I would like to draw to the attention of this House is that Essex South, the Windsor border area, was the first point of entry for those escaping to British soil to seek freedom. I certainly feel that I, as a member from this area, must do everything within my power to see that there is no discrimination of any sort within our province.

Mr. F. Young (Yorkview): Mr. Speaker, I just want to make a couple of remarks in respect to this bill. As we look back over the long history of a human race there has been much lip service paid to the phrases of freedom and equality. I think the long struggle of man has been the struggle toward achieving freedom from various types of discrimination, from various types of tyranny and to achieve equality man with man across the nation and across the world.

That struggle has been carried on in large measure by the people who have been discriminated against, even in those areas where lip service was paid. Here today we listen to the hon. Provincial Secretary talk about the long period of 20 years over which certain achievements have been made. So, he said, we are doing this thing gradually; and we hear this time after time in this House and elsewhere, this philosophy of gradualism.

Well certainly we perhaps never achieve

everything we want at once, and so the philosophy of gradualism has some validity. But in this case we are close to achievement. It is a matter of a very few more steps. And those few halting steps could be taken at once, in this one step, if this House so felt.

So I say to this government and to this House: Since the government is proud of the steps it has taken, proud of the achievement it has made over these years, then, today take that final step to abolish discrimination. Wipe out the stamp of approval which this bill gives to discrimination of this kind, and get that step made before it finds itself out of office in the not-too-distant future. Then it will have completed this job of which it says it is extremely proud.

Today, in the south, part of this struggle is seen between Selma and Montgomery, where human beings are demanding certain fundamental rights in that land, rights which have been given here as far as the vote is concerned—but rights which we are still holding as not quite valid in the legislation here before us.

Mr. Speaker, I say to this House today that we are enunciating in this bill a principle which is wrong. This bill is admitting that discrimination should exist in this respect. It is wrong, and this House should wipe out that wrong today as we vote on this second reading.

Mr. B. Newman (Windsor-Walkerville): Mr. Speaker, I would like to make a few comments concerning the bill, coming as I do from the city that was the original gateway to freedom in North America. I join with my colleague, the hon. member for Essex South, in expressing a real sense of disappointment when this government still insists that discrimination is all right as long as it involves only three people, or three families.

At the proper time, Mr. Speaker, we of the Liberal Party will have our amendment to the bill expressing exactly how we feel the Act should be changed. Mr. Speaker, I only wish that the hon. member for Windsor-Sandwich (Mr. Thrasher) could be in here with us so that we in Essex county could express a united front in opposition to the bill as presented. We will vote for the bill, but when the time comes we will have an amendment to it.

Hon. Mr. Rowntree: Mr. Speaker, this is a very important matter. It deals with an area of society with which we are all concerned.

I am interested in the comments of eight previous speakers who made no reference whatever on behalf of the Opposition to

other sections of the bill, nor apparently have they studied the bill. If they have read it, they do not seem to understand the implications of those sections. But in any event, the fact is that they have not discussed the bill in this debate in its full import.

I would like to point out to the House that this human rights code has been on our books for some three years. It was a strengthening and consolidation of all the human rights legislation which was then on our statute books. As a matter of fact, the code itself was intended to create, across this province and in the hearts of the people of this province, some leadership, and a climate of understanding and mutual respect in which and through which all segments of our population would have an equal opportunity to develop their potentialities and live full and rewarding lives. It was against that broad concept that these various pieces of legislation were consolidated.

Of course, when the code was first presented to the House it enjoyed the active support of all parties and all members, because they were anxious to follow the leadership which this government was giving in this field of human rights.

Time goes on, but may I first say this, that the essence of the legislation in this province never pretended to be anything but a progressive, continuing type of thing. And this is what it is. Now, looking at the situation, three years later the government and I, as the Minister responsible for the code and its operation, advanced these other amendments, which I suggest in all seriousness that hon. members must agree are advances in this field of dealing with human rights.

Listening to the Opposition, one would think that this government had never seen the human rights code before, but it was this government which introduced the legislation in its first instance. More than that, this is the only province in this country which has a full-time staff devoted exclusively to dealing with matters pertaining to human rights, their impact and their effect on people.

Mr. MacDonald: It was years after the Saskatchewan bill of rights, years after.

Hon. Mr. Rowntree: Not at all.

Hon. G. C. Wardrope (Minister of Mines): They do not have one yet.

Hon. Mr. Rowntree: The functions of any other human rights legislation in any other province is a part-time function assigned to persons who have other primary functions.

In this province, our human right commission operates with a full-time staff, and with respect to that, of course, we will have an opportunity when our estimates come up of seeing the appropriations which are asked for in that connection.

Of course, I must be frank to point out that I am amazed at the statements of the Opposition, considering that despite the length and duration of tenure of office of the Liberal government in Ottawa, it remained for the Conservative government to take the lead during the few years it was in power in Ottawa. Let us not forget that.

Mr. MacDonald: They were living down their reputation of discrimination against orientals.

Hon. Mr. Rowntree: Let us not forget that Canadian bill of rights.

The success, and I say this advisedly, of the operation by our human rights commission of the human rights code in this province, has been due in no small measure to the fact that its aims have won the approval and support of the people throughout this province. With this experience behind us, we now wish to take further steps to make the code a more effective legal instrument for the protection of human dignity. We are asking for the prohibition of discrimination in connection with the occupancy of dwelling units as defined in the proposed amendment. I point this out in connection with the occupancy of any commercial unit, that discrimination will be unlawful.

It has always been the policy of this government that its own employment practices should follow the spirit of the code. No mention of this was made by any of the Opposition speakers.

Mr. MacDonald: Has the hon. Minister read the brief?

Hon. Mr. Rowntree: The amendments now placed before the House will formalize this policy beyond any question, making the code apply specifically to the Crown, subject to the requirements of The Public Officers Act. Thus the Crown will be placed in the same position in regard to the hiring of an employee as any private employer.

Now in making these various proposals, a number of factors were taken into account. This proposed legislation did not just happen. The case load of the human rights commission was analyzed in order to pinpoint problem areas. Human rights legislation in six other provinces was analyzed and studied and these

amendments will solidify, and I repeat will solidify, Ontario's present leadership in the field.

Mr. Gisborn: I thought there was no other legislation!

Hon. Mr. Rowntree: Careful study was also made of the legislative provisions of 26 human rights commissions in the United States. I say without reservation, or hesitation, that Ontario's code compares most favourably with any legislation on this continent.

Finally, before concluding on what amendments would be included in this bill, I received the viewpoints of a major community deputation consisting of representatives of religious, community welfare, ethnic and labour organizations whose recommendations have been considered carefully with respect to this matter.

Mr. Speaker, in asking the House to support the amendments to this bill, I ask the House to lend their support to this second reading and to join with us in maintaining not only effective but leading legislation in all aspects with respect to human rights in this province.

Mr. A. E. Thompson (Leader of the Opposition): **Mr. Speaker—**

Mr. Speaker: Does the member wish to ask a question?

Mr. Thompson: The hon. Minister has the right to reply to me after—

Hon. Mr. Rowntree: This is not the practice, **Mr. Speaker,** with respect to second readings.

Mr. V. M. Singer (Downsview): Why not? He can speak. He has not spoken yet. What practice are you setting up?

Mr. J. H. White (London South): It is not the practice.

Mr. Speaker: Does the member wish to speak to the motion?

Mr. Thompson: I really want to refute, sir, some of the remarks made by the hon. Minister of Labour.

Mr. Speaker: I have stated that the member can speak on the principle of the bill.

Mr. Thompson: That is what the hon. Minister of Labour was speaking on.

Mr. Speaker: Proceed, within the realm of speaking on the principle!

Mr. Singer: This is just as much on the principle as was the hon. Minister of Labour.

Mr. Thompson: Well, sir, I am taking it that because the hon. Minister of Labour was not ruled out of order that therefore he must have been speaking on the principle. In some of the remarks that he made he inferred, for example, that when the human rights code was brought in, when it was first introduced, that the Opposition had got on the bandwagon with the government.

Hon. Mr. Rowntree: I did not say the bandwagon. I said the hon. members opposite had supported the introduction of the code.

Mr. Thompson: My party and I consider this a very fundamental aspect—in connection with the number of units in the housing accommodation. We felt at that time that the government could have been more bold, more daring, more imaginative. We said so in the House and we opposed the government on this.

But we have learned, sir, that we have to take the small crumbs as the government moves along, because they are timid in this area; they are nervous and they are frightened. They stick one toe into the water and then withdraw.

I would say to you, sir—

Hon. Mr. Yaremko: Would the hon. leader of the Opposition permit a question?

Mr. Thompson: I do not think so, after all I did not get a chance for a question.

We still feel that the government could have gone further than this. We like the principle in connection with this but we feel that it should be a broad coverage instead of just moving—and I understand the government is moving slowly—on three units. They are suggesting that perhaps families or others would want to have their relatives in; that is the argument that was raised when this was introduced previously. I could not see any validity in that argument and I still—

Hon. Mr. Rowntree: I have not heard that argument.

Mr. Thompson: It did come up and if the hon. Minister looks through the debates in the past this was one of the arguments raised.

So again, we will support the principle of this but we realize it is just a crumb. We are still hoping that in another two years the government will come in and follow through by having that amendment wiped out.

Mr. Speaker: Is it the pleasure of the House that the motion carry?

As many as are in favour of the bill, please say "aye."

As many as are opposed, will please say "nay."

In my opinion, the "ayes" have it.

Call in the members.

YEAS	NAYS
Allan	Davison
Apps	Freeman
Auld	Gisborn
Bales	Lewis
Beckett	(Scarborough West)
Boyer	MacDonald
Braithwaite	Renwick
Brunelle	Young-7.
Bukator	
Butler	
Carruthers	
Carton	
Cecile	
Connell	
Cowling	
Davis	
Downer	
Dunlop	
Dymond	
Eagleson	
Evans	
Ewen	
Farquhar	
Gaunt	
Gordon	
Grossman	
Hamilton	
Harris	
Haskett	
Henderson	
Hodgson	
(Scarborough East)	
Hodgson	
(Victoria)	
Johnston	
(Parry Sound)	
Johnston	
(Carleton)	
Kerr	
Knox	
Lawrence	
(St. George)	
Letherby	
Lewis	
(Humber)	
Mackenzie	
MacNaughton	
McKeough	
McNeil	
Newman	

YEAS

- Nixon
- Noden
- Olde
- Oliver
- Paterson
- Peck
- Pittock
- Price
- Pritchard
- Racine
- Randall
- Reilly
- Reuter
- Robarts
- Roberts
- Rollins
- Rowe
- Rowntree
- Sandercock
- Simonett
- Singer
- Spence
- Spooner
- Taylor
- Thompson
- Thrasher
- Trotter
- Troy
- Villeneuve
- Wardrope
- Wells
- Whicher
- White
- Whitney
- Wishart
- Worton
- Yakabuski
- Yaremko-82.

Clerk of the House: Mr. Speaker, the ayes are 82, the nays 7.

Mr. Speaker: I declare the motion carried.

Motion agreed to; second reading of the bill.

LABOUR DISPUTES IN HOSPITALS

Hon. Mr. Rowntree moves second reading of Bill No. 41, An Act to provide for the settlement by arbitration of labour disputes in hospitals.

Mr. Braithwaite: Mr. Speaker, my party intends to support this bill, but with a great deal of reservation. I can say, Mr. Speaker, that this decision was arrived at only after a great deal of soul searching, as we are fully aware of the ramifications of our decision.

We realize, Mr. Speaker, the importance of the fundamental right of labour to strike. We are also very worried, Mr. Speaker, as to the possibility that this bill might be a dangerous precedent. And we are worried, Mr. Speaker, that if it is hospitals this time; where will it stop—what will it be the next time?

The reason for our concern is that there seems to be, on the part of the government, a feeling that the rights of labour are not to be worried about. In other words, Mr. Speaker, we detect a point of view on the part of the government which we feel cannot be trusted.

In support of that I would quote from an article which appeared in the *Toronto Daily Star* on March 4, 1965. I quote from the words of Stanley Little, president of the Canadian union of public employees:

Now he said he was just stunned. He said he was outraged that the Premier, John Robarts, broke a promise made in a letter last December, that interested parties would be consulted before legislation was introduced.

Mr. Speaker, that is one reason why this party is a little worried about what the government has in mind.

I would quote also from the *Daily Star*, Thursday, January 30, 1964. This article is headed: "Accuses Unnamed Official." "Ontario Forced Two Pacts on Us—Hospital Union."

Apparently James Gray, president of Toronto local 101 of Canadian union of operating engineers, was appearing before the Bennett commission in connection with this whole question of hospital union disputes. At the time, Mr. Gray, in his brief, stated as follows, and I quote from the article:

As soon as the proposed strike was announced, a prominent government official called the union representative into his office and told him in no uncertain terms there would not be a strike at the hospital and to go and make a settlement. This, plus other pressures, forced a settlement of the terms proposed by management.

In a second case referred to by Mr. Gray, he says:

Shortly after negotiations started for the renewal of an agreement, management made an offer, adopted an intractable position and refused to discuss the matter further. When advised the union would proceed to arbitration, the hospital replied that it did not care, because if we threat-

ened to go on strike the government would step in and impose binding arbitration, just as it threatened to do at another hospital.

Mr. Speaker, if what this article says is true, then there is indeed cause on the part of labour and on the part of the citizens of Ontario to have fear as to just what this government has in mind. For those reasons, I say that the support of this party is conditional in connection with this legislation. This support, I want it made quite clear, is for this instance and for this instance only. Our support is based solely on the premise or principle that crippling strikes cannot be tolerated in the normal hospital, and I emphasize the word "normal." We, as legislators, Mr. Speaker, have a duty to see that they do not happen.

In the Liberal Party we believe that the good of the Ontario public stands supreme; that is the only reason that this party gives its conditional support to this bill.

Having said that, Mr. Speaker, I have a few comments to make on the bill and some amendments that my party would ask the hon. Minister to consider seriously. First, we consider some of the powers given to the Minister by the bill to be extraordinary, to say the least. Paragraph eight of the bill says:

If in the opinion of the Minister—

Mr. Speaker: I wonder if the member is getting into clauses of the bill now, which would be more appropriately discussed in the committee stage.

Mr. Braithwaite: Mr. Speaker, I went to great lengths to state that the support of this bill by our party was conditional, and what I have to say here I believe is quite important. It goes to why we feel that conditional support is all that we can offer at this time, and the reasons why. These are the amendments that I am proposing, Mr. Speaker—it is not a formal amendment, these are just things that we want to bring to the attention of the hon. Minister at this time so that he can see why we have fears as to the bill as it stands, as to the principle of the bill.

As I was saying, paragraph eight of the bill says:

If, in the opinion of the Minister, a member of a board of arbitration has failed to enter on his duties so as to enable it to render a decision within a reasonable time after its establishment, the Minister may appoint a member in his place after consulting the party whose point of view was represented by such person.

Paragraph nine says:

If the chairman of a board of arbitration is—

Hon. Mr. Rowntree: Mr. Speaker, I must object to this. The principle of the bill is, are we going to have compulsory arbitration with respect to hospital disputes or not—not the question of section nine or 14 or this or that that the hon. member is arguing. That is committee-stage debate. I am asking this House for the approval or otherwise of the principle of compulsory arbitration with respect to hospital disputes.

Mr. Braithwaite: Mr. Speaker, I am saying only that there are certain reasons why the principle of compulsory arbitration cannot be supported in all cases by this party. Further I am going on to say why there are certain areas—and to show the hon. Minister where these certain areas are—where we feel that compulsory arbitration should not be applied by this government. If that is not the principle of the bill, Mr. Speaker, then I will have to stop now.

Mr. Speaker: Proceed.

Mr. Braithwaite: As I was saying, Mr. Speaker, paragraph nine says:

If the chairman of a board of arbitration is unable to enter on or to carry on his duties so as to enable it to render a decision within a reasonable time after its establishment, the Minister may appoint a person to act as chairman in his place.

In other words, Mr. Speaker, we feel that the Minister can pack the board at will. It is apparently his privilege to decide what a reasonable length of time is, and if such a reasonable length of time is exceeded, he can, if he wishes, replace one, two or all three members of the board with his own nominees. This is more than a little high-handed at the best of times, but it is especially so in light of the fact that in almost all cases the government is an interested party.

Mr. Speaker, in conciliation proceedings specific periods of time for the conciliation process are spelled out. In the arbitration process the Minister's rather terrifying powers as mentioned previously could at least be controlled if the bill were amended to specify a period of time which must elapse without agreement before the Minister is empowered to start packing the arbitration board. We suggest an amendment, therefore, which would establish such a hands-off period in which the Minister could not change membership of the board. Such a period of

time should, of course, be reasonable. But the definition of reasonable should not be left at the Minister's discretion.

This bill is intended to cover disputes between hospitals and their employees, but it is generally considered that the Ontario hospital services commission is in a position to dictate to the hospitals the pay and benefits they can offer their employees. Since the OHSC is a creature of the government, it follows that the government—The Department of Health—is a vitally interested party financially in labour disputes in hospitals. This being so, it can be argued that if compulsory arbitration is to be introduced, a truly disinterested third party must be found.

In the light of the foregoing, it is clear that the Minister of Labour is not such a third party. Therefore, the government should introduce an amendment or series of amendments to provide for the appointment of a totally independent third party—perhaps citizens appointed with security of tenure, or perhaps some sort of appointment from the bench or from a pool of capable, independent persons.

Mr. Speaker, I have said that the Liberal Party is not in favour of strikes within hospitals but the question then arises, are all hospitals the same? The hon. Minister has decided that interruption of services by strike or lockout at all hospitals is equally against the public interest. This just is not so. Interruption of service in a convalescent hospital ordinarily is not a serious matter for either the patient or the community, merely a minor inconvenience. Even in a general hospital, the shutdown of one wing or department is likely to be a lot less serious than that of another. Therefore, there are grounds here for amendment which would impose compulsory arbitration only on specific kinds of hospitals and leave other kinds alone.

It is worth noting that this is the tenor of the majority recommendations of the Bennett commission. They would impose compulsory arbitration only when patient care is adversely affected or seriously threatened; but the hon. Minister explicitly rejected this recommendation in his statement on the introduction of the bill. I quote:

I am driven to the conclusion that any strike or lockout in a hospital endangers patient care.

Is this the same government whose Minister of Labour during the discussion of his 1963 estimates said:

It is of the greatest importance that we preserve freedom of negotiations in a free

enterprise system which involves and includes the legal recognition of bargaining rights, and care must be taken with respect to legislation which might infringe on this principle.

Were these but empty words, Mr. Speaker? One can only wonder as this bill is examined and discussed. We feel that the hon. Minister has gone too far with the bill as proposed. Certain possible amendments have been suggested. The hon. Minister would do well to give them his earnest consideration.

Those are the reasons, Mr. Speaker, why this party supports, but conditionally, the bill as outlined by the hon. Minister.

Mr. Gisborn: Mr. Speaker, the New Democratic Party will strongly oppose the principle of compulsory arbitration in the case of disputes between hospital employees and the management.

When we deal with reports of select committees, Royal commissions, public inquiries, or what-have-you, usually the report will be dealt with in several ways, or sometimes they might be shelved and no action is taken whatsoever.

Sometimes they are debated in the House as a report, and then put away unless the government feels that they should bring in some legislation in relation to the particular inquiry and based on the report. Sometimes the Opposition will ask for a particular report to be brought forward and action be taken upon it.

This report is a good report, Mr. Speaker, but it is a good report in opposition to compulsory arbitration in the case of disputes between hospital employees and the management of the hospitals. Almost 100 per cent of the presentations made to the committee were opposed to compulsory arbitration, and I, for the life of me, cannot understand how the hon. Minister of Labour of this province can bring in such a bill with such intent, such an important bill, based on the report of the Royal commission headed by His Honour Judge Bennett.

I would first point out, Mr. Speaker, that—and I believe I counted correctly previously in reading the report—there were something like 15 presentations made by organizations. Part of the report says this:

As set out in Part II, the following individuals, associations and bodies opposed basically compulsory arbitration; recognizing that such legislation applicable to hospitals only might be necessary, in order to ensure that hospital services might be maintained.

The Ontario hospital association, Canadian manufacturers association, Canadian union of operating engineers, local 102 and 107, Essex health association board, Professor Arthurs and Professor Triscoll, board of trade, Metropolitan Toronto, Canadian union of operating engineers, Hotel Dieu hospital, Windsor, and St. Catharines general hospital were among those which expressed this view; I know that there were other organizations making representations which were unalterably opposed to compulsory arbitration in any case. The report goes on:

And the following advocated compulsory arbitration at hospitals in some form or other: The building services employees union, Mr. R. G. Geddes, the Ontario labour relations subsection, Canadian Bar association and Mr. Robert H. Miles.

I will deal with three of these, Mr. Speaker.

The building services employees union do not support compulsory arbitration in disputes between hospital employees and the boards or the administration. At their regional conference last fall they were almost unanimous in opposing compulsory arbitration.

Mr. R. Geddes: I would say that of course he would be in favour of compulsory arbitration and conciliation because he is a professional chairman of those boards and, in my opinion, it would assure him of a job for as much time as he could find to put into this in this way.

With regard to Mr. Robert H. Miles: I am doubtful about his reasons. I am sure that we will be discussing his reasons for compulsory arbitration in this House at a later date. He is a registered male nurse and, of course, we know that the Ontario registered nurses association are asking for legislation that will carry with it compulsory arbitration in regards to nursing in the province.

So the report, in almost its entirety, in reading these submissions by the various groups, is opposed to compulsory arbitration, because the learned people who have been dealing with collective bargaining in their particular areas are convinced that compulsory arbitration will not do what the hon. Minister is attempting to do with this particular bill.

Now I would point, Mr. Speaker, to the dissenting opinion of the one member of the board and I think that it carries some reasoning as to why we should oppose compulsory arbitration.

I will just quote one paragraph in the dissenting opinion:

The recommendations would limit the use of compulsory arbitration to only two kinds of circumstances: (1) where the well-

being of patients is to be affected; and (2) where one party to the dispute or both have breached The Labour Relations Act by failing to negotiate in good faith. Not only will it be difficult to contemplate any situation involving a strike or lockout in the case of a hospital where the well-being of a patient would not be in danger; in practice, however, this provision would mean that wherever a strike is called and management is able to operate the hospital with non-union personnel, notwithstanding the fact that the new help may be inexperienced and is being trained at public expense, with funds provided by the Ontario hospital services commission. Patient care may be curtailed, life may even be in danger; management can still claim that patient care is not seriously affected by the strike and there is no need for compulsory arbitration. Management will then be in a position to continue to break the strike and defeat the union. On the other hand, if the union should succeed in calling an effective strike, the government would immediately come to the rescue of management, force the union to call off the strike and invoke compulsory arbitration.

Now, Mr. Speaker, that paragraph I have just quoted deals with the recommendation of the committee itself and this is why I say I cannot understand how the hon. Minister was able to introduce a bill calling for compulsory arbitration when nothing in the report supports it—even the recommendation of the commission itself.

In the case of the commission's recommendation, when it refers to the fact that one party or the other had not bargained in good faith, to my knowledge that section of The Labour Relations Act has never been tested to its fulfilment. I cannot recall any case where management or union have been convicted of failure to bargain in good faith under that particular section. I cannot see at this point, until that section of the Act is defined, where it ever will be tested to its fulfilment or how anyone knows just what that particular section means.

The paragraph I read points out the failure of the other supposition that the commission itself makes—that compulsory arbitration be permitted only where the danger of the patients would be involved.

Mr. Speaker, I am sure that a lot of things could take place in this field that would rectify some of the problems faced by the employees in hospitals involved in collective bargaining disputes, rather than compulsory

arbitration. Certainly there have been complaints for years of the restrictions placed on employees under The Hospital Services Insurance Commission Act—such as that they cannot bargain freely for fringe benefits or for the amount of money that they might be entitled to because of the grant structure and so on. I think a real look could be taken at that first, and some adjustments made before we go into compulsory arbitration.

I do not think, Mr. Speaker, that we should make second-class citizens out of hospital employees, because this is what they will become if compulsory arbitration is permitted in hospital disputes. They are a class of people now who are working for what we would term substandard wages and conditions, and certainly if compulsory arbitration is invoked in this province I cannot see any chance of them upgrading themselves on a par with some other employees in related industries. They have a long way to go and certainly this will restrict them.

There is no evidence through any representation made to the commission that there have been strikes in hospitals that have endangered the welfare of the patients. Not one representation was made. I am sure that representations have been made to the hon. Minister—and they were referred to in the report—that other countries such as Great Britain, which had compulsory arbitration some years ago, finally came to the point in stages that it was unnecessary and that it never proved anything, and they have now revoked the compulsory arbitration stage.

If we refer to Sweden, of course, where compulsory arbitration is still in use, representations set out the fact that in Sweden compulsory arbitration has been in effect for years and it has never been invoked, or only in one or two slight cases. But, of course, the advancement in the recognition of the trade union movement in Sweden has a lot to do with that kind of situation, and we have not that attitude in this province. This makes quite a difference when one starts talking about compulsory arbitration.

In Sweden, of course, they have had a yardstick for years. It has been related to other industries by people who have a lot of experience in the development of recognition of the trade union movement and proper wage scales and benefits.

Mr. Speaker, I am convinced that there is not a trade unionist in this province or in this country who would want to see a strike take place in a hospital which would endanger the lives or the well-being of patients in a hospital. But they feel the price is too dear

to pay to support the idea of compulsory arbitration, and as all hon. members know, the organized trade union movement across this province and across Canada—and the free trade union movement across the world—are unalterably opposed to compulsory arbitration. They feel that in most of the countries there are enough restrictions on the development of a free trade union movement, and that this would be another toe in the door, and where does it go from here? I am sure if someone could point out, or if the report pointed out, that compulsory arbitration was going to rectify something or was going to better a situation, they would be in favour of compulsory arbitration to remove the fear of a strike in a hospital which would endanger patients.

But they will not support it because this has not been done. They feel that if we have a situation such as we had in Trenton and that if a dispute goes to the point of a strike deadline, it will have stirred up some public opinion. If the deadline is set and it is obvious there is going to be a strike, in the opinion of people interested, such as the trade union movement and the government, that would be the time for us to act. I would be the first one to vote in favour of a specific piece of legislation to avoid a strike in a hospital when it came to the point that nothing else could be done. As almost every other trade unionist would agree, if we adopt a compulsory type of legislation it then becomes the fixture, the mode, and it is going to let these people remain in a position of low wages and poor conditions, without anyone having a chance to know what is really going on.

Many have said in the trade union movement that where compulsory arbitration has been agreed on voluntarily, because of the understanding of the people on the board, they have come out of it with a better deal than they might have received without agreeing to compulsory arbitration. This might be so, and it is a good thing, but it is too high a price to pay to have blanket legislation that establishes compulsory arbitration, because that is exactly what it will be. It will destroy the semblance of collective bargaining, as has been said in the report by many of the people who deal with the employees across the bargaining table in hospital disputes. It will destroy an understanding that has grown up in this province, in the great majority of instances, and we will go back to the point where it will be a cut-and-dried affair and the employees will not get the recognition that they are supposed to get.

Mr. Speaker, we do oppose compulsory arbitration. There is nothing in the report to indicate that this bill is justified. There are no instances of actual happenings in this province that justified it, and I am sure that the trade union movement can grow and flourish in this province, and the hospital employees who need recognition and support can reach their proper place in fields of wages and conditions without compulsory arbitration. Certainly, I cannot understand with what right the hon. Minister of Labour brought in this bill. It indicates to me something I have felt for years—and I have said it before—that the government does not want to encourage the free trade union to grow, it does not really believe in free collective bargaining and it is going to do everything it can to let it be known at this point. We will vote against this measure, and we shall follow it from this point on.

Mr. G. A. Kerr (Halton): Mr. Speaker, I would like to enter the debate on the principle of this bill. The hon. member for Etobicoke implied that this government is not worried about the rights of labour. He also mentioned that this is an omen of bad things to come. We are told that we will get conditional support for this bill from the members of his party in this House. I would say, Mr. Speaker, that the hon. member is unnecessarily worried. The record of this government in the field of labour legislation is well known.

An hon. member: It is terrible.

Mr. MacDonald: That it is.

Mr. Kerr: We have some of the most progressive legislation on this continent in our statutes, dealing with labour-management disputes.

I am sure, Mr. Speaker, the hon. Minister of Labour regrets the necessity for this bill. He certainly believes in free collective bargaining. I am sure the government is against the principle of compulsory arbitration *per se*. However, in dealing with hospital disputes, by the very nature of the institution, an exception must be made. Hospital facilities and services must be maintained.

There are one or two sections in Bill No. 41 which I will question in committee and it is possible that some minor amendments will be made. However, Mr. Speaker, the principle of compulsory arbitration in hospital disputes cannot be avoided. The machinery provided in this bill might well make strike action unnecessary in the settlement of disputes. There are exhaustive procedures and certainly

any negotiations will be exhaustive. Government responsibility to encourage settlement I feel, will be even greater because of this bill.

Mr. Speaker, I am personally against the principle of compulsory arbitration. I am sure that this bill is not the start of any trend or far-reaching policy for general compulsory arbitration.

Mr. J. Renwick (Riverdale): Mr. Speaker, I rise to urge the government to withdraw this bill. The hon. member for Halton has just indicated that the hon. Minister of Labour regrets the introduction of the bill. He states that the record of this government in the field of labour relations is well known. It certainly is well known. This bill could only be introduced into this Legislature by a government which has a distorted perspective on labour-management relationships.

Mr. MacDonald: Hear, hear!

Mr. Renwick: I would like to spend a few moments pointing out the serious distortion which is involved in this particular bill.

The principle of this bill is to impose compulsory arbitration in hospital disputes. To understand the distortion and to place the bill in its proper perspective requires that each member of this Legislature cast his mind back to the precipitating events which led to the commission leading toward this bill.

Those events took place in late 1962 and throughout 1963 in the case of the Trenton memorial hospital dispute. The precipitating event which led to the Royal commission was the fact that the hospital board of the Trenton memorial hospital flouted the law of this province by refusing to negotiate in good faith with the union which had been recognized as the bargaining unit for that hospital by the Ontario labour relations board.

Mr. Speaker, this government did nothing whatsoever to enforce the law of this province which was flouted by that hospital board. The evidence of the flouting of the law is contained in the report of the conciliation board at the time that the report of that conciliation board was rendered.

One only need look at the situation of hospital services and the supply of employees in hospitals today to recognize that there is a severe shortage of qualified people who are prepared to enter into service in the hospitals of this province. That shortage is due to no other reason than the usual economic cause, namely, the poor working conditions and the poor wages which are paid in hospitals today.

We are now being asked in this Legislature

to agree to compulsory arbitration of those disputes which will involve the trade unions, which are concerned in this area, in negotiating with the kinds of hospital boards which in most instances are exemplified by the hospital board of the Trenton memorial hospital. The result will simply be that this bill, from the point of view of the government, casts a grave aspersion on the sense of responsibility and the proper conduct of those trade unions, without in any way whatsoever criticizing or complaining of the action of hospital boards in other instances in this province. I think that this government should assert, and assert positively by withdrawing this bill, that they do not cast this kind of aspersion on responsible trade unions in this province.

These are the words of the hon. Minister of Labour himself a year ago last October in which he stated that:

Insofar as he was concerned Mr. Albert Hearn, the international vice-president of the building service employees international union, has at all times taken his responsibility seriously and at the same time has shown a frank recognition of the impact which a strike at the hospital would have.

Mr. Speaker, I note that in that statement the hon. Minister of Labour was not prepared to state that the Trenton memorial hospital board had shown the same sense of responsibility toward the requirements of its hospital.

What then did this government do in October of that year? It simply appointed a commission. It did not deal with the situation which existed at the Trenton memorial hospital but it permitted, by the appointment of a commission, it permitted that situation and allowed it to become aggravated to the point at which a strike occurred and went on for some several months. The only thing that the government did in that intervening period was to appoint this commission in anticipation, and I can only say this, in anticipation that by having an actual strike and by precipitating that strike, they would in some way rally public opinion to the principle that there should be no strikes in hospitals throughout this province.

There is no one in the New Democratic Party who would disagree with that principle and there is no one in any of the three unions which are principally concerned in this area who would disagree with that principle.

But, sir, we cannot have that kind of principle put forward today as a blanket form of legislation which is going to apply to each and every hospital across this province

in an area which reflects adversely on the trade union movement throughout this province.

Yet at the same time we have just concluded the debate on a bill in which the government prides itself on the gradual and the piecemeal method by which it deals with the problem of human rights. On this occasion they suddenly come forward to place before us a blanket piece of legislation which is to deal with each and every hospital dispute in this province.

Mr. Speaker, I think it is very important that the unnamed party to all these arbitrations should be spoken of in this House, and that is the Ontario hospital services commission. Everyone in this House, Mr. Speaker, realizes that regardless of the format that is put forward in this bill for the settlement of disputes, the Ontario hospital services commission is going to be intimately involved in the negotiation of any settlements which are arrived at if this bill becomes law.

I think that the government should insist that the Ontario hospital services commission take its proper responsibility in the settlement of hospital disputes. The government should simply withdraw this bill and require that in place of hospital boards the Ontario hospital services commission would bargain as the employer in disputes related to hospital services and hospital maintenance, would bargain as employer with the trade unions involved and simply let the particular negotiations go forward in the tradition of collective bargaining. Then I think that if there were to occur in the province of Ontario isolated incidents which would require direct intervention by this Legislature, this party might very well be in a position to support it.

But this party cannot support legislation which is placed before us on a blanket basis to cast a reflection on the trade union movement when the party which was at fault and which precipitated this particular bill was the hospital board of the Trenton memorial hospital.

Mr. Singer: Mr. Speaker, with my colleague, the hon. member for Etobicoke, I share the concern that he expressed about the principle involved in this bill. But, quite frankly, I cannot bring myself as far as the hon. member for Wentworth East, when he says that the price is too dear to pay, and that it is more important that the right to strike be preserved even if the life of a patient in a hospital is in danger.

Mr. MacDonald: He did not say that at all; that is a gross misrepresentation.

Mr. Singer: There is ample time for anyone to correct what I heard. His phrase was, "the price is too dear to pay," and used in the context it was used, it could only mean that. I do not think, Mr. Speaker, there is anyone in the province of Ontario who would thank any member of this Legislature at all for preserving a very important right of labour if it endangered the life of even one person who was in our hospitals. Having said that, I think we must express our real concern about the method in which compulsory arbitration can be conducted or is likely to be conducted.

I do not share with the hon. member for Halton the satisfaction that he expressed about the government's good record insofar as labour legislation is concerned. I am not satisfied, as he is, that everything that has emanated from these halls, everything that is in the statute books concerning labour, is good or has been advanced in its thinking. But I do believe that this type of bill would have been much more palatable had the hon. Minister of Labour, when he introduced it, suggested a method whereby arbitrators would be selected. I think that we must begin to move in this province as other jurisdictions have done, notably the Scandinavian jurisdictions, to establish a method that will be accepted by labour and by management for peaceful settlement of labour disputes. But the government, while having paid lip service to this, and having taken this very serious step in this particular instance, has neglected to elaborate at all an idea of where and when and how we are going to find our arbitrators.

I would have hoped that the hon. Minister of Labour would have suggested that at the same time that this bill becomes law, the efforts of his departmental advisers would be turned to preparing a roster of arbitrators, and that he would have asked for the nominations of management and the nominations of labour as to who might be suitable as arbitrators. Having established such a list of arbitrators, I would have hoped that he would have said, "We are going to run a series of courses to train people who will be arbitrators," and that there would be a panel established in this province of compulsory arbitrators who would be reasonably acceptable to labour and to management, who the government would see were advised as to all the intricacies of our labour legislation, who would be given training courses about labour relations, and who would be instructed by and large in some of the problems that they might be expected to face. The government could then say, "We are providing a method

whereby these very serious disputes can and should be settled."

I cannot share with the hon. members of the NDP their over-violent concern with the principle as it is in this bill as being a new principle, because we have had, in two statutes in this province for some considerable period of time, compulsory arbitration provisions. Policemen cannot strike; firemen cannot strike. Those provisions are in the statutes and they have worked reasonably well.

As I say, Mr. Speaker, I do not think there is a single person in the province of Ontario who would thank any member of this Legislature for preserving a right, as important as it might be, if there is the remotest chance that the life of one citizen of this province could be endangered.

We did have an unfortunate incident in Toronto just a few days ago involving one of the Toronto hospitals, where a threat was made by a group of employees, which if carried out, could well have endangered the lives of several persons. I think this particular incident arising as it did while this bill was before the Legislature, heightened for me the importance of the decision that has to be made here as this bill takes its way through the House.

Therefore, Mr. Speaker, I and my colleague, the hon. member for Etobicoke, and the rest of my hon. colleagues here in this party, not with any great feeling of exuberance, will support this bill, but we would believe that the hon. Minister of Labour could have laid the groundwork much better than he has done and could have established a system whereby arbitrators would be appointed, listed, acceptable, trained and available for the type of dispute that might arise in instances such as this. That being done, the hon. Minister could perhaps have convinced the labour unions and others in this province that it was taking a valid step and a seriously considered step toward solving the type of dispute that could endanger the health of individuals in the province of Ontario.

Mr. MacDonald: Mr. Speaker, I know where this government stands and I disagree with it, and I shall state why before I sit down. It will not be very many minutes, because I just want to recap why I disagree with it. But for the life of me, I cannot figure out once again where the Liberal Party stands. It is in favour of protecting human rights, but it comes in and supports a bill that is going to legalize the violation of human rights. It is opposed to compulsory arbitra-

tion, but it is going to support a bill which is going to impose compulsory arbitration.

Mr. Thompson: The hon. member voted for the bill on human rights last session.

Mr. MacDonald: This is the kind of double talk it practises—being on both sides of the fence at the same time. One cannot be right and wrong at the same time.

Mr. Speaker, let me try to recap very briefly where we stand on this bill. We believe that the principles of free collective bargaining are important principles—basic to a democratic society. This government has professed to support this principle. In the submissions that came before the Bennett committee, with rare exceptions, labour and management expressed support for this government in its stand for free collective bargaining and opposed to compulsory arbitration. Yet in face of all that, as my hon. colleague from Wentworth East has just pointed out, the hon. Minister throws this all out the window and presents a bill which, I may say personally to the hon. Minister, I find as disappointing as any position I have ever seen this Minister take in this House.

We are faced with this legislation, as my hon. colleague from Riverdale has pointed out, because of an outgrowth of what happened in Trenton. What happened in Trenton was an utter, unmitigated shame. This Minister got himself into a position where two of his top civil servants asked the trade union in Trenton to hold off their strike and try once again to settle, while this government virtually went on hands and knees to a recalcitrant nineteenth-century management group—with no success.

But this hon. Minister was willing to let himself be put in a position in which he was double-crossed by the rest of the Cabinet. I am not blaming the hon. Minister, except that, as I said to him before and I will say it once again, that if I ever found myself in a position in which I gave my word of honour to two top respected civil servants, I would resign from the Cabinet before I would permit the Cabinet to double-cross me and sacrifice my honour in that fashion. This government was obviously determined it was going to drive toward the imposition of compulsory arbitration.

If there ever was a case of bargaining in bad faith, the Trenton memorial hospital management provided it. If this government ever wants to have a case about which there is just no argument, they will never get it again.

What did the government do? They did

nothing, Mr. Speaker. This government did not have—and let me put it in as polite terms as I can—the intestinal fortitude to impose and to implement the law they had on the books.

Now what does the government do? Having refused to implement the law that was on the books, they are going to come in and violate a basic principle to which even they have hitherto paid lip service—the right of free collective bargaining.

They are going to impose compulsory arbitration across the board. I see my hon. friend from Downsview has gone out; he cannot get his thinking clear with regard to our stand but he will not stay to have somebody try to clear it—oh, the hon. member is under the gallery. Fine! I am glad he is over there.

They are going to impose a blanket of compulsory arbitration. Surely there is all the difference in the world between a blanket imposition of compulsory arbitration and a single imposition of compulsory arbitration, as indeed this hon. Minister promised before he was double-crossed by the rest of the Cabinet. Because his promise to the union was: Withdraw the strike action; go back and negotiate again, and I give you my word of honour—or words to that effect—that when the House meets, which was about four weeks later, I will bring in a bill to impose compulsory arbitration.

There is all the difference in the world between imposing compulsory arbitration in a specific case when you know you have got a recalcitrant management, or, indeed, on some occasions a recalcitrant union. I would like to see this case come up some time when a union would violate the law of the province as flagrantly as management did in this instance: And this government would not move? Oh, they would move with vigour then! This is where we find out where the bias is.

Mr. Speaker, we are opposed to the imposition of the principle of compulsory arbitration in this blanket fashion.

Now, let me finish on this note. Do not let anybody misrepresent the suggestion by concluding that we are in favour of strikes in hospitals. My hon. friend here is a trade unionist and knows what trade unionists think because he has sat behind bargaining tables. No trade unionist in this province is going to foment a strike in a hospital—Mr. Speaker, the proof of that is that they have not done it—to threaten or endanger the lives of the patients. And all of the words—

Hon. Mr. Rowntree: There is a strike today!

Mr. MacDonald: I said to threaten the welfare of the patients. The strike today; let me deal with it.

What did the boys who are on strike today do? They have guaranteed the services for the hospital. They are striking against the extension to the hospital at Wellesley. There is no threat at all to the patients at the hospital and no trade unionist—I defy the government to come up with some proof of it—no trade unionist has ever jeopardized the life and the welfare of a person who is in the hospital. Heaven help me, Mr. Speaker, what more do you want? Actions speak louder than words. This is the record of responsible action by trade unions down through the years. In face of that record this government comes in and argues that unions may sometime threaten the welfare of patients. This government, which did not have the intestinal fortitude to get after management in the Trenton hospital, says that unions may do it sometime; so they come in with a compulsory arbitration bill.

This is the wrong principle. We shall oppose it. If this government, with the usual support of the Liberals, passes it in this House on second reading then once again we will try to propose amendments at the committee stage, which will achieve the purpose of protecting the rights and the welfare of the patients in the hospital without this blanket imposition of compulsory arbitration.

But you cannot go around violating principles while proclaiming them; you cannot go around saying I am in favour of human rights and then legalize the violation of human rights. You cannot go around saying you are in favour of free collective bargaining and pass laws that destroy free collective bargaining.

This is nonsense! If Liberals and Tories want to do it, then the people in this province who can think clearly, both within and without the trade union movement, will recognize where Liberals and Tories stand.

Mr. Speaker: Shall the motion carry?

Hon. Mr. Rowntree: Mr. Speaker, I did not realize that this bill was going to make the leader of the New Democratic Party blow a gasket.

Mr. MacDonald: There is no gasket blown. My engine is in good shape.

Hon. Mr. Rowntree: But I would have to say to him, and I say quite frankly as I think he would expect me to, that I take serious opposition to his position.

It is all right with me, whatever position he wants to take, I am sure he has thought it out. But I, too, have thought it out, and as Minister of Labour I have some rather important responsibilities in this government, which I take seriously. If it comes to having a difference of opinion with people on what is going to be done one way or the other, then my duty as Minister, and a responsible Minister, is to stand up and say what I think should be done.

I can understand this. I can understand throughout the whole debate, throughout the whole hearings of the Bennett commission, when people came before us, both management and labour, many of them saying "No we are against it," and then going out in the hallway and talking to each other and saying, "But I privately think maybe it is a good thing."

Mr. MacDonald: But not as a blanket bill.

Hon. Mr. Rowntree: All right now, just let me finish. I was pretty kind to the hon. member today and he is a pretty good fellow.

Mr. MacDonald: So is the hon. Minister on occasion.

Hon. Mr. Rowntree: I know—

Mr. MacDonald: But this is not one of his finer days.

Hon. Mr. Rowntree: Well, I will tell the hon. member, I have a high regard for him and I would like to keep it that way.

The situation is that this is a very contentious subject and I had to make a decision.

I am not ashamed of the decision, for this reason: If those elements of management which do not want compulsory arbitration want to take that position on principle, fine. If those elements of the trade union movement want to take that position on principle, that is fine. But I, as the Minister of Labour, speaking for the government of this province, am going to speak for the position of the people of this province and I tell hon. members that for this reason, that there is no man alive that can make an adequate decision as to whether or not patient care is going to be affected.

I tell hon. members today that patient care at the Wellesley hospital is being affected at this very moment, if the strike is still in progress, because the very threat of strikes being on and the uncertainties that go with it, both in the minds of the patients and in the minds of the hospital staff including the

medical people, the threat hangs over them when they do not know whether or not the power, or whatever requirements they may need, are going to be interfered with leaving—just hear me out and quit nodding because this is not any time to be a Pearson about it over there—the decision that has to be made by a doctor in determining the kind and extent of medical treatment, whether it be surgical or whatever it may be. The whole area of treatment is one that cannot help but be affected by a picket line walking outside.

I was concerned and interested about the reference to convalescent hospitals. The same thing applies there because the mental aspect of therapy of any kind goes to the very root of the successful use or benefits to be derived from the therapy.

There it is, I put it to hon. members. This is my position and I am not ashamed of it. I say that the interests of those groups, who have publicly stated that they are against compulsory arbitration with respect to hospital disputes, I suggest that those matters will have to take second place to the well-being of the populace of this province insofar as their stay in hospitals is concerned.

Mr. MacDonald: But there is another way than compulsory arbitration.

Hon. Mr. Rowntree: No, no; calm down!

This is the position. Now I would think and hope that we could have a difference of opinion. I can understand his position, tied to the trade union movement—

Mr. MacDonald: I am not tied to it.

Hon. Mr. Rowntree:—with some of his colleagues on salary from the trade union movement; and then the hon. member reimburses his salary from the Legislature. I can understand all those situations that put him and his party in a sort of a—well a difficult position. He is tied, that is all right with me—

Mr. MacDonald: Was the hon. Minister not in favour of those principles before he decided to violate them?

Hon. Mr. Rowntree:—I do not see anything wrong with the hon. member being tied. That is all right, it is a legal arrangement. But it is up to the rest of us to tell the rest of the province just what is going on and why the hon. member had to take the position he did.

Mr. Gisborn: The hon. Minister is saying that those people who made representation did not mean what they said.

Hon. Mr. Rowntree: By the same token I would expect the hon. member to respect my position. If I have to make a decision that goes against the grain over there, I do not think any Minister of Labour could ever please everybody in any Parliament or Legislature. I do my best. I do not pretend to be perfect but I can tell the hon. member I am right on this one when I speak out for patient care for the people of this province.

I can tell the House why the official Opposition supports this bill.

Mr. MacDonald: Why?

Hon. Mr. Rowntree: Because it is right; of course it is right. Needless to say, I am asking all hon. members to support this second reading and let us get this bill along the way.

Mr. Gisborn: Mr. Speaker, may I direct a question to the hon. Minister?

Mr. Speaker: The member has spoken once to the principle of this bill.

Mr. Gisborn: I would like the clarification of a statement made, and to ask a question.

Mr. Speaker: It has to be in committee stage really, because technically questions and answers are supposed to be carried out in committee.

Mr. Gisborn: I will raise it on a point of order, then. The hon. Minister indicated to me, or implied, that the people who made representation to the Bennett commission were not truthful in their presentations.

Hon. Mr. Rowntree: Oh, no. I did not say that at all.

Mr. Speaker: The Minister states that he did not make any misstatement, therefore the member has no point of order.

Is it the pleasure of the House the motion carry? All those in favour of the motion will please say "aye." All those opposed will please say "nay."

In my opinion the "ayes" have it.

Call in the members.

YEAS

- Cecile
- Connell
- Cowling
- Davis
- Downer
- Dunlop
- Dymond
- Eagleson
- Ewen
- Farquhar
- Gaunt
- Gordon
- Grossman
- Hamilton
- Harris
- Haskett
- Hodgson
(Scarborough East)
- Hodgson
(Victoria)
- Johnston
(Parry Sound)
- Johnston
(Carleton)
- Kerr
- Knox
- Letherby
- Lewis
(Humber)
- Mackenzie
- MacNaughton
- McKeough
- McNeil
- Newman
- Nixon
- Noden
- Olde
- Oliver
- Paterson
- Peck
- Pittock
- Price
- Pritchard
- Racine
- Randall
- Reilly
- Reuter
- Robarts
- Roberts
- Rollins
- Rowe
- Rowntree
- Sandercock
- Simonett
- Singer
- Spence
- Spooner
- Stewart
- Taylor
- Thompson

YEAS

NAYS

- | | |
|---|--|
| <ul style="list-style-type: none"> Allan Apps Auld Bales Boyer Braithwaite Brunelle Bukator Butler Carruthers | <ul style="list-style-type: none"> Davison Freeman Gisborn Lewis
(Scarborough West) MacDonald Renwick Young-7 |
|---|--|

YEAS

Thrasher
Trotter
Troy
Villeneuve
Wardrope
Whicher
White
Whitney
Wishart
Worton
Yakabuski
Yaremko—77

Clerk of the House: Mr. Speaker, the ayes are 77, the nays, 7.

Mr. Speaker: I declare the motion carried.

Motion agreed to; second reading of the bill.

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, tomorrow, we will proceed with the second readings as they are on the order paper. As I said on Friday, the next departmental estimates will be those of Municipal

Affairs. The Department of Labour will follow. The press gallery party is on Thursday night and we will not have a night sitting. We will move that night sitting to Wednesday night of this week.

Hon. Mr. Robarts moves the adjournment of the House.

Mr. R. Gisborn (Wentworth East): Mr. Speaker, before you put the motion, may I ask the hon. Prime Minister whether he includes public as well as government bills? Is he going to continue with second readings on all of the bills?

Hon. Mr. Robarts: Mr. Speaker, I made this clear last week, that I am going to continue with the government second readings, and the private bills. I will give those people who have public bills on the order paper due notice of when they will be called. In other words, they will not be called without notice being given.

Motion agreed to.

The House adjourned at 6 o'clock, p.m.

ERRATUM

Tuesday, March 16, 1965 (Evening Session)

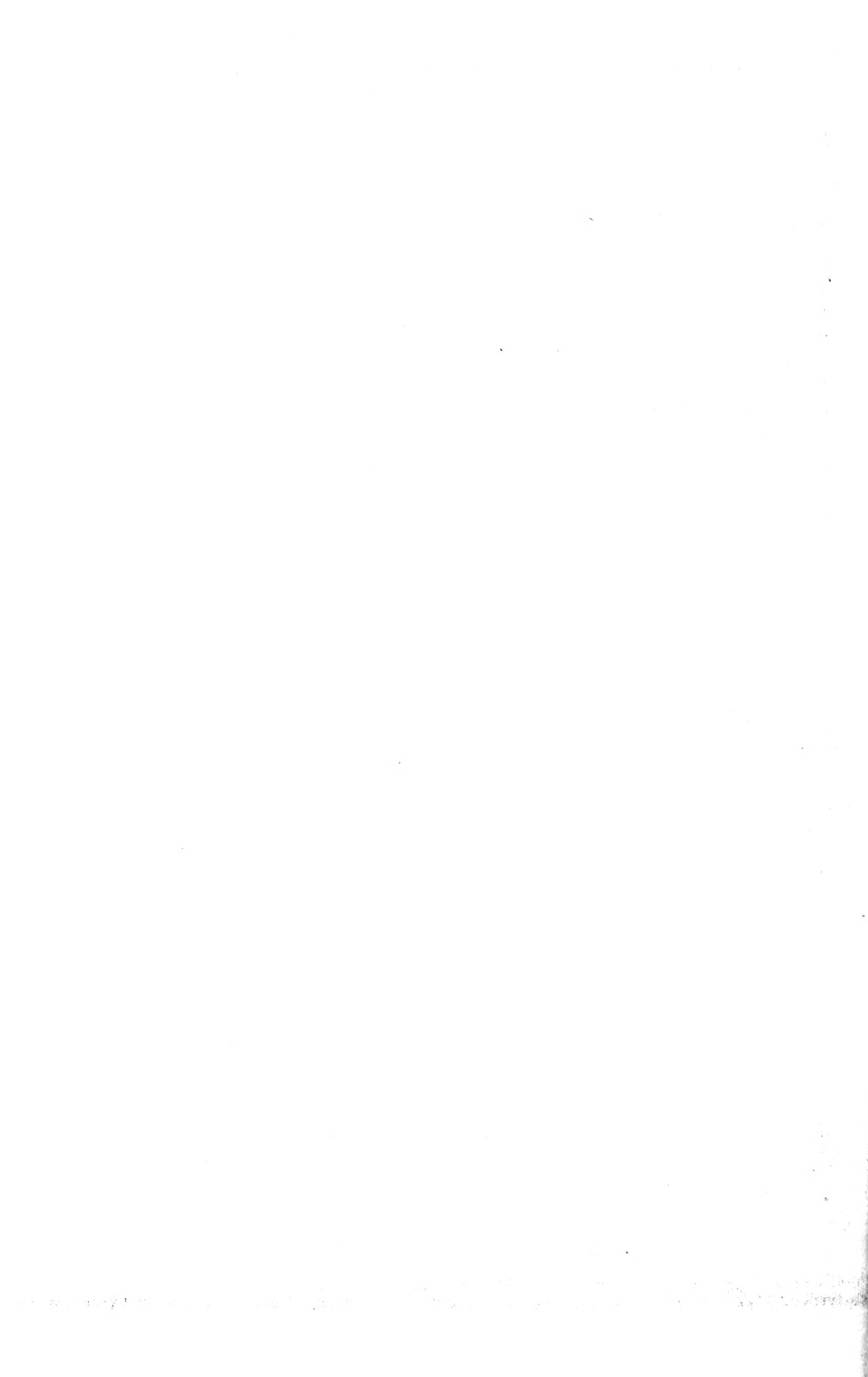
<i>Page</i>	<i>Column</i>	<i>Line</i>	<i>Correction</i>
1338	2	3	The interjection: "Yes, from time to time." was not made by the Hon. A. K. Roberts.

1. The first part of the document discusses the importance of maintaining accurate records of all transactions.

2. It is essential to ensure that all data is entered correctly and consistently.

3. Regular audits should be conducted to verify the accuracy of the information.

4. The final section outlines the necessary steps for reporting any discrepancies.



No. 54



Legislature of Ontario Debates

OFFICIAL REPORT—DAILY EDITION

Third Session of the Twenty-Seventh Legislature

Tuesday, March 23, 1965
Afternoon Session

Speaker: Honourable Donald H. Morrow
Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, MARCH 23, 1965

The House met at 3 o'clock, p.m.

Prayers.

Mr. Speaker: We are always pleased to have visitors to the Legislature and today we welcome as guests: in the west gallery, students from Branksome Hall school, Toronto; and in the east gallery, students from Barton secondary school, Hamilton.

Petitions.

Presenting reports by committees.

Mr. D. A. Evans (Simcoe Centre), from the standing committee on labour, legal and municipal bills, presented the committee's third report, which was read as follows and adopted:

Your committee begs to report the following bills with certain amendments:

Bill No. 31, An Act to amend The Workmen's Compensation Act.

Bill No. 35, The Operating Engineers Act, 1965.

Mr. Speaker: Motions.

Introduction of bills.

THE CANCER ACT

Hon. M. B. Dymond (Minister of Health) moves first reading of bill intituled, An Act to amend The Cancer Act.

Motion agreed to; first reading of the bill.

Hon. M. B. Dymond (Minister of Health): Mr. Speaker, this is a simple housekeeping amendment. At the present time The Cancer Act requires that the chairman of the cancer foundation must sit on the board of the cancer institute. It has not been deemed expedient or wise that this should be any longer and the chairman has asked that we amend the legislation in this regard.

There will still be five members of the foundation board on the institute board. One of those need not necessarily be the chairman.

THE HOSPITAL SERVICES COMMISSION ACT

Hon. Mr. Dymond moves first reading of bill intituled, An Act to amend The Hospital Services Commission Act.

Motion agreed to; first reading of the bill.

Hon. Mr. Dymond: Mr. Speaker, this also is a very simple amendment. When the Act was passed originally the commission was to be known as the hospital services commission of Ontario. By custom it has come to be known as the Ontario hospital services commission. The legal people believe that we should formalize this.

THE PUBLIC HOSPITALS ACT

Hon. Mr. Dymond moves first reading of bill intituled, An Act to amend The Public Hospitals Act.

Motion agreed to; first reading of the bill.

Hon. Mr. Dymond: Mr. Speaker, there are five short amendments in this bill. The first is complementary to The Hospital Services Commission Act so that the name will now be changed throughout The Public Hospitals Act to read, the Ontario hospital services commission.

The second amendment is designed to prevent an unqualified person from being employed in a hospital as a medical or surgical intern.

The third amendment, provisions are re-enacted in order to provide a time limit within which notice must be given by a hospital to a municipality that a resident of the municipality has been admitted as an indigent or that the patient has become indigent after admission.

The fourth clause of the amendment will authorize regulations to require a proper written contract between a teaching hospital and the affiliated university and to require the inclusion in any such contract of those provisions to ensure that the students will receive the best possible instructions without detriment to the quality of patient care.

The last amendment, sir, of this new provision requires that the college of physicians and surgeons of Ontario be notified of any disciplinary action taken against a physician by a hospital authority.

THE PRIVATE HOSPITALS ACT

Hon. Mr. Dymond moves first reading of bill intituled, An Act to amend The Private Hospitals Act.

Motion agreed to; first reading of the bill.

Hon. Mr. Dymond: Mr. Speaker, these two amendments to this Act are in keeping with two of those in The Public Hospitals Act: First to change the name of the hospital services commission of Ontario to the Ontario hospital services commission throughout the Act, and second to provide that no unqualified person can be employed in a private hospital as a medical or surgical intern.

THE COMMUNITY CENTRES ACT

Hon. W. A. Stewart (Minister of Agriculture) moves first reading of bill intituled, An Act to amend The Community Centres Act.

Motion agreed to; first reading of the bill.

Hon. W. A. Stewart (Minister of Agriculture): Mr. Speaker, by way of information I would say that this simply provides for the addition of community halls for grant purposes in unorganized areas where the community centres are administered by a school board.

Further, Mr. Speaker, before the orders of the day I would like to make a brief statement to the House on a matter that is of considerable importance to the farm people of Ontario.

Hon. members of the House will recall that last fall, in view of the seriousness of the drought situation in many parts of Ontario, a hay freight assistance policy was announced in co-operation with the government of Canada. The purpose of the policy is to assist farmers in drought areas to defray transportation costs incurred in transporting hay from various points of supply.

Under the programme, which is shared on a dollar-for-dollar basis with the federal government, The Department of Agriculture will pay up to 75 per cent of the transportation charges incurred by the farmers, up to a maximum of \$10 a ton, whichever is the lesser amount. I therefore wish to inform the House that the Ontario government has decided to

extend the operation of the programme, originally scheduled to terminate on March 31, to May 15 of this year.

I might say that assistance given under this programme has been of considerable value to the dairy and livestock producers who, through no fault of their own, found themselves faced with a serious shortage of feed supplies, owing to unprecedented conditions of drought.

In addition to this hay assistance policy, I am sure that hon. members of the House will recall that at the same time the government made provision to the extent of a bank guarantee for the purchase of hay and grain by farmers who had suffered through drought or army worm infestation. To date, 3,670 accounts for hay transportation assistance have been processed at a cost of \$365,852.

It was found that many farmers were going to be unable to have the required supplies of hay trucked before the original policy deadline of March 31, 1965. In addition, it is realized that livestock in most parts of eastern Ontario will not be on pasture before May 15, and possibly later in the more northerly areas. For these reasons it was felt that additional time was necessary to allow the farmers to assess their hay requirements and to obtain the necessary supplies.

Mr. F. R. Oliver (Grey South): Mr. Speaker, may I ask the hon. Minister what was the limit?

Hon. Mr. Stewart: It was \$4,500, Mr. Speaker.

Mr. D. C. MacDonald (York South): Mr. Speaker, I have two questions; the first is addressed to the hon. Prime Minister (Mr. Robarts).

Does the hon. Prime Minister intend to set up a special committee to study the problems of conservation across Ontario? If so, has the hon. member for Oxford (Mr. Pittock) been appointed to it? Finally, is it true that this committee will begin operations before the end of the session?

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, the answer to the first part of the question is yes; notice of such intention was contained in the Speech from the Throne, and if the hon. member will refer to the first paragraph on page 7 of the first issue of the *Votes and Proceedings* of this House, he will find the exact wording of the notice of intent.

The committee will be proposed to this House in due course. The hon. member for Oxford will be nominated as one of the

members from the government side. I think his experience in the field of conservation is such that he could make a very valuable addition and a great contribution to such a committee. He is highly esteemed in his own community and is very well regarded in the councils of the conservation authority of Ontario.

The answer to the last part of the question is no. Select committees, according to the practice in this House, are generally appointed in the latter part of the session and they begin their duties after the Legislature has risen.

Mr. MacDonald: My second question, Mr. Speaker, is to the hon. Attorney General (Mr. Wishart).

Does the Ontario securities commission intend to block additional sales of treasury stock of Equity Explorations Limited, pending the investigation in Quebec?

Hon. A. A. Wishart (Attorney General): Mr. Speaker, I am glad to give the hon. member this answer through you.

The Ontario securities commission has already acted in the matter of Equity Explorations Limited, and on March 19 an order was issued authorizing an investigation of the dealings of the company, pursuant to section 23 of The Securities Act. The effect of that order is to freeze all the funds, certificates and securities of the company, and the order has been served on all the persons who, to the knowledge of the commission, have any bonds or securities in their possession.

I just might say, for the information of the House, that this is an Ontario company which has property in Quebec. We have evidence that the cores were being salted and false results were given out for the purpose of disposing of securities. The Quebec securities commission has been co-operating very closely with us and we are both taking the same action. Everything is now tied up.

Mr. Speaker: Does the member for Huron-Bruce have a question?

Mr. M. Gaunt (Huron-Bruce): Mr. Speaker, I have decided to withdraw my question because I have had consultation with the hon. Minister of Agriculture.

Mr. V. M. Singer (Downsview): Mr. Speaker, I would like to ask the hon. Attorney General when I might expect the answers to the series of questions that I posed beginning on January 25, and on several instances after that.

Hon. Mr. Wishart: Mr. Speaker, I will be very glad to answer the hon. member. I counted the questions at one time and I think they ran into the neighbourhood of 102—quite a series of questions. The answers, however, have practically all been prepared and perhaps I might even say that some of them have been ready for some little time. I propose to check them once again quickly, make sure they are up to date now, and start giving them out so the hon. member will not be overwhelmed with them all at once. I will be giving them out very shortly.

I would like to say that I think I am indebted to the hon. member, to some extent at least, in having furnished these questions to me, because in preparing the answers to them, I have found that a good deal of detail of which I was not particularly aware at the moment, has come to my attention and I am now very well informed.

Mr. Speaker: Orders of the day.

THE EXPROPRIATION PROCEDURES ACT, 1962-1963

Hon. A. A. Wishart (Attorney General) moves second reading of Bill No. 45, An Act to amend The Expropriation Procedures Act, 1962-1963.

Mr. V. M. Singer (Downsview): Mr. Speaker, in connection with Bill No. 45, The Expropriation Procedures Amendment Act, I thought that it would be well to draw to the attention of the government some of the history that led up to The Expropriation Procedures Act. I do not know whether the hon. Attorney General is familiar with the studies of the select committee, although I am sure that he has read its report, I do not know how familiar he is with the remarks of the hon. member for Grenville-Dundas (Mr. Cass) when he introduced the bill back in 1963.

But I have taken the occasion, sir, to refresh my memory, and I note that when the Attorney General of the day introduced the bill in 1963, on March 19 in fact, he said, among other things—and at this point I am referring to page 1876 of the debates—that the committee was unanimous in its view that there were changes necessary. Then he went on to say that the government felt there were certain matters of substantive law, including the matter of a tribunal to hear these matters, which required considerable study. Then in his remarks, as he developed them in connection with the first reading, he expressed the opinion on behalf of the government that

while extensive changes are necessary in the substantive law, the procedural changes were of utmost importance and could be quickly remedied, and it was with that in mind that he introduced The Expropriation Procedures Act. He made it quite clear, in fact, that there was no attempt in The Expropriation Procedures Act to change the substantive law, and I think the hon. Attorney General will agree with me about this.

Then I refer to some remarks he made at page 2710, which is in relation to dealing with that bill at the time it came before the committee of the whole House. The Attorney General of the day said this:

But it has left the substance of law with respect to compensation and the tribunal alone.

At that point he was replying to some points raised by the hon. member for Woodbine (Mr. Bryden). Then further on, on the same page, he said:

—improvement in procedure is included in this bill while the matter of the substance of law and the tribunal is yet to be settled.

And he went on to say:

So, for that reason, I accept the remarks of the hon. member—

and that is the hon. member for Woodbine:

—as being very pertinent under the circumstances and a point well taken. I can assure the hon. members that this matter is under very careful study by my department and the other departments concerned.

As of April 23, then, the hon. member for Grenville-Dundas assured this House that the matters of change in the substantive law were under very careful consideration.

Some two years have elapsed since the introduction of that bill. There is no indication before us that the very substantial studies that were necessary have been undertaken. In fact, what seems to be indicated as a result of the amendments to this bill is a panic that has hit the government as a result of the fuss that took place in Oxford county. Suddenly, the government began to realize, I suspect, that even though the studies that it referred to were not even being conducted, something had to be done to cover the ground and make it look a little more reasonable to the people who were going to be affected by expropriation. The very substantial criticism that was levied at the government because of the position in which the unfortunate hon. member for Oxford (Mr. Pittock) found himself, forced these sudden changes.

I ask the hon. Attorney General: Where are the changes in substantive law that were the unanimous recommendations of the select committee? I am sure he is familiar with this report. There is recommendation No. 2, for instance, that a uniform statute be set up to provide a common basis for compensation for all agencies that are authorized by the provincial government to expropriate land, and that the requirement be that the authority make due compensation to the owner of land for any damage necessary resulting from expropriation—in other words, sir, that there be a common basis for all expropriation proceedings. There is as yet no common basis for all expropriation proceedings for determining the value of money to be paid. It still ties itself in with the wording of each particular enabling Act.

Surely, Mr. Speaker, the uniformity of paying compensation, which was so well recognized by the unanimous opinion of the select committee, should have been paid some attention to. And surely we should have expected, two years after the former Attorney General introduced The Expropriation Procedures Act, that the government would have had time to work out in legislative language a method for determining a uniform method of determining payment.

Then, sir, recommendation No. 3 of the select committee said this:

That a special tribunal be appointed by the government of Ontario which would be solely responsible for the assessment of compensation arising from expropriation and associated powers, with consideration being given so that such a tribunal would have sufficient membership to deal expeditiously with all the matters before it.

That is quite a lengthy recommendation. I have only read the first part of it, but in essence it strongly recommended that there be one tribunal and one tribunal only set up, which would deal with all expropriation matters. That touched very closely on the remark made by the hon. member for Woodbine at the time, when he quoted from a judgment of the Supreme Court. The judge he was quoting wondered—and wondered properly, I would suggest—about the dual role that the municipal board had to play, in determining amounts to be paid for compensation. The Attorney General of that day said, “Yes, this is a valid point and we are moving toward this. We are studying it. Give us time and we will do something about it.”

It was with great interest, Mr. Speaker, that I heard the hon. Attorney General rise

in his place a few days ago and introduce the expropriation procedures amendment Act, because I had hoped in the two years' time that had elapsed that he and his advisers would have had time to study the recommendations and the substantive changes in the law that seem so urgent, and were now prepared to give effect to some of those unanimous recommendations. Instead, sir, we find this Act is nothing more than a face-saving device, designed to make the government look a little better in Oxford county.

The government got into this position in Oxford county because of the fact that it had not set up the sort of expropriation procedures and the substantive changes in the law as recommended in the select committee's report, and the unfortunate hon. member, as I described him earlier, found himself in the position where he was trying to wear two hats at the same time. Wearing one hat, he was the chairman of the conservation authority which dealt with expropriation matters; apparently he had to take it upon himself to go out and negotiate about expropriation values and expropriation questions with the people from whom the authority was taking land. Under the other hat, being a member of the Legislature, he should have been in the position to listen to complaints. He was not in that position because he would be listening to complaints about himself and his actions.

One judge of the Supreme Court said, in a judgment a few days ago, that the business of Caesar appealing to Caesar makes for very difficult law. This is the position that the government found itself in, because those people whose land was taken in the county of Oxford by the conservation authority, had to appeal from Caesar to Caesar and they really had no one in a position to listen impartially to their complaints.

As a result of this, and as a result of the very substantial criticism, the hon. Prime Minister (Mr. Robarts) rose in his place one afternoon and said he was going to appoint a special negotiating committee. It was going into Oxford county and would fix everything up. It may be that they have gone in and it may be that they have fixed everything up; I do not know. In any event, the loud-voiced complaints seem to have ceased, so something has probably happened. But this was a one-time effort. However, the government thought that maybe they should enshrine this one-time effort in legislation, and this is what they do.

Hon. J. P. Robarts (Prime Minister): This format has been used many times.

Mr. Singer: Well, if it has been used many times, and if it has any value, one would have thought that the government would have re-examined their whole position insofar as expropriation is concerned. With all the great multiplicity of bodies which can expropriate, surely the people of Ontario would be far better served if there were a uniform set of laws governing the manner in which compensation was to be determined? But we do not find this in this Act. What do we find in this Act?

There is power to appoint two people—we do not know who they are. The Lieutenant-Governor can appoint two people who, when they become advised that there is some difficulty, can go out and conciliate.

Hon. A. A. Wishart (Attorney General): Two or more.

Mr. Singer: All right, two or more. Now, who are those two or more? Are they going to be some broken-down politicians who are retiring and need to be appointed to another board, so that they will be able to travel hither and yon around the province?

An hon. member: Speak for yourself.

Interjections by hon. members.

Mr. Singer: Well, I must have hit a very responsive chord there from the answers that came forth.

Or are they going to be people who are trained in matters of land evaluation? Are they going to have a staff? Are these people going to have a staff of land appraisers? What training are they going to have? Are they going to be available to every municipality, every hydro board, every hospital board, every university, every expropriating body that exists through the province, or are they not? How big is this office going to be? Have we any idea really whether we are setting up a brand-new department of expropriation conciliators? Who is going to be in this department? What training are they going to have and what advisers are they going to have?

Mr. Speaker, I cannot see anything really new coming out of this Act, or anything of substantive value to the people of the province of Ontario, other than an obvious face-saving effort designed by the government to bail them out of the very embarrassing situation in which they found themselves in Oxford county. It would seem to make much more sense to me that the government, if they were going to amend The Expropriation Procedures Act, would have paid close attention to the unanimous recommendations of

the select committee on land expropriation, and would have paid close attention to the remarks of the former Attorney-General, who promised this House that the matter of substantive changes in the law were under careful investigation. He thought that the suggestions were good; well, he should have thought so because he was chairman of this committee and he played a large part in writing these recommendations. We could have, and should have, expected at this time that when the amendments were brought into The Expropriation Procedures Act, an attempt would have been made to deal with these difficulties.

Mr. Speaker, we do not have any uniform board. We do not have any uniform basis for determining compensation. Instead, we have two or more people who are going to be appointed, I gather, as a roving commission, apparently without any other advisers, apparently without any civil service staff to work with them, and apparently without any land evaluators or appraisers set up to assist them. They are going to interpose themselves between the expropriating authority and/or the municipal board or the county court judge or the arbitrator—this whole mystique of varying authorities. The municipal board is being placed in the position where its interest must, of necessity, conflict, because at the same time as they attempt to determine value, they have these other roles insofar as The Department of Municipal Affairs is concerned. None of this difficulty is being cleared up. We are going to have two public relations men, I suppose, to wander around the province and try to work out quiet and peaceful settlements.

In brief, Mr. Speaker, I suggest that this is a poor excuse for an amendment to an Act that is as important to so many people in the province of Ontario as this one is, and that the government deserves very severe criticism for not having listened to the words of this select committee report, and to the words of the former Attorney General, who was charged with this responsibility. In addition, the government should be severely criticized, because it seems to me that the only purpose of bringing in this Act is as a face-saving device designed to rescue from the wreckage of Oxford county a very bad disaster which they got themselves into.

Mr. D. C. MacDonald (York South): Mr. Speaker, in dealing with the principle underlying this bill, I want to refer to three general areas. The first is to the substantive changes in the law to which this government indicated it was giving some consideration, following

the representation of my colleague some two or three years ago when the bill was first brought in. The hon. member for Downsview has touched on this. I just draw this to the attention of the House and I do not think anything more need be said on it, because we have nothing more before us.

Three years have gone by. The studies have not been instituted; we are no further ahead.

Now, the second general area that I want to comment on is that the main purpose of this bill is to legalize what was, in effect, an illegal procedure. Now the hon. Prime Minister has interjected this afternoon in saying this procedure has been used on a number of occasions.

This may be true, Mr. Speaker. I do not know, except that when the hon. Prime Minister used it on this particular occasion, it was he who said there is nothing in the Act which authorized the government to do this. But we are going to do it. Under normal circumstances, the final decision on arbitration would have gone through to the Ontario municipal board. And he conceded by implication, if not explicitly, that there was no legal basis for this action in this case, or on any other occasion when it had been used. Now, somewhat belatedly, the government has come in with an amendment to the Act which is going to authorize this procedure; authorize it in a standard fashion.

I have not much more to add to all of the queries that the hon. member for Downsview has raised with regard to the operations of this board of negotiation. Quite frankly, it appears to be—as the hon. member referred to it—a panic move; it appears to be something resorted to in a rush to cope with the situation in Oxford. There are not enough details for us to come to any intelligent conclusion; we just have to take it and hope, and then exercise judgment in light of some experience.

Indeed, it may well be, since the hon. Attorney General intimated to me in a question following the first reading of the bill, that this is just an intermediate stage and that the ultimate solution will still have to be made by the Ontario municipal board if this board of negotiations cannot achieve a settlement. It may well mean that it will just prolong the whole process, which sometimes has been a very painful one.

Again, I repeat, we will just have to wait until we see the nature of this new creature that the government has given birth to, and judge its effectiveness in the light of some experience.

However, Mr. Speaker, the third point is the one that I want to stress to this House. When the government and the hon. Attorney General introduced this bill, I asked him whether or not this bill covered the changes in The Conservation Act that were envisaged in the Speech from the Throne, and he intimated yes.

Now, Mr. Speaker, on that basis, I want to say that this is a pathetically inadequate piece of legislation in light of the almost violent protest that has been raised all across this province, concerning the procedures of conservation boards. I hope that under the appropriate estimate we will get back to them.

I was very interested to receive a letter a few weeks ago that was circulated—indeed, it came to me from two or three different sources—from municipal officials. It was a letter that had emanated from the Ontario council of conservation authorities in which it was suggested that what had happened in the Upper Thames River conservation authority with reference to the Pittock dam was an isolated event. They were fearful of the damage to the reputation of conservation authorities as a whole because of the public furore that had been created. They tried to assure the public that this kind of thing was not happening with other conservation authorities.

Mr. Speaker, at the appropriate time I shall document that this is happening in other authorities. Indeed, I was taken aback to learn that many of my own constituents were the victims of almost as atrocious procedures by the Humber conservation authorities—and I am referring to the landowners out in the Eglinton flat in the central portion of my constituency.

Many times before, Mr. Speaker, when we have been talking about the changes that were required in the expropriation Act, I have referred to the fact that the Ontario federation of agriculture, as a result of what happened in the Upper Thames River conservation authority, had studied this matter thoroughly, and indeed it is well known, had done so under the guidance of Donald Middleton, the head of their properties branch. As a result of this study it brought before their convention last fall a nine-point resolution with proposals for bringing the expropriation Act up to date so that the little fellow who finds himself faced with a big authority, a government agency, will have his rights protected automatically rather than have to dig himself in and steel himself to the kind of prolonged battle that the land-

owners in the Woodstock area, for example, have had to go through for the last year.

I want to remind the House by way of a comment on the painful inadequacy of the bill that we have before us this afternoon of what the Ontario federation of agriculture has considered carefully and has proposed as the necessary amendments to the expropriation Act.

I repeat, they are nine in number. The first one is as follows:

That every expropriating authority be required to prove the need for each parcel of land in a properly conducted trial, freely open to the public.

Now, Mr. Speaker, the reason for this request is that there have been changes in terms of the land that was required; in terms of more land, or in terms of removing some from expropriation orders in the instance of the Pittock dam expropriations at Woodstock.

Indeed, the most startling example of it was the man who was told that his whole farm was going to be required. So he spent a good deal of time last fall in seeking an alternative farm, not only with a barn but with a house so that he could move his family. After he had found an alternative farm and had spent most of the fall rushing to keep ahead of the coming winter in getting a house ready and moving his family in, to his amazement he received a letter from the authority saying that they only wanted half his farm and he could have the original buildings and house back.

Now, for whatever reason this change was made I do not know, but once again I have discovered, in talking with people who feel that they have been the victims of conservation authorities, that there seems to be a strange vacillation in terms of the decisions as to what land is required. This is certainly what is going on behind the scenes and what provoked the request of the Ontario federation of agriculture that there should be a public hearing so that the authority would justify its requirement for that particular parcel of land.

The second point is as follows:

Any authority placing a registered plan upon the property shall immediately pay the landowner an option.

Here is one area of almost consistent protest. In the instance of the Humber conservation authority the situation was complicated because of green belt designation in the circumstances that arose following Hurricane Hazel in the watershed of the Humber River.

The authorities moved and, in effect, froze

a certain property so that it could not be sold, it could not be improved nor built upon. All of these changes were made and yet a man gets no compensation at all. There is no option taken on the land. Years will go by. Indeed I will show, when we get to a further point, how far, sometimes, these procedures carry on. Point number three:

All property owners shall be given at least one year's notice that their property is being taken over by an authority.

In the instance of the Pittock dam expropriations they were assured of two years and yet they got notice toward the beginning of last year; and in the first instance they were going to be out by the middle of the year. Later there were postponements in the instance of some of the property holders.

In other words, there is not adequate time being given, particularly if it is to a farm owner who clearly cannot deal with the problem of crop cycles and getting new property if he is given only a few months of notice. I would think that a year's notice would be the minimum in which a farmer would be able to cope in the changes involved in switching farms.

The fourth point reads:

All lands scheduled for expropriation to be valued by properly qualified appraisers.

Now it seems to me to be so elementary that I do not know why this would need to be specified; but again, in the instance of the Pittock dam expropriations, the first expropriations were by appraisers who simply did not have the confidence of the people involved. Here was one of the areas of great controversy between the authority and the landowners, and indeed the Ontario federation of agriculture; because when the Ontario federation of agriculture came into the picture they suggested to the authority that they should hire independent, free appraisers, and the authority did not even reply to their letter. Indeed only later did they quietly, and without acknowledging their action, move to do this—because it was absolutely necessary if they were going to get back on an operating basis with the landowners involved.

The fifth point is:

Landowners whose property is being expropriated shall receive full compensation to the true value of land and buildings, plus 25 per cent for forceful taking.

Now, Mr. Speaker, I understand that the general practice in The Department of Highways has been to pay an extra ten per cent for forceful taking. I was curious to discover

why in the view of the Ontario federation of agriculture they felt that 25 per cent was justified. I will report to the House that in seeking clarification on this they made the point that in the instance of farm lands a farmer, if he is a modern farmer, is fertilizing his land regularly, indeed he is investing thousands of dollars in this property, and to take this land away, for whatever use you may wish to put it, you are not just taking the land, you are taking this long-term investment in terms of the fertility of his land.

If he goes and buys another property he may well be buying a property in which once again, he has got to start almost from the beginning in terms of adequate fertilization. Therefore their contention is that 25 per cent addition rather than 10 per cent is justified.

The sixth point:

No property owner can be asked to surrender his land and buildings until the expropriating authority has paid him at least 85 per cent of the appraised value.

Now, Mr. Speaker, here is perhaps the most disturbing aspect of the whole operation of conservation authorities, particularly as far as the victim—if I may describe him as such—is concerned.

As I understand it, the law now requires 50 per cent. In the instance of the Pittock dam they got a higher figure, I believe it was 75, if I recall correctly, or 85. This is why the OFA is now coming in with a proposal that 85 per cent should be paid.

I acknowledge that there is a problem here. If you are expropriating only a portion of a farm and it is not a portion that is being lived on, and it is going to go through to arbitration because a settlement cannot be reached, the figure on which you would pay any amount before they have actually taken it over is clearly a matter of some conjecture and some dispute. But it seems to me that the real hardships emerge in the case of people whose homes are being expropriated.

I could tell hon. members, for example—and this is reverting a bit because in reference to a portion of a farm rather than the whole—of one case in Woodbridge in the Humber valley that was drawn to my attention a week or so ago—of a man who had a portion of his farm taken by the Humber valley conservation authority for purposes of straightening the river. The authority has straightened the river. It has handed part of this property over to the York county roads committee. Yet all of this took place two years ago, and only last fall did it enter into negotiations on the price it was going to pay him for this property.

Mr. Speaker, it seems to be something approaching legalized robbery, certainly an affront to the rights of property, that an authority can come in, take land, use it, give parts of it away, and only some year or two later get to the point of starting to negotiate on payment with the owner of the property.

But if I may return now to the proposition of those who find that their homes are going to be taken, I think that here is the real difficulty. This is a difficulty that I shall detail and document—when we get to the appropriate estimate—in the case of some of those in the Eglinton flats. It is all very well to say to a man and his wife and children who are living in a home: “You have to get out by the end of this year.” But if the authority has not arrived at a settlement figure how is he going to buy an alternative home? This is the dilemma with which many of these people are faced. I do not pretend to be an expert in this field and therefore I do not know the answer to this very knotty problem, but clearly, if one is going to force people out of their homes and they have to find an alternative home, they have to have some idea of what compensation they are going to get so that they will have some idea of what money they are going to have in their pockets when they go to buy an alternative home. There is case after case, both in Woodstock and in the instance of the Humber valley conservation authority where this simply is not true.

Mr. Singer: Everywhere there is expropriation.

Mr. MacDonald: Everywhere, I agree. After two or three years, it would seem to me that this government must have had its head really buried in the sand if it did not realize that there was need for study and action in connection with this procedure, and some sort of solution.

The seventh point, Mr. Speaker, is:

Provision must be made for property owners to have a practical opportunity to appeal the expropriation or appraisal at a nominal cost.

Conceivably, the main amendment of the bill that the hon. Attorney General has brought in will assist in this general area. The board of negotiation may come in and resolve difficulties when the two parties have lost confidence in each other; it becomes an independent body that intervenes and perhaps brings them back together. But certainly the costs involved are something that is too lightly ignored by conservation authorities when they

say, in effect, “Fine, if you are not content with the offer go on to arbitration.” And by going on to arbitration the property owner is pouring down the drain some proportion of the price that he ultimately will get.

The eighth point is:

Expropriation bodies shall be required to assume responsibility and costs for searching titles to land.

I think that speaks for itself. Then finally, of course, the ninth point in the OFA resolution was:

No member of the legislative assembly shall be permitted to hold an elected position or an appointment to a conservation authority.

This is the problem that became painful for the hon. member for Oxford. He finally conceded that there was an appearance of a conflict of interests—though apparently he was unrepentant to the end and did not think there was really a conflict of interests, but he resigned the chairmanship.

May I just say here, Mr. Speaker, what I have said outside the House—that if a man is on the conservation authority, his conflict of interests may be somewhat less if he is just a member rather than if he is the chairman, but he does not remove the conflict of interests merely by resigning the chairmanship. He is still in a position to have to defend the actions of the board and therefore he is still not free to fight for his constituents if they feel that their rights have not been protected.

I was interested to read in the papers a few weeks ago that the hon. member for Kent West (Mr. McKeough) has resigned from a conservation authority. He told me privately that he was doing it because he was too busy and could not get to the meetings. I would say that was a fortunate development because I think he is wise to have left the board. If anything develops in his area, he is not going to find himself in a conflict of interests, too, and I think there is validity—

Hon. Mr. Robarts: He told it to you privately?

Mr. MacDonald: I think there is validity in point nine of the Ontario federation of agriculture's representation. I just sum up this way, Mr. Speaker, that after three years—both as regards the substance of law and even more important as regards the procedures, which are a constant source of complaint—this government has not settled down to do a job. Therefore it brings in a bill that is hopelessly inadequate in terms of meeting the needs, in light of the storms that

have been provoked in some places. They are going to be provoked elsewhere as long as the government does not take action. I regret this, but once again, this is the kind of piecemeal, gradual approach we have to suffer from this government even when the problems are urgent ones.

Hon. Mr. Wishart: Mr. Speaker, let me first of all disabuse the minds of the hon. members who have spoken—the hon. members for Downsview and York South—that there is any panic about the presentation of this Act. It was not put together in a great hurry, nor did it arise out of the situation in Oxford county; it was planned and considered before that situation was the subject of study. I might say I had the benefit of a committee of my colleagues on the Cabinet—the hon. Minister of Highways (Mr. MacNaughton), the hon. Minister of Municipal Affairs (Mr. Spooner), the hon. Minister of Public Works (Mr. Connell) and one other, I believe, the hon. Minister of Energy and Resources Management (Mr. Simonett), and the Act arose out of a good experience.

Expropriation, the forceable taking of land, is never going to be a popular procedure, but the public good demands sometimes that the rights of the individual must take second place. If the public is to achieve its aims, the private property of some person or persons must be taken, and must be taken by order—or by force, in that context, in that meaning. The Expropriation Procedures Act which was introduced in 1962-63 did a good deal. It laid out, limited and defined times, circumstances, notices, and procedures which were very helpful, but it was lacking, I am frank to admit, in some features which could easily be observed, in that—and these were the chief complaints—there was expense involved to the private owner, there were delays in spite of the procedures that had been laid down, there were difficulties of various kinds, and in this very unpopular business of expropriation, we felt we could meet these difficulties out of our experience.

My colleague, the hon. Minister of Highways, tells me that over the past number of years, in his experience in that department, the number of cases which have had to go to the Ontario municipal board or to a judicial tribunal have been something like one per cent—one out of a hundred—and he and other departments have been using a tribunal or a group of negotiators to seek to bring the parties together, to agree on a price, to settle the matter. This has worked well and has removed a great deal of the complaint and difficulty and heart-burnings that arose

through the application of expropriations procedures.

What this Act is designed to do, is to establish a tribunal—and not just one, but as the Act points out, the Lieutenant-Governor in Council may appoint two or more persons. What is intended is an informal, simple, summary, inexpensive procedure that can be used where it becomes necessary for an expropriating authority to take the land of an individual and use it for the public good. For example, if it happens to be a case in Essex county, what is intended here is that perhaps three persons in Essex county, familiar with the area, knowing the unique and peculiar circumstances which apply to land or buildings or whatever the situation may be in that area, will be appointed, will visit the property, will examine it, and will be able to bring the owner together with the expropriating authority and say, "Now, let's sit down and see if we can settle this situation." That is the purpose of the Act.

Just to detail that a bit further, it is intended that it would not be necessary for the owner to have a lawyer, or even perhaps to have appraisers. The gentlemen who would make up the tribunal, one of whom would be chairman, would examine the land and would talk with the owner, would get the idea of its value and they would then sit down, bringing the owner and the expropriating authority together, and say: "Let's try to reach a price." And they would take into account, if I may say this, the 10, 25 or whatever percentage you might want to consider within or beyond those limits for all the circumstances of the taking, the time at which the property is needed, and the time it is to be taken. These things, I think it is fair to say, can be settled. But the only way we know of settling them today is by money; perhaps you cannot settle every damage or every injury in dollars and cents, but in expropriation this is the theory on which we proceed; that by some payment of money you can salve, soften and heal the wound that you create by saying: "I must have that piece of property." And that is what this Act is intended to do.

And it applies across the board, with the exception, as pointed out in the first section, of The Drainage Act. It will apply to municipal situations, it will apply to conservation authorities, it will apply to The Department of Highways, and let me say this; the hon. member for York South said we are legalizing, in his words, an illegal procedure. I would like to say that what we are doing is to legalize not something which was illegal, but something for which we have no lawful

authority. But it was not anything illegal that has been done, it is just a good experience that we have observed. We are formalizing it now and saying: "This is the way you henceforth shall do it." We hope to save the owner time, disturbance and dislocation to the greatest extent that can be brought about. The cost of this proceeding will be paid for, as the Act says, out of government funds.

It is no more illegal than it is to try to settle a lawsuit before you get before the judge, or to settle the case before you issue a writ. So we are making negotiation by ordinary, sensible, perceptive, common-sense people a necessity in matters of expropriation.

The hon. member for Downsview says he can see nothing new. Well, I am sorry his eyes are so blind. I think this procedure is quite new in that it now becomes a necessity. It has now become—if this Act is passed—necessary to adopt this new procedure, one which is tested, tried and proven. I was not surprised to hear him come forth with some political comments that he thought this board might be composed of some political hacks—I do not know what the word was—but he announced, as I recall in his speech in connection with the reply to the Speech from the Throne, that he was going to be very political in his comments throughout this session. Well, I do not mind that, but I think if he would observe that in the administration of justice, and this Act does touch that quite closely; so far as my department is concerned, we try to avoid the political tinge, and I say that quite sincerely.

Mr. Singer: You can practise good politics, too.

Hon. Mr. Wishart: And I can allay his fears that there will be any great political colouration to the administration of this Act.

As to the substantive law, I think I shall be very brief in discussing that because, insofar as this Act is concerned, it is simply one principle only—the establishment of a tribunal, a summary procedure that is quick, inexpensive, and informal, to get on with the job of expropriation and remove the difficulties which we have faced heretofore.

There are, perhaps, some areas where we might bring in some new measures of substantive law in an Act, but that is not the Act I present to this House today.

Mr. A. E. Thompson (Leader of the Opposition): The hon. Attorney General called it a tribunal.

Hon. Mr. Wishart: I called it a tribunal because I anticipate in the language of the

Act two or more persons, one of whom will be chairman. It may not be a tribunal; it might be three persons, it might be two. It might be four or five, depending on the importance and nature of the expropriation. I would think, perhaps, that three persons sitting in, as I say, Essex county or in Renfrew county or in the district of Thunder Bay or elsewhere, would be local persons, and they would sit, review the situation, bring the parties together and resolve it in dollars and cents. If we follow the experience of The Department of Highways there will be very few cases that will go on to the Ontario municipal board or to any other judicial court or tribunal to finalize the matter and thereby bring expense upon the person whose property is being taken.

That, I think, Mr. Speaker, should be sufficient to allay some of the fears which have been expressed here today.

Hon. C. S. MacNaughton (Minister of Highways): Mr. Speaker, I will take a moment to make some comments, if I may, because of the fact that The Department of Highways is very much interested in this type of legislation.

I think, Mr. Speaker, with respect, that the hon. members who have been critical of the bill are belabouring a point which is not valid in the context of the bill that is before the Legislature this afternoon.

Now I say, in fairness, that if the hon. members who are critical believe that negotiation is preferable to arbitration they will, as will many others across this province, welcome this legislation. Here I submit to you, sir, without any reasonable prejudice to the positions of parties involved, that there is a provision for consideration of positions in an atmosphere of relative informality, without involving the employment of counsel and without occasioning the related costs. In short, I submit to you, sir, that in laymen's conversation these matters can be resolved on the basis of negotiation. In this manner many disputes can be resolved to the satisfaction of all parties in probably a very great majority of circumstances. I would like to make reference, if I may, Mr. Speaker, to the fact that similar procedures were employed for a rather substantial period of time before the fuel board, which later became the energy board. So far as I am aware, all of those situations were resolved to the satisfaction of the parties involved in these hearings. I do say, Mr. Speaker, that as Minister of Highways, this proposal has been thoroughly considered by myself and my department, and is welcomed. Our record of

property acquisition or, to use the unpopular word, land expropriation, as the hon. Attorney General made reference to, in the two-year period ending March 31, 1963, involved the acquisition of 8,010 individual parcels of land. In only 40 instances, out of the 8,010—less than half of one per cent—was it found necessary to resolve these situations by arbitration.

Having said that, I do not propose for one minute to say to the House, and to the hon. members who have been critical of this bill, that we have obtained perfection in this field. We do not feel—

Mr. Singer: What you are saying is you have been doing it without the legislation.

Hon. Mr. MacNaughton: We do not feel we have attained perfection in this field yet.

Mr. Singer: This legislation adds nothing to what you now do.

Hon. Mr. MacNaughton: Well, of course, Mr. Speaker, I am trying to substantiate that it does, and this is the area of great difference of opinion between myself and the hon. member for Downsview.

Now, while we have had what might appear to be a satisfactory record, I am prepared to say that there have been situations resolved that did not always leave the best taste in the mouth of the party to whom the proposition was made. First, may I say to you, Mr. Speaker, that in The Department of Highways, and I am prepared to say that this characterizes every land-acquiring body of government, it is recognized to the fullest extent possible that we want or require the land and that in most—if not all circumstances—the property owner does not particularly want to part with it. So against that premise, and against that background, are all the reasonable pursuits associated with land acquisition employed.

Now, to hon. members today who have been critical, I say they draw the red herring of the property-acquisition procedures of the Pittock dam across the face of this proposed legislation. I say that it is no more than drawing that red herring across the face of this proposed legislation, because I submit to you that if this legislation had been in effect at that time, it would have gone a long way to resolving the problems associated with these transactions. I suggest to you, Mr. Speaker, and through you to the hon. members of the House, that there are two fundamental positions involved in the process of acquiring land for public purposes.

One is simply the best and most judicious, fair and economical use of public funds. Secondly, the employment of the fairest possible treatment of those owners from whom property is required, recognizing again that in all or in the majority of cases the owner does not want to sell, although this is not always the case.

Recognizing the fairness of this premise and regardless of some criticisms levelled here today, it has been my experience that a greater basis of fair play characterizes our land-acquisition procedures than most people realize. Nevertheless, this bill makes it possible to process these situations on a much fairer, much more equitable, basis—on a basis of negotiation rather than arbitration. I submit to you that it will be welcomed by my department and, I repeat, it will be welcomed by hundreds of people across this province who have and will become involved in this sort of thing.

Mr. L. Troy (Nipissing): Mr. Speaker, as a member of the select committee on expropriations, I want to say a few words. Probably the best way would be to read from the report, because it seems to me that this bill just brings in a pale image of the recommendations of that committee. That is strange, too, because the deputy Attorney General was the secretary of that committee and would be able to give the hon. Attorney General valuable contributions. It seems, even though he is not in the Cabinet, you might have also consulted the former Attorney General, the hon. member for Grenville-Dundas, because he was the chairman of that committee. We had many serious problems presented to us and quite a number of them had to do with The Department of Highways. I must say that the Minister then was the chairman of the committee and not the present hon. Minister, but there were, no doubt, many problems in which The Department of Highways was involved.

One of the most serious problems was the confusion that existed in the minds of individual property owners as to how they could obtain an independent decision which would lay to rest the problem between himself and the public authority. The conclusion of the committee was, in its opinion, that it did not seem advisable to increase the work load of the judiciary and also to trust to the Ontario municipal board, because it has so many other matters brought to its attention in addition to matters of compensation and expropriation. It was the committee's recommendation that a special tribunal be set up by the government which would be solely responsible for

the assessment of compensation arising from expropriation and associated powers, with consideration given to such a tribunal with a sufficient membership to deal expeditiously with matters before it.

This was the unanimous opinion and the consensus of the committee, which included members of the government and members of the Opposition, and we discussed it at great length. We had the opportunity to visit many areas of this province and other jurisdictions, and I think we made a definite contribution in this particular phase of it. If the board of negotiators cannot bring the parties together you will have to have some sort of tribunal, or probably go to a judge or the Ontario municipal board. I think I said in the beginning that I agree with the hon. member for Downsview and the hon. member for York South that this is not what we had expected.

Hon. Mr. Wishart: Mr. Speaker, might I just speak to the remarks of the hon. member? The committee which—

Mr. Speaker: I may point out to the Minister that this is a routine motion and you are really only supposed to speak once to a routine motion. It is not a substantive motion, but if the member for Nipissing would wish you to reply to something, I would allow a question and an answer.

Mr. Troy: Well, I would be really pleased to note that any comment of mine would draw a reply from the hon. Attorney General.

Hon. Mr. Wishart: I thank the hon. member and I assure him I always listen to what he has to say with great interest.

I would like to say to him that the committee, which was not perhaps as formal as the one he served on, included four of my Cabinet colleagues. I neglected to mention the hon. Minister of Agriculture (Mr. Stewart); I did mention the hon. Minister of Highways, the hon. Minister of Public Works and the hon. Minister of Municipal Affairs. I think that the departments they head are particularly concerned with expropriations. Mr. Dick, the deputy, was the secretary of our committee.

I think I would just like to say, sir, that the board recommended by our study—I would like to call it a tribunal; or the board of negotiators is what we call it in the Act. I think this is a refinement on the idea of a formal permanent tribunal which might somewhat resemble the Ontario municipal board. I think we perhaps are presenting to you in

this bill something which will be more workable and achieve a better result than the original report perhaps suggested.

Mr. J. Renwick (Riverdale): Mr. Speaker, in speaking on this motion, the point which concerns me about the procedure which has been adopted is the pattern which the government appears to be adopting on every occasion when there is a basic problem to be dealt with. The government feels that, if it interjects an additional or alternate procedure in a bill, it will solve the problem.

The basic problem no one will disagree with, is that, if the government exercises its power to expropriate—and everyone here agrees that it must have that power in certain circumstances—there will be a dispute as to the compensation payable. Under the bill and the motion which is before us, an informal procedure is adopted to negotiate—and we agree with the principle of negotiation rather than arbitration—to negotiate a settlement. Having negotiated a settlement, there is no requirement that there be any further proceedings. The negotiation of the settlement, and the settlement finally arrived at, may very well be in complete disregard of the principles of compensation which have been developed over a long period of time. The position would then be that if a settlement is not reached and the parties have to go to arbitration, they will immediately be faced with an entirely different atmosphere, namely, the atmosphere of an arbitration board which is bound by certain long-established principles.

It would be our view that rather than insert an additional procedure in an already complicated and difficult situation, the government should seriously consider restating the basic principle of compensation to take into account the various items enumerated by the hon. member for York South in settling the amount which a person is to receive for his property. The purpose, as we see it, which could be elaborated in finer terms, is simply the wish of the person whose property is expropriated that he be relocated in a comparable situation without any financial loss to himself, and without having to incur any additional expense.

Mr. Speaker, it is our submission that this procedure, while it does provide an informal method of arriving at a settlement, does not in any way deal with the fundamental problem as to the ultimate purpose and basis of compensation. We feel that this restatement of the principle of compensation requires careful thought, because it is quite certain that in the course of the next several years,

government will use the powers of expropriation to a much greater extent than it has in the past, and will use them in circumstances where it takes substantial tracts of land. It is our wish that everything be done to prevent the development of strong emotional feelings in the minds of those whose property is taken, and to do so by specifically restating the basis on which compensation is to be established.

Mr. Speaker: Is it the pleasure of the House the motion carry? All those in favour of the motion will please say "aye." All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members.

YEAS	NAYS
Allan	Bryden
Apps	Bukator
Auld	Davison
Beckett	Freeman
Boyer	Gibson
Brown	Gordon
Brunelle	Lewis
Butler	(Scarborough West)
Carruthers	MacDonald
Carton	Newman
Cecile	Nixon
Connell	Oliver
Cowling	Paterson
Davis	Racine
Demers	Renwick
Downer	Sargent
Dunlop	Singer
Dymond	Sopha
Eagleson	Spence
Edwards	Taylor
Evans	Thompson
Ewen	Trotter
Gomme	Troy
Grossman	Whicher
Guindon	Worton
Hamilton	Young—25.
Harris	
Haskett	
Hodgson	
(Scarborough East)	
Hodgson	
(Victoria)	
Johnson	
(Parry Sound)	
Johnson	
(Carleton)	
Kerr	
Knox	
Lawrence	
(Russell)	
Lawrence	
(St. George)	

YEAS

Letherby
 Lewis
 (Humber)
 Mackenzie
 MacNaughton
 Morningstar
 McKeough
 McNeil
 Noden
 Olde
 Peck
 Pittock
 Pritchard
 Randall
 Reilly
 Reuter
 Robarts
 Roberts
 Rollins
 Root
 Rowe
 Rowntree
 Sandercock
 Simonett
 Spooner
 Stewart
 Thrasher
 Villeneuve
 Walker
 Welch
 Wells
 White
 Whitney
 Wishart
 Yakabuski
 Yaremko—71.

Clerk of the House: Mr. Speaker, the ayes are 71, the nays, 25.

Mr. Speaker: I declare the motion carried.

Motion agreed to; second reading of the bill.

THE PUBLIC LANDS ACT

Hon. A. K. Roberts (Minister of Lands and Forests) moves second reading of Bill No. 43, An Act to amend The Public Lands Act.

Hon. A. K. Roberts (Minister of Lands and Forests): Mr. Speaker, I would like to make a few remarks to the House in relation to the problem that is partly dealt with by the amending bill.

I would point out that the amendment indicated in section 2 sets out procedure whereby the Minister of Lands and Forests may release a reservation in letters patent reserving free access to the shores of land

that is situate in a municipality, where the release is in the public interest or the reservation no longer serves a useful purpose.

I would like to acquaint the House with some of the problems that various access clauses, reserves and road allowances create. I may say that there was instituted in my department, through the legal branch, an inquiry into this broad subject and it has revealed some real problems. Visits were made to numerous registry and land titles offices in focal points across the province, and the problems and implications of the various clauses were thoroughly canvassed. They can be divided into three categories:

(1) The fisheries clause—reserving right of access to the shores of all rivers, streams and lakes for all vessels, boats and persons, together with a right to use so much of the banks thereof, not exceeding one chain in depth from the water's edge, as may be necessary for fishery purposes.

(2) The free access clause—reserving the right of access to the shores of all rivers, streams and lakes for all vessels, boats and persons.

(3) The 66-foot allowance—In the majority of grants of Crown land in central and northern Ontario, there was established a 66-foot strip between the land and the water or the high water mark. This strip of land may fall into one of three categories, as follows:

Either (a), a road allowance that is laid down by the Crown surveyors, either in the original survey or the survey prepared for the purpose of the grant; or (b), a strip not actually in the Crown patent and which may be created either by exception thereof in the grant, or by describing the land as lying 66 feet in perpendicular width from the high water mark; or (c), a reservation for road allowance where the letters patent expressly provide therefor.

The fisheries clause was approved by orders-in-council dated May 7, 1887, of the Ontario Legislature after it had, by The Fisheries Act of 1885, assumed control of the fisheries in the inland waters of the province. The clause is in use today with wide variations. For example, the federal authority recently served notice on landowners bordering the Great Lakes to obtain access to streams and to study and control the lamprey eel. The clause has been used also to obtain access to shoreline property for fishing.

The only judicial interpretation that I have been able to find on the clause is that contained in a report of a prosecution *R. vs. Davy*, 27, Ontario OAC Reports—those are the old reports, Ontario Appeal Court Reports

—page 508. The end result of that case was that while such a right gave the accused, in common with the public, the right to come to the shore from the water, it gave him no right to access from the shore to the land.

The public lands investigation committee, which sat a few years ago, heard a number of briefs drawing attention to the use of the 66-foot road allowance for roads, and strips of public land for camping and picnicking, and cases of buildings being erected on the road allowance or the 66-foot strip of land. Having said this, I would point out that section 459 of The Municipal Act provides a method for the closing and the sale of road allowances in municipalities. Where the road allowance is in unorganized territory, it may be stopped up and sold under section 480 of The Municipal Act by the Lieutenant-Governor-in-Council.

In the case of the strip of land referred to in (b) of the foregoing, the strip may be disposed of by grant under The Public Lands Act. The item under (c), the reservation for road allowance, may be dealt with under Section 69 of The Public Lands Act where the land is situate in a municipality.

It is the view of my department that the fisheries clause requires further study by an interdepartmental committee, but that the free access clause, which is the one now in this bill, should be proceeded with as provided by this bill now before the House.

As for the 66-foot road allowance, again a further and more exhaustive study is required before I would be in a position to make any recommendations for legislation, but as I have said, the existing legislation does provide methods for dealing with individual cases as they arise. This will now be extended by this bill to the free access clause type of reservation, similar to the present provision for road allowance closing under The Public Lands Act in the municipality.

The other amendments are merely recommended to assure that the original letters patent will reach the registry office and the office of the Master of Titles directly after issue.

Motion agreed to; second reading of the bill.

THE BAILIFFS ACT, 1960-1961

Hon. Mr. Wishart moves second reading of Bill No. 46, An Act to amend The Bailiffs Act, 1960-1961.

Motion agreed to; second reading of the bill.

THE ALCOHOLISM AND
DRUG ADDICTION RESEARCH
FOUNDATION ACT, 1965

Hon. M. B. Dymond (Minister of Health) moves second reading of Bill No. 48, The Alcoholism and Drug Addiction Research Foundation Act, 1965.

Hon. M. B. Dymond (Minister of Health): Mr. Speaker, while this is really a consolidation of the original bill and all the amendments that have been passed thereto, in the interim I would like to take the opportunity to observe to hon. members that often many of us are unaware that the province of Ontario provides, as part of its health services to the people, the outstanding alcoholism control programme in Canada and one of the most outstanding, in fact, in the whole world. This is the alcoholism and drug addiction research foundation, which operates under this Act and has headquarters here on the University of Toronto campus. It conducts a programme of research, treatment and education that reaches out to all parts of our province.

The foundation, as we were told a few days ago, is under the very able direction of Mr. David Archibald, and he and his staff are well known and very highly regarded wherever scientists, clinicians and educators gather to work out better ways of managing and of preventing the universal curse of addiction.

Many important conferences have been held all across the world—in Turkey, Holland, Italy, Poland, the Scandinavian countries, the United Kingdom, and in practically every state of the Union to the south of us. Mr. Archibald and his associates have been invited to share their knowledge with those seeking answers to the problems created by the chronic, excessive use of alcohol and other addicting substances.

For example, the world health organization in Geneva and the international council on alcohol and alcoholism, in Lausanne, Switzerland, have both sought out Mr. Archibald for service on consulting boards and committees. In fact, many people in Ontario and, indeed, some members of this House, do not have as keen an appreciation of the work of this remarkable foundation as do some people of eminence and influence beyond the boundaries of our nation.

It is for this reason, Mr. Speaker, that in presenting the bill for second reading, I felt it might be appropriate to emphasize again the principles upon which are based the most

significant features of the foundation's current operations.

I am repeating some of the things that were said in this House last Friday afternoon, but there are an estimated 100,000 alcoholics in Ontario; some 83,000 of them are found living in urban centres; some 50,000 of them are fully employed; some 16,000 of them are women, but only 9,000 of the total 100,000 can be classified as the "down and out, chronic drunkenness offenders."

The average alcoholic in Ontario is a man in his most productive years, with a job and an established home and a family, all being threatened by his inability to stop drinking. This is the man whom it is particularly important to save, and whose family it is important to save.

Considering the fact that a man with a job, a home, and a family has more to live for, and more to come back to, he is a far better bet for rehabilitation. His prognosis, therefore, is more favourable than is that of the man who has lost, or may never have had, a stable job, a wife, children or a place in the community. This is the reason why the addiction foundation is paying special attention to the treatment and rehabilitation of alcoholic employees.

Approximately half of the province's total alcoholic population is employed, and the facts show that a higher rehabilitation rate is possible with this group—up to 80 per cent reported by at least two companies, and 60 per cent is a figure commonly reported as recoveries by others. Therefore, there is substantial cause for hope that the participation of enlightened employers in a clearcut, positive plan for recognizing and handling alcoholic employees will materially reduce the prevalence of alcoholism in Ontario. To get at these employers, a very intensive programme of education is necessary.

The foundation is constantly working diligently to promote greater interest and understanding on the part of major Ontario employers in this matter, and only a few weeks ago conducted a significant three-day seminar involving personnel, medical directors and senior operating executives from ten large Ontario companies. Out of such meetings as these, sir, with factual information and leadership given by the foundation, will come constructive policies and organized plans for overcoming alcoholism in many thousands of Ontario men and women.

This, we believe, will go a long way toward interrupting the development of alcohol addiction and its later degenerative disorders. But even the best case-finding, treatment and

rehabilitation procedures will not accomplish the more basic job of primary prevention—getting at the public health problem before its onset in the individual. This, then, is the task of education.

Something like 45 per cent of Ontario's total population at the last census was under 24 years of age. These are the young people who must be adequately informed about the effects of alcohol, who must be convinced that getting drunk is not proof of manliness, who must be protected against the inappropriate use of alcoholic beverages. Many of them, in a sense at least, must be protected against themselves, against their own inadequacies, their insecurities, the feelings that may make them specially vulnerable to the comforting—and I question that word—effects of alcohol. They must be protected against learning to become dependent upon such effects.

Therein lie two of the tap roots of alcoholism, or so it seems to me: First, dangerous ignorance of the action of alcohol in the human body; and second, immature personality.

If, as I have suggested, both facts and personal development are involved in the primary prevention of alcoholism, then it becomes clear that the two most important agents in accomplishing this goal are the school and the home. The addiction research foundation recognizes these facts of life and through its education division it is working in these two complementary directions.

Since 1953 when the foundation provided its first teacher training on this subject at a department of education institute, there has developed a very healthy working relationship between the foundation and the teaching profession. This has resulted in the preparation of an alcohol studies guide by the foundation for The Department of Education and in the creation of printed materials, motion picture and filmstrips now widely used in secondary schools across this province. Many of these audio-visual aids and teaching materials, by the way, have been sought by other provinces, states of the United States of America and other English-speaking countries. Translations have already been made of some of them into French, Hungarian and other languages, again for use beyond the boundaries of our own nation.

Over 1.5 million copies of the foundation's first comic book on this subject, *It's Best to Know about Alcohol*, have already been printed; and a second such illustrated booklet, entitled *Man and Chemical Comforts*, along with another booklet—a development of the foundation which was placed on every hon-

member's desk yesterday. This last one has only recently come off the press and has already been acclaimed as another breakthrough in education technique to prevent addiction, this time in the drug field.

It is worth noting in respect to the foundation's work with the teaching profession that there are two principal reasons for its acceptance: First, the foundation deals only in scientifically validated facts and avoids exaggeration and emotional scare techniques; and second, the foundation recognizes that it is the prerogative and responsibility of the professional teacher to work with the young people in classrooms and that outsiders have no right to invade schools for the purpose of making speeches on such subjects as alcohol problems.

But the teacher can only accomplish part of the job of preventive education. Even more basic than the role of the school is the role of the home. What parents say and do about alcoholic beverages is the most important single factor determining what young people will do about drinking. Evidence from a dozen well conducted surveys backs up the assertion that most children whose parents use alcoholic beverages will likely become users themselves, and most children of abstainers will probably remain abstainers.

Further, there is also strong evidence that most young people regard drinking as a means of demonstrating their adulthood. The kind of drinking behaviour they see in their own homes on the part of their parents and other significant adults will be the model for their own drinking behaviour.

That is a heavy responsibility for all of us to ponder—our responsibility as models of behaviour for the next generation.

As a matter of fact, that is essentially the basis of the foundation's main approach to Ontario parents. Their education division strives, through press, television, radio, movies, printed materials, and personal contact, to lay stress upon the responsibility of all adults to learn the facts about alcohol and its effects, to bear these in mind when they are drinking or serving alcoholic beverages and always to remember that adult drinkers are setting the example for young people just coming of drinking age.

Advertising in the mass media is becoming an increasingly important part of the foundation's approach to adult drinkers in Ontario. It is my belief that the facts about alcohol and its effects on people should be much more widely publicized and that massive campaigns will still have to be mounted to impress upon everybody that while drinking

in appropriate amounts and on appropriate occasions may be all right, drunkenness is not acceptable any time, anywhere.

In its education work, the foundation is concerned not only with the general climate of society with respect to drunkenness and alcoholism, but also with the attitudes and skills of physicians, nurses, social workers, probation officers, magistrates, police, clergymen and others who have a professional responsibility for helping people with serious problems. This is accomplished through lectures by foundation medical staff to undergraduate students in medicine and allied fields, by clinical teaching in the foundation's own outpatient and in-patient services, by post graduate seminars and by the foundation's annual summer course on alcohol and problems of addiction.

This two-week summer course, which will be held this year at Carleton University and the University of Ottawa, attracts to it senior people in administrative and teaching posts in public and private organizations. They are selected on the basis of their subsequent influence on their colleagues throughout the province—in keeping with the foundation's belief that its good effects can be multiplied many times over by teaching the teachers.

In this connection, the foundation's widely quoted quarterly journal *Addictions* currently has an interesting article on the experiences of several doctors, nurses, social workers and others who have attended the course in past years and gone back to their communities to organize better ways of handling alcoholics. This comment from a doctor in Kenora is typical:

I would be very happy if one member of our community could attend the summer school each year. The benefits to be gained in return knowledge to the community are immense. It is a very stimulating experience to be associated with people from all walks of life with a common interest.

The universal reaction of professional people attending this foundation course is that it is a stimulating and enlightening experience to learn in this first-hand way about community teamwork. This is the way to go about cleaning up a widespread public health problem like alcoholism, by getting together a team of concerned men and women whose professional skills qualify them to play different complementary parts in the treatment and rehabilitation process and in grass-roots community education.

Through its new community services division, the foundation is now developing this kind of professional and community team-

work throughout the province. The board of the foundation recently adopted the recommendation of The Ontario Department of Economics and Development that the province be organized into ten regions. These economic regions dovetail very nicely with the foundation's orderly growth over the past 15 years and the foundation now has regional centres in Toronto, London, Ottawa, Hamilton and at the Lakehead; and the beginnings of programmes in Sudbury and Kingston.

There are also strong signs of interest in principal population centres of the remaining three economic regions. The next logical step in development will probably be the establishment of small in-patient alcoholism treatment units in each of the university centres of Ontario where training in the health professions is concentrated.

Although established chiefly as a research and education project, Mr. Speaker, the foundation has of late put greater emphasis upon its treatment services. This treatment programme is now functioning at ten different places in the province.

Currently, its clinical services include: 1. A small in-patient hospital at Toronto to be greatly augmented with the completion of the centre now in the architect's hands. 2. A specialized clinical study unit within a mental hospital at Kingston. 3. Six outpatient clinics located at Hamilton, London, Toronto central, Toronto east, Ottawa and Lakehead. 4. The Toronto central outpatient clinic includes specialized staff working with narcotic addiction patients; most other staff are primarily concerned with alcoholics. 5. Two additional regional programmes are now being developed at Sudbury and Windsor.

Last year, 1964, the total number of patients treated in the foundation clinics was 2,744. This is in addition to the 3,950 alcoholics treated in general hospitals throughout the province and the 1,500 treated in the Ontario hospitals spread across the province.

Treatment of narcotic addicts remains largely confined to the special narcotic addiction unit established in the latter part of 1963. This is primarily an outpatient unit seeking to handle as many patients as possible on an outpatient withdrawal technique.

The ultimate aim of treatment is to return the addict to the mainstream of society in a drug-free state—to be achieved over a period of time, which will vary according to the diagnosis and to each patient's potential.

It is too early to assess any results of the work in the narcotic addiction field. But progress to date has been quite encouraging.

Now, sir, it is relatively easy to recognize programmes of education and treatment. It is often difficult to grasp the very necessary and important research programme, yet it is in this work in both social and biological sciences that this Ontario programme has earned a significant place among the research centres of the world.

Over the years our foundation's research programmes have, among other things, developed a new protective drug known as Temposil which helps physicians to treat alcoholism; developed devices which now enable our police to take breath samples at considerable distances from the location of their apparatus for analyzing such samples in connection with impaired driving; discovered new information as to the portion of the brain in which alcohol's effects begin; pioneered the experimental use of a new type of conditioned aversion treatment for alcoholics; tested many drugs and evaluated their role in relation to treatment of addictions; conducted several large-scale studies of the alcoholic population in certain areas, from which we now know what different kinds of alcoholics there are in Ontario and what needs to be done to deal more successfully than in the past with the chronic drunkenness offender or skid-row group of alcoholics.

I propose this bill for second reading, Mr. Speaker, and in trying to emphasize the great value of this entire service to our people, I can do no better than to quote the observation of the late Dr. E. M. Jellinek, former consultant to the world health organization and undisputed dean of the world's alcoholism researchers—a man who, in his latter years, greatly assisted us in our programme here, sir, and who had, prior to his death, bequeathed to our foundation his complete library, which was extensive, on this area of health care. He said this:

The foundation has one of the most modern programmes in the world. Whereas some countries become so obsessed with one phase of a programme that it gets out of hand, the Ontario foundation has neatly balanced research, treatment, and education programmes which supplement each other. Its officers have their feet as solidly on the ground as any other in the world.

Motion agreed to; second reading of the bill.

THE MEDICAL ACT

Hon. Mr. Dymond moves second reading of Bill No. 49, An Act to amend The Medical Act.

Mr. Renwick: Mr. Speaker, the principle of this bill, as I understand it, is in one part to extend the disciplinary jurisdiction of the college of physicians and surgeons to include incompetence of a member. My concern lies in the piecemeal method in which this particular problem is being dealt with by the government.

My concern arose because of the reports which appeared in the *Globe and Mail* on February 27 in connection with an inquest which was held in Hamilton. On that day, if I may quote from the *Globe and Mail*, the report stated that:

Ontario's supervising coroner yesterday warned the public that the province's doctors may refuse to give treatment involving medical risks in the future if their judgments are constantly being subjected to courtroom analysis.

He is quoted as saying:

If each time a doctor's reputation is going to be put on a griddle when a case turns out with unfortunate complications or death, then doctors are going to be reluctant in future to carry out certain procedures involving great risks and even refuse to do so, which is their right even though they know it should be done in the best interests of the thorough care of the patient.

The coroner's jury, in that particular instance consisting of five men and one woman, found that the woman patient in a hospital who had received an overdose of blood transfusions died of heart failure. The jury made no recommendation and did not comment on testimony by six medical specialists that the patient received too much blood in too short time probably contributing to her death last October 1.

Mr. Speaker, my understanding is that at the present time the way in which the competence or incompetence of a professional person, in this case a medical doctor, can be in question is either in an action in the courts for malpractice, or by the finding of a coroner's jury, and that the proposed bill will provide that this incompetence will be a matter within the jurisdiction of the college of physicians and surgeons.

My concern is not with the inclusion of this provision in the jurisdiction of the college of physicians and surgeons, if we could be satisfied that there is no intention on the part of the supervising coroner to substitute in some way this method of determining the competence or incompetence of medical doctors for the method of decision of a coroner's jury.

It would appear to me that this is a very real risk because of the rather forceful and, indeed, inappropriate, in my opinion, remarks of the supervising coroner in the case of the inquest to which I referred. On that particular occasion there would appear to be little, if any, doubt because of the opinion of the various doctors who expressed themselves at that inquest that, in fact, there was incompetence. But because of the very forceful way in which the supervising coroner chose to express himself to that jury, it brought in a verdict without making any comment on the competence of the doctor involved. The supervising coroner complimented the jury and told them that he thought it a very reasonable verdict.

Mr. Speaker, I am aware that this is a very difficult subject when it comes, being a professional man myself, to have one's competence questioned in a way which may be detrimental to the future earning capacity of the man. I do not underestimate the difficulty of the problem, but I would like to have assurance from the hon. Minister of Health or from the hon. Attorney General that there is no intention to interfere in any way with the freedom of a coroner's jury to express itself as to the causes of death, and to the reasons for it, and to make such recommendations as they see fit to make.

Hon. Mr. Dymond: Mr. Speaker, I appreciate the remarks of the hon. member, but I must say that he, in my opinion, is really "reaching." I cannot see, sir, that there is any piecemeal method of dealing with this matter. The college of physicians and surgeons, in our understanding, has always had the right and the authority to deal with matters of this kind, but heretofore it was covered by a section in the Act, the wording of which was not satisfactory to the college nor to the profession, and certainly not very pleasing. It was dealt with under the section dealing with "disgraceful or infamous conduct in a professional sense."

I suppose if one were to stretch one's imagination, incompetence could be considered under that, but it is rather far-fetched, I believe, to suggest that incompetence should be "infamous conduct." At least, it is not as a rule deliberately done.

The adequacy or otherwise of the amendments, I think, can be based on the fact that this is the amendment sought by the profession, sought by the college of physicians and surgeons which is the only body charged with the responsibility, or given the authority, for disciplining doctors in the province. I would hope that we will never reach the stage

where any other body will have this responsibility.

I think that none are better equipped to judge their peers, their competence or otherwise, than members of the same profession. This I think applies to all professions as it does to medicine.

It is quite true the supervising coroner did say in that particular case that there might well be a reluctance on the part of doctors to deal with difficult cases. I would suggest, sir, with very great respect, that I would disagree with the supervising coroner in this regard. And this, I suppose, is typical of medical people. If you get five of them together, you are liable to get five different opinions.

I do not think that this will have any bearing on the judgment of the serious-minded physician. Many physicians may be reluctant on many occasions to deal with certain cases when the question of life and death may very well hang in the balance. It would be very easy to say: Well, the patient is not going to get better anyway, let us do nothing. But this, I would hope, will never epitomize the practice of medicine. I therefore disagree with the supervising coroner that any of these cases that are coming up will cause any reluctance on the part of good physicians to deal with cases, no matter how difficult they are. Now to say there could be any possibility through this amendment, or these amendments, of the doctor's competence or otherwise not being called in question by court action or by coroner's jury, is again reaching quite far out, sir, I would suggest.

I would hope that not all our cases come to a coroner's jury. Under this amendment, as in the past, complaints of incompetence or charges of incompetence can be laid against physicians by their peers, by the hospital or by patients or their families and dealt with by the disciplinary committee of the college of physicians and surgeons.

This will continue to be, and there is no possibility, sir, that The Department of Health will ever interfere with the coroner in his duty, or with the coroner's jury. We have no authority to do so and I am quite certain that the coroner is fully aware of this and would tell us where our authority began and ended. The Department of Health has nothing in the world to do with the coroner's duties or coroners' juries. There is not any possibility that this amendment will give anyone the right to interfere with the coroner in carrying out his proper duties, or with coroners' juries either.

To say that there is no doubt of incompetence in this case, again, Mr. Speaker, I

say with great respect, is making a statement that can hardly be backed up.

Five doctors thought that the patient got too much blood, after the patient was dead; but I do not believe one of the five doctors was called in consultation on the case or saw the case while the patient was still living.

Who is to judge, other than the doctors who were directly involved in the case? Who is to judge the risks that were inherent in this treatment? Here again might very well have been a case where the doctor was faced with a decision—the patient's life is in balance anyway—and did what he believed was best, according to his judgment and his lights at the time.

Hindsight, of course, is always better than foresight, sir. I would also suggest that a newspaper report is not the most satisfactory basis for judging what was actually said in the coroner's jury. I did not see a transcript of evidence in this case, before the coroner's jury, but I would be more inclined, if I were judging the case, sir, to look at the transcript of evidence than to depend on the reporter's accounting of it, bound as that is by the amount of space allotted to him or allocated to him.

I do not believe that there is any danger inherent in this. In fact, I feel quite confident there is not. I believe it is an additional safeguard and it is believed to be this by the college of physicians and surgeons charged with the responsibility of passing upon the competence or otherwise of doctors in the province.

Mr. J. B. Trotter (Parkdale): Mr. Speaker, I would just like to add a few words on this debate. We, on this side of the House, are going to support this bill. At the same time we realize the problem that this bill tries to face is most important and there is no one complete answer.

In some respects I agree with the hon. Minister of Health, and in other respects I would say that the hon. member for Riverdale tells much that is the truth. I think there has been a tendency in the past, in the minds of the general public, whether rightly or wrongly, that the medical profession has been too close, that they tend to protect each other. I think the fact that this legislation is coming before the House is evidence to the public that the medical profession is most anxious to supervise itself. I think that the best place where they should be supervised is by the doctors themselves.

For a long time there seemed to be little press, or very few cases, in which doctors were involved. Then suddenly, within the

past 18 months, there has been a great rush of cases where the coroner's jury has been called in. I think that some of them have been most unfortunate, for the simple reason that often the careers of medical men have been blasted where they should not have been blasted.

There have been cases, one or two of them, of obvious wrongdoing. But the difficulty of a coroner's jury—and this again will come up under the estimates of the hon. Attorney General, Mr. Speaker, because it is affected in the principle of this bill—the problem of a coroner's jury is that so much can take place during the hearing of a coroner's jury where a doctor has little or no chance to defend himself. He is literally on trial and yet he does not have a lawyer there to defend him. All he can do is sit quietly and listen to many things that, insofar as his career is concerned, are wrong.

In the last 18 months there has been something that has amounted to a witch hunt on the doctors here in the province of Ontario, and I think in many cases it has been most unfair to them. If it keeps going the way it has with these coroners' investigations, it will reach a point where a doctor will be afraid to make a house call.

I certainly agree with what the hon. Minister of Health has said: "Who is to judge when it is a matter of life and death?" Certainly a doctor has to make a decision. It could easily go either way, and we must be very careful that we do not interpret these medical decisions so strictly that it will inhibit the medical profession in making the decisions that are required, and in some cases decisions that are going to mean trying something new.

If a person is on the verge of death a doctor is quite properly going to take more risk than he otherwise would. I think that this is something that we should bear in mind.

It is all very easy to bring a doctor before a coroner's jury and say: You should have done this, or you should have done that. But after all, it is the medical profession that has the technical skill and they should be the ones that in the vast majority of cases are the obvious judges.

That is why I say to this House, Mr. Speaker, that section 2 of this bill is a good section. At the same time, I would urge that a great deal of discretion be used in treating medical cases before coroners' juries. Of course, a coroner's jury is most important, but we must keep in mind that the doctors, to my mind, do not have proper legal representation before these coroners' juries. I think

that it is time The Attorney-General's Department took note of this; and also the hon. Minister of Health, in his sphere, should bring what pressure he can to bear on The Attorney General's Department, to see to it insofar as doctors especially are concerned—and of course in many other cases, but in this instance it will be the doctors—that they receive proper legal protection, which they are not receiving.

It is hoped, Mr. Speaker, that by this bill and especially by section 2, many cases that might come before a coroner's jury will be settled properly within the medical profession. But it is a word of warning also to the medical profession, that it is most important that the general public not only know, but believe, that there are no cases being covered up, that this is in the open. I would say that this section gives the medical profession the opportunity it needs to discipline its own members and avoid as much as possible, these most unfortunate—and I think in some cases, most unfair cases—that come before the coroners' juries.

Motion agreed to; second reading of the bill.

THE DENTISTRY ACT

Hon. Mr. Dymond moves second reading of Bill No. 50, An Act to amend The Dentistry Act.

Motion agreed to; second reading of the bill.

THE NURSES ACT

Hon. Mr. Dymond moves second reading of Bill No. 51, An Act to amend The Nurses Act.

Mr. B. Newman (Windsor-Walkerville): Mr. Speaker, I am very pleased to see that the hon. Minister has brought this bill before the House because the nursing assistants in the city of Windsor have been expecting this for a little over a year.

Hon. Mr. Dymond: Mr. Speaker, I wonder if the hon. member has taken in the purport of the bill? At the present time the association is known as the association of certified nursing assistants. There has been some confusion in the minds of some people lest this be taken to mean the Canadian nursing association—CNA in both cases. With the passage of The College of Nurses Act, two years ago, certified nursing assistants came to be known as registered nursing assistants and therefore we are changing the name of the association to the Ontario association of registered nursing assistants.

Mr. Newman: That is the information I had.

Motion agreed to; second reading of the bill.

THE PSYCHOLOGISTS REGISTRATION ACT

Hon. Mr. Dymond moves second reading of Bill No. 52, An Act to amend The Psychologists Registration Act.

Motion agreed to; second reading of the bill.

THE LOCAL ROADS BOARDS ACT, 1964

Hon. Mr. MacNaughton moves second reading of Bill No. 53, An Act to amend The Local Roads Boards Act, 1964.

Motion agreed to; second reading of the bill.

THE DEPARTMENT OF AGRICULTURE ACT

Hon. W. A. Stewart (Minister of Agriculture) moves second reading of Bill No. 57, An Act to amend The Department of Agriculture Act.

Mr. M. Gaunt (Huron-Bruce): Mr. Speaker, I have a few comments in regard to Bill No. 57. They are going to be very brief.

I realize that this bill is intended to re-enact the extension of guaranteed loans made to farmers who suffered damage from drought or army worms, for the purposes of purchasing hay and grain. However, last year we had a situation where the farmers in eastern Ontario were subjected to the elements to the extent that the hon. Prime Minister declared the area a disaster area. As a matter of fact, last year was the worst as I understand it, but the year previous was also bad as far as drought conditions were concerned in the area, and it culminated in a serious situation last year.

I was wondering, in this connection and as far as this bill is concerned, whether the hon. Minister would consider putting a forgiveness clause in the bill, for payment of the guaranteed loan after a certain period of time. My purpose in saying that is, if you have conditions existing for a considerable period of time, even two or three years, conditions that originally made the guarantee of the loan necessary, then I think that really all we are doing is prolonging the agony when we guarantee loans to farmers under these conditions. Eventually these loans have to be paid off, and if conditions are such that the

loans cannot be paid off, or if the farmer has experienced very great difficulty in so doing, then perhaps we should consider a forgiveness clause in this regard.

I was wondering whether my hon. friend would give consideration to such a matter.

Hon. W. A. Stewart (Minister of Agriculture): Mr. Speaker, first of all I am sure my hon. friend recognizes that in this bill there is a three-year repayment clause for the guarantee, which provides for the grain and the hay that may be purchased. We have also authorized an extension of the payment of any junior farmer loans that may apply to those in areas where this damage has been sustained or where army worm loss has been sustained by the farmer holding a junior farmer loan. In other words, he does not have to meet his principal payment this year; it can be extended another year, or it can be amortized over the remaining period of his loan.

This matter of the forgiveness clause is something that can be given consideration. Frankly, I think the farmer who feels he wants to maintain his herd in hopes that the drought may be relieved in eastern Ontario as it has been in western Ontario during this last year, and who has to buy hay this year to get his cattle through this period—and the figures I mentioned this afternoon would indicate that a great many farmers did have to do this and felt it worthwhile to do so. He would feel it was worth taking the risk to borrow and to pay that money back over a three-year period, which is the span of our guarantee, in order to hold his herd and maintain his breeding stock. I do not think that I would want at this stage—and I do not think my hon. friend would want me—to say that the government would consider forgiving these loans. We are surely not in that position. Farming is a business, like any other kind of business, and I think that the source of credit that was provided through this guarantee was sufficient to meet the needs for the various farmers involved. I would not want to give any indication that such forgiveness would be entertained at this particular stage.

Motion agreed to; second reading of the bill.

THE DIVISION COURTS ACT

Hon. Mr. Wishart moves second reading of Bill No. 54, An Act to amend The Division Courts Act.

Motion agreed to; second reading of the bill.

THE SUMMARY CONVICTIONS ACT

Hon. Mr. Wishart moves second reading of Bill No. 56, An Act to amend The Summary Convictions Act.

Motion agreed to; second reading of the bill.

THE FARM PRODUCTS MARKETING ACT

Hon. Mr. Stewart moves second reading of Bill No. 58, An Act to amend The Farm Products Marketing Act.

Mr. Gaunt: Mr. Speaker, I have a few comments to make in connection with Bill No. 58. It seems to me that our farm marketing legislation in this province has tended to embrace all the phases of the industry connected with producing and marketing of any one particular product. This philosophy is based on the premise that producers will sit down with processors, and vice versa, that in effect management will sit down with labour and bargain for the mutual benefit of all concerned. The analogy between labour-management and producer-processor in this case is not exactly accurate, because there are many more complications in the latter which tend to cloud the issue of establishing collective bargaining on the part of the farmer.

Nonetheless, we have seen examples recently, the latest of which was the tobacco situation where the buyers had no notion of bargaining in good faith. As a result, the whole industry was thrown into chaos. It seems we have gone from crisis to crisis in farm marketing, hogs, milk, tobacco, and now beans. In each of these cases the government, through the farm products marketing board, has come along and suggested—and in some cases, especially in the latter stages, demanded—that the particular marketing board comply with its wishes.

This has been interpreted by some people as the government wielding the big stick. I am sure this has not been intended, but it has resulted in this image being projected.

I look upon this piece of legislation as something that will remove the government directly from the day-to-day watchdog operations or watchdog approach in the operation of the marketing boards across the province. To me, this will place the onus more on the producers and other segments of the trade to work out their problems rather than having the government work them out for them. This, in my mind, will help to dispel the big-stick image which has been created in certain circles.

I feel this will be so, provided that each segment of the trade is given the opportunity to elect members of their own group to the industry advisory committees. I feel that this is very important.

Actually, we have industry advisory committees operating at the present time in some respects, and in dealing with some of our marketing boards. I am thinking of hogs now, in particular. But they have not been given that name. I feel that this is, in effect, giving them official recognition. In this way I think they will be given status and authority which, up to this point, they have not had. I think because of this they will be able to deal more effectively with marketing and with the marketing problems in this province. In so doing, of course, their observations and recommendations, to my mind, will carry much more weight with all branches of the industry.

It would be my hope, Mr. Speaker, that this industry advisory committee will assume a certain amount of public relations work on behalf of all segments of the industry, including the consumers, the producers, and the processors, so that every segment of the trade is kept informed of what is going on in the various groups and in the other branches concerned with the marketing of a particular product.

To me, this kind of mutual understanding is absolutely essential.

I am wondering if this particular bill and this particular Act which sets up the establishment of industry advisory committees is going to be mandatory for every marketing board. I think that it would not be; I think that the initiative would have to come from the marketing boards themselves. If this is so, I would hope that the hon. Minister will make this knowledge available to all the marketing boards across the province so that they are fully aware that this is available, and that they can do this; perhaps, in some cases, that they should do it.

Now, finally, in connection with the conciliation board, I am wondering if there will be only one conciliation board dealing with all plans and with every marketing board where the negotiating-type agency fails to reach an agreement. I am wondering if one conciliation board will handle all the disputes, or if, in the phrase in the bill, "in connection with each plan" could conceivably mean that conciliation boards will be set up for every plan which happens to run into trouble from time to time.

All in all, we in this party will support this bill because we feel it is a step forward in

farm-market legislation in this province, because it gets the government out of jumping into every fray and trying to settle every disagreement and, in effect, acting as a referee. Marketing boards, I hope, will be freer to run their own business without government interference. We will support this bill.

Mr. F. Young (Yorkview): Just a further question of the hon. Minister, Mr. Speaker. Might I ask him about the conciliation boards; how are they set up and what personnel will be there and what powers will they have? In industry, of course, when a conciliation board is set up, they make recommendations; then there are certain sanctions that the disputing powers can bring to bear after a certain length of time. Those sanctions, I would think, would be perhaps non-existent in this case. Is this simply a mediating body? It mentions this, and it makes recommendations, but what is beyond that? Is there any thought in the mind of the hon. Minister as to what function this board might fulfil in that respect?

Hon. Mr. Stewart: Mr. Speaker, first of all, I would like to say I am pleased with the comments of the hon. member for Huron-Bruce who has spoken favourably on behalf of his party in regard to this proposed amendment to this Act. I think I can answer the hon. member for Yorkview in the same connection.

First of all, the advisory board is not mandatory. This is up to the particular marketing or commodity group involved. The whole basis of the introduction of these amendments is that I have felt for some time that where a commodity group finds difficulty in arriving at a satisfactory price between the processor and the producer group, through the process of negotiation and conciliation they may be able to resolve these difficulties without going to the hard-and-fast procedure of arbitration under a judge in a fixed course of action. Perhaps it is due to my rural upbringing, but I have always felt that a lot could be determined and resolved if two people sit down across the table from one another and talk over these things and try to arrive at a common solution.

This is actually what has generated these recommended amendments. The advisory board will deal, as in the case of hogs, as my hon. friend mentioned, with related problems—not together with price, because we know that price in the case of hogs is established on the open market through auction. But there are other matters that relate to the handling of hogs, both from the standpoint of the producer organization and the standpoint

of the processor. When they can sit down, as they do now, with an amicable relationship and discuss these things, they can resolve many of them and they have accomplished this and we think this is an excellent step forward.

I think we will have to agree that there have been times when some of our commodity groups advisory boards—and they are known as advisory boards now, or advisory committees—have not been as successful. I think we are all disappointed to know this, but we can always hope that with a change of climate in relationships between the two groups, these relationships will improve and these advisory committees will be more effective. We have every reason to believe this to be the case.

As far as conciliation boards are concerned, they will deal with price negotiations and will have no authority to say to either group that it must accept something. They simply will take on the aspect of trying to work out what seems to be a reasonable relationship, but always with the alternative in the final analysis that the same procedure can be followed as is now followed. This procedure is that a judge can be appointed by the farm products marketing board, and each group can appoint a representative to that arbitration board. They sit down and finally hammer out the solution and an arbitrated price.

Now frankly, I just do not like to see these things happen. I feel there should be a period of conciliation here, where these groups can sit down and resolve these difficulties through a conciliation board. It could be composed of people who might not have a direct interest in this particular commodity, so that no one could say he had a biased or prejudiced opinion on either side. However, they might be able to have a common knowledge of marketing problems—a place where the groups could sit down with a group which would say, "Well, having listened to both sides it would appear to us that this is the proper course that might be followed." And having made that suggestion to the two groups involved, the board might hope that they would be able to accept that kind of suggestion, coming from one who might not be particularly biased. However, if they fail to agree and they throw the whole thing out, they can always go back to what they have today. But as my hon. friend from Huron-Bruce has said, these two amendments really give official recognition and status to advisory-committees and conciliation-board procedures.

Mr. Young: Mr. Speaker, may I say to the hon. Minister, I do not think he fully

answered the question that I asked in the first place as to how the boards will be set up. Will this be laid down in regulations? Will there be an appointment by one faction disputing and one by the other faction, and an appointment made by the Minister or chairman, or how will it be done?

Hon. Mr. Stewart: I have not got the procedural outline here; it is in the office. As I recall when we drafted this and brought it to the Legislature, it was intended that the farm products marketing board would appoint the negotiating committee. This would be done, I would think, and I would hope, with the approval of the two groups involved in the problem under dispute, so that we did not appoint someone who was completely lacking in knowledge of the problem in its general principles.

I think my hon. friend would agree that if we were dealing with, say, a case involving negotiations for green beans, one would not want a green-bean grower sitting on that negotiation committee. One would want him to sit on the advisory committee, but when it comes to negotiation, one would not necessarily want that man there. However, one would want somebody who understood the marketing principles that were involved, which would make for an unprejudiced or unbiased opinion, or recommendation.

Mr. Young: Do I understand the hon. Minister to say that the marketing board involved would appoint the conciliation board?

Hon. Mr. Stewart: The farm products marketing board—the Ontario farm products marketing board.

Mr. Young: The marketing boards in the dispute or the processors in the dispute would not have the right to name people to these boards?

Hon. Mr. Stewart: Not to the conciliation board. This would be my understanding. I am subject to correction on this. I must confess, as I say, I have not got the blueprint before me. Frankly I do not think it is of great concern. On the advisory committee, which is applied in the first amendment here, the members are members of the group, just as we have members of the hog board today and members of the processors, the meat packers council, on the other side of the table. There must be representatives of the commodity group and of the processor's involved. However, in this other case, frankly I think the farm products marketing board

should appoint the negotiating committee, but not necessarily the same people who are involved. I think there is merit in that.

Mr. Young: It seems to me—

Mr. Speaker: I would like to advise the member that we are getting into a committee stage of debate again with regard to this bill. These questions and answers should be left until the bill reaches the committee of the whole House.

Motion agreed to; second reading of the bill.

THE CONFEDERATION CENTENNIAL ACT, 1962-1963

Hon. J. W. Spooner (Minister of Municipal Affairs) moves second reading of Bill No. 59, An Act to amend The Confederation Centennial Act, 1962-1963.

Motion agreed to; second reading of the bill.

THE DRAINAGE ACT, 1962-1963

Hon. Mr. Spooner moves second reading of Bill No. 62, An Act to amend The Drainage Act, 1962-1963.

Motion agreed to; second reading of the bill.

THE MUNICIPAL ARBITRATIONS ACT

Hon. Mr. Spooner moves second reading of Bill No. 64, An Act to amend The Municipal Arbitrations Act.

Motion agreed to; second reading of the bill.

THE PUBLIC SERVICE WORKS ON HIGHWAYS ACT

Hon. Mr. MacNaughton moves second reading of Bill No. 66, An Act to amend The Public Service Works on Highways Act.

Motion agreed to; second reading of the bill.

OWEN SOUND GENERAL AND MARINE HOSPITAL

Mr. E. Sargent (Grey North) moves second reading of Bill No. Pr2, An Act respecting Owen Sound general and marine hospital.

Motion agreed to; second reading of the bill.

ROYAL CANADIAN LEGION

Mr. W. E. Johnston (Carleton) moves second reading of Bill No. Pr3, An Act respecting the Royal Canadian Legion.

Motion agreed to; second reading of the bill.

COMMUNITY CHEST OF ST. CATHARINES AND DISTRICT, INC.

Mr. R. Welch (Lincoln) moves second reading of Bill No. Pr5, An Act respecting the Community Chest of St. Catharines and District, Inc.

Motion agreed to; second reading of the bill.

ONTARIO SPEECH AND HEARING ASSOCIATION

Mr. J. H. White (London South), in the absence of Mr. H. J. Price (St. David), moves second reading of Bill No. Pr6, An Act to incorporate the Ontario speech and hearing association.

Motion agreed to; second reading of the bill.

TOWNSHIP OF LONDON

Mr. N. L. Olde (Middlesex South) moves second reading of Bill No. Pr8, An Act respecting the township of London.

Motion agreed to; second reading of the bill.

CITY OF WINDSOR

Mr. I. W. Thrasher (Windsor-Sandwich) moves second reading of Bill No. Pr9, An Act respecting the city of Windsor.

Mr. Newman: Mr. Speaker, I would like to make a few comments on this bill. This is the bill that will permit a cable car to be erected from the city of Windsor across to the city of Detroit. We in the community look forward to the eventual construction of this, because not only will it be a tremendous tourist attraction, but it also is going to be a first aerial link between any two countries in the world.

We will be able to transport people from Canada across the river by means of a cable car. This will be a Swiss-style cable car that will be able to carry four passengers at a time. It will be supported by two towers, 266 feet in the air, and it is going to be quite reasonable as far as the cost for individuals to use the facilities.

So, Mr. Speaker, it is with a great deal of pride that I support the bill. Not only, as I

mentioned earlier, from the fact that it is going to be a tourist attraction, but in this building, or this project, there are no government funds involved whatsoever. This is strictly private capital. It does go to show how far a community, when they are seriously interested, can project their image in encouraging private enterprise to come in and assist.

Motion agreed to; second reading of the bill.

PENTECOSTAL ASSEMBLIES OF CANADA

Mr. White, in the absence of Mr. L. M. Reilly (Eglinton), moves second reading of Bill No. Pr10, An Act respecting the Pentecostal Assemblies of Canada.

Motion agreed to; second reading of the bill.

FRONTENAC DISTRICT HIGH SCHOOL BOARD

Mr. S. Apps (Kingston) moves second reading of Bill No. Pr11, An Act respecting the Frontenac district high school board.

Motion agreed to; second reading of the bill.

UNITED CHURCH OF CANADA

Mr. A. H. Cowling (High Park) moves second reading of Bill No. Pr13, An Act respecting the United Church of Canada.

Motion agreed to; second reading of the bill.

TOWN OF BURLINGTON

Mr. F. Guindon (Stormont) moves second reading of Bill No. Pr14, An Act respecting the town of Burlington.

Motion agreed to; second reading of the bill.

CITY OF BELLEVILLE

Mr. W. E. Sandercock (Hastings West) moves second reading of Bill No. Pr16, An Act respecting the city of Belleville.

Motion agreed to; second reading of the bill.

CITY OF CORNWALL

Mr. F. Guindon (Stormont) moves second reading of Bill No. Pr17, An Act respecting the city of Cornwall.

Motion agreed to; second reading of the bill.

UNITED CO-OPERATIVES OF ONTARIO

Mr. J. Root (Wellington-Dufferin) moves second reading of Bill No. Pr18, An Act respecting the united co-operatives of Ontario.

Motion agreed to; second reading of the bill.

CITY OF TORONTO

Mr. A. H. Cowling (High Park) moves second reading of Bill No. Pr19, An Act respecting the city of Toronto.

Motion agreed to; second reading of the bill.

CITY OF LONDON

Mr. White moves second reading of Bill No. Pr20, An Act respecting the city of London.

Motion agreed to; second reading of the bill.

VILLAGE OF NEW HAMBURG

Mr. A. E. Reuter (Waterloo South) moves second reading of Bill No. Pr21, An Act respecting the village of New Hamburg.

Motion agreed to; second reading of the bill.

MUNICIPALITY OF SHUNIAH

Mr. W. G. Noden (Rainy River) moves second reading of Bill No. Pr22, An Act respecting the municipality of Shuniah.

Motion agreed to; second reading of the bill.

TOWN OF GANANOQUE

Mr. Apps moves second reading of Bill No. Pr24, An Act respecting the town of Gananoque.

Motion agreed to; second reading of the bill.

COUNTY OF PEEL

Mr. A. A. Mackenzie (York North) moves second reading of Bill No. Pr25, An Act respecting the county of Peel.

Motion agreed to; second reading of the bill.

CITY OF ST. THOMAS

Mr. R. K. McNeil (Elgin) moves second reading of Bill No. Pr26, An Act respecting the city of St. Thomas.

Motion agreed to; second reading of the bill.

TOWNSHIP OF YORK

Mr. White, in the absence of Mr. E. A. Dunlop (Forest Hill), moves second reading of Bill No. Pr29, An Act respecting the township of York.

Motion agreed to; second reading of the bill.

TOWNSHIP OF MOSA

Mr. Olde moves second reading of Bill No. Pr30, An Act respecting the township of Mosa.

Motion agreed to; second reading of the bill.

CITY OF OSHAWA

Mr. A. V. Walker (Oshawa) moves second reading of Bill No. Pr31, An Act respecting the city of Oshawa.

Motion agreed to; second reading of the bill.

TOWN OF HAWKESBURY

Mr. Guindon moves second reading of Bill No. Pr32, An Act respecting the town of Hawkesbury.

Motion agreed to; second reading of the bill.

TOWNSHIP OF EAST YORK

Mr. White, in the absence of Mr. H. E. Beckett (York East), moves second reading of Bill No. Pr33, An Act respecting the township of East York.

Motion agreed to; second reading of the bill.

CITY OF HAMILTON

Mrs. A. Pritchard (Hamilton Centre) moves second reading of Bill No. Pr34, An Act respecting the city of Hamilton.

Motion agreed to; second reading of the bill.

CITY OF OTTAWA

Mr. White, in the absence of Mr. A. B. R. Lawrence (Russell), moves second reading of Bill No. Pr36, An Act respecting the city of Ottawa.

Motion agreed to; second reading of the bill.

CANADIAN NATIONAL EXHIBITION ASSOCIATION

Mr. Cowling moves second reading of Bill No. Pr37, An Act respecting the Canadian National Exhibition Association.

Motion agreed to; second reading of the bill.

EAST YORK FOUNDATION

Mr. White, in the absence of Mr. Beckett, moves second reading of Bill No. Pr38, An Act to incorporate the East York foundation.

Motion agreed to; second reading of the bill.

TOWNSHIP OF SCARBOROUGH

Mr. White, in the absence of Mr. L. M. Hodgson (Scarborough East), moves second reading of Bill No. Pr39, An Act respecting the township of Scarborough.

Motion agreed to; second reading of the bill.

CITY OF KITCHENER

Mr. K. E. Butler (Waterloo North) moves second reading of Bill No. Pr40, An Act respecting the city of Kitchener.

Motion agreed to; second reading of the bill.

TOWNSHIP OF NORTH YORK

Mr. White, in the absence of Mr. D. Bales (York Mills), moves second reading of Bill No. Pr42, An Act respecting the township of North York.

Motion agreed to; second reading of the bill.

CITY OF CHATHAM

Mr. W. D. McKeough (Kent West) moves second reading of Bill No. Pr43, An Act respecting the city of Chatham.

Motion agreed to; second reading of the bill.

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, may I suggest that you recognize 6 o'clock and we will proceed with the estimates of The Department of Municipal Affairs at 8 o'clock.

It being 6 o'clock, p.m. the House took recess.



Legislature of Ontario

Debates

OFFICIAL REPORT—DAILY EDITION

Third Session of the Twenty-Seventh Legislature

Tuesday, March 23, 1965

Evening Session

Speaker: Honourable Donald H. Morrow

Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, MARCH 23, 1965

The House resumed at 8 o'clock, p.m.

Clerk of the House: The 30th order: House in committee of supply. Mr. W. E. Sandercock in the chair.

ESTIMATES, DEPARTMENT OF MUNICIPAL AFFAIRS

Hon. J. W. Spooner (Minister of Municipal Affairs): Mr. Chairman, in introducing the estimates for The Department of Municipal Affairs, I should like first to put on record some facts concerning the growth of Ontario municipalities and the extent to which the government of Ontario is now assisting them.

In order to give hon. members a record of comparative figures I would like to use 1953 as the ten-year base, as some of our statistics are completely available only to the end of 1963. If I do quote figures that are more up to date than that, I will so indicate.

For purposes of simplicity and clarity, I will use approximate figures, of course.

In 1953, the municipalities of this province raised locally, municipal revenues amounting to \$327 million. In 1963, or ten years later, these same municipalities raised \$874 million; which is an increase of 167 per cent.

During the same period the total net general provincial revenue was \$364.5 million in 1953 and nearly 1.1 billion dollars in 1963; an increase of 200 per cent.

The net ordinary and capital provincial expenditures were \$352 million in 1953 and \$996.5 million in 1963; an increase of 182 per cent.

Grants paid to municipalities, boards and commissions by the province were over \$137.5 million in 1953 and over \$438 million in 1964; an increase of 218 per cent in eleven years.

As the hon. Provincial Treasurer (Mr. Allan) pointed out in his address presenting his Budget for 1965 just recently, assistance to local authorities will be increased this year by \$48.6 million to a total of \$620.4 million.

This represents 47 per cent of the province's net ordinary revenue in the coming fiscal year, as against 39 per cent in 1953.

Ontario in 1953 had 966 municipal corporations and 12 years later it now has 979. These are made up as follows:

Metropolitan areas: There were none in 1953; there is one at present, that is Metropolitan Toronto Corporation.

Cities: There were 29 in 1953; there are now 32 cities.

Separated towns: There were eight in 1953; there are only seven at the present time.

Towns: There were 143 in 1953; there are now 151.

Villages: 157 in 1953; the same number today.

Townships: There were 572 in 1953; and there are 573 at the present time.

Improvement districts: 60 ten years ago; there are 20 now.

Park commissions: There were three in 1953; and these have been absorbed, there are none now.

Counties: The same number today as there were in 1953, that is 38 counties.

Now, examining the assessed population figures for the province is rather interesting, because the assessed population in 1953—and I think when we are discussing assessed population we must remember that the population figures which are reported to the department through the clerks' general return and annual return, is the population as figured and as taken up by the assessors and so in many cases the figures are not exactly correct because the assessors are taking up the census figures over a period of many months during the year—in 1953, the assessed population in Ontario was just over 4.5 million. Now it is over 6,000,000. Actually the figures were 4,648,008 people in 1953, and in 1964 that figure is 6,342,497.

Now with a one-third increase in population, the number of municipalities has increased by only 13, and eight of these 13 were the erection of new towns.

The great increase in population over a comparatively short period has no doubt thrown much added responsibility on the shoulders of the elected and appointed officials of our municipalities. These responsibilities, almost without exception, have been met with understanding and concern, and this, I suggest to you, Mr. Chairman, is resulting in greatly increased efficiency in the operation of our municipalities. Considering that our municipal corporations today are looking after the interests and the needs of one-third more people, I would say that a wonderful job has been done by the municipalities in meeting the problems of growth in this province.

The Department of Municipal Affairs has many different operations. It is divided into many different branches, and so I will try in the few minutes at my disposal to give you a quick rundown of the various activities of the department and then later on, when we deal with the individual items of estimates, I will give you more details of the individual items.

One of the fields of activity in which the department is very much concerned, is that of municipal assessment, and you may remember that within the last several years the department has re-established its assessment branch and has produced an assessment manual. This was done at considerable expense. The assessment guide was distributed to all municipalities in August, 1964. This assessment guide is a much more sophisticated form of instruction and guidance to municipal assessors, and there is no doubt that it is going to take some time for the municipalities to bring their assessment up to date with respect to the use of this manual.

So far, no municipality has completely implemented the manual recommendations. A number of municipalities are beginning to use the manual and at least two county units will start reassessment programmes this year. There is no doubt that there will be many other jurisdictions which with the guidance and assistance of the assessment branch will take concrete steps to introduce a revised assessment base.

I might say that much favourable comment has been received concerning the technique and procedures recommended in our new manual. As one example, I might tell you that the institute of local government at Queen's University uses the procedural portion of the manual as a reference text in the university course.

Making this new assessment guide and information available, of course, has presented the problem of training and so we were in-

strumental in working with the institute of municipal assessors and the institute of local government at Queen's University to rewrite the correspondence course for municipal assessors. The first part of this course was made available in December, 1964. The remaining portions of the other two years of the course are being re-examined and improved; the second-year course will be available in September, and the third-year course, next year.

Under an agreement with Queen's University, the department has underwritten the cost of rewriting this course and much of the time of the full-time personnel of the department has been assigned to this task.

We have also made it possible for the department to refund to a successful student 60 per cent of the cost of tuition on completion of the course.

We have also prepared and instituted a comprehensive eight-week training programme to appoint assessors with sound appraisal theory, basic economics and the techniques and procedures contained in the new manual. This training was made available shortly before Christmas last year; since then, three of these schools have been held and assessors from 13 different jurisdictions have availed themselves of the initial phase of this service. This training programme is intended to complement the correspondence training that is available through Queen's University.

One of the fields of activity in which I think we can make great progress in the years ahead will be in promoting county and district assessment systems. There are now ten counties operating under the provisions of The Assessment Act with a county assessment commissioner.

The first territorial district which began assessment on this basis was the territorial district of Cochrane. The municipalities there supported the appointment of a district assessor and I appointed this person, effective January 1 of this year. The district is being well organized and the work is proceeding satisfactorily.

There are other areas in the territorial districts interested in the same programme, and we have had a number of meetings with municipalities in several of the districts which are interested in obtaining information as to the cost and the subsidies payable in connection with these expenditures.

We hope that before long we may have a number of other districts which will be prepared to go into the installation of centralized assessment systems.

Our assessment branch is composed of the main headquarters here in Toronto, and eight regional offices in the province—in Perth, Peterborough, London, Orillia, Sudbury, New Liskeard and Port Arthur. These branch offices are staffed by well-trained and efficient assessors who provide a worthwhile service to the local assessors and to the elected and appointed officials within their respective branch areas. The same staff people, of course, also do their best to expedite the statutory and regulatory functions of the branch.

During the past year, branch personnel in the assessment department visited all the municipalities in the province and over 400 school sections in unorganized territories to determine assessment equalization factors. These factors, as you know, are used by The Department of Education for the determination of school grants and for the apportionment of costs for homes for the aged and welfare boards in the territorial districts.

A great deal of the time of this branch is taken up with the administration of The Municipal Tax Assistance Act and The Power Commission Act. It is our responsibility to determine the evaluation of properties for payments of grants in lieu of taxes. Approximately 80 per cent of the municipalities were visited last year and some 8,000 valuation notices were issued by the branch.

Another and very important function of The Department of Municipal Affairs is the community planning branch. Last July a new provincial policy to assist municipalities in developing and implementing urban renewal programmes was announced by myself. This policy removes the substantial housing content requirement as a prerequisite to provincial financial assistance towards the acquisition and clearance of land in approved redevelopment areas, so that now, financial assistance is available where land uses other than housing are dominant. Financial aid was also broadened to cover up to 25 per cent of the cost of preparing detailed urban renewal studies and the on-site administration in project areas. Provincial cost-sharing was also extended to incorporate new and improved municipal services such as sewers, water, roads, parks, and so on, to facilitate the most appropriate use of cleared land within a redevelopment area. Loans may now be arranged from the federal government to help municipalities meet a substantial part of their share of costs arising from urban renewal operations.

Mr. A. E. Thompson (Leader of the Opposition): Mr. Chairman, on a point of order.

I am sorry to interrupt the hon. Minister, but he is very rapid fire in his reading. I wonder if there are other copies of that report he is reading that we might have? Is that your annual report you are reading from?

Hon. Mr. Spooner: No, this is not the annual report, sir. The annual report has been in the hands of the printers for some time. It was supposed to be here last Thursday or Friday, but unfortunately it is not available. It will be available.

Mr. D. C. MacDonald (York South): That is the Tory government's work; was it a union shop?

Hon. Mr. Spooner: I have not any idea. The Queen's Printer looks after that.

Mr. V. M. Singer (Downsview): It makes it very difficult for us to properly assess—

Hon. J. P. Robarts (Prime Minister): Just go a little slower and they will absorb it.

Hon. Mr. Spooner: In proceeding to discuss this matter of urban redevelopment, you may be aware of the fact that it was through the interest of Ontario in developing a better method, and a better system of assistance to municipalities in connection with urban renewal projects, that we made representations to the federal government in Ottawa, to the late Minister of National Revenue, who was responsible for Central Mortgage and Housing Corporation operations, the late Mr. John Garland of Nipissing.

You will remember also that during the last session, the session in 1964, we presented some amendments to our Planning Act to provide for this assistance to municipalities, bearing in mind that we had the promise of the then Minister that the federal legislation would be amended accordingly. Unfortunately, because of the untimely death of Mr. Garland, this same arrangement and the amendments had to be presented by another Minister, the hon. Mr. Nicholson, who has been of a great deal of assistance, I must say. I think both he and his predecessor are imbued with the idea and with the responsibility that the national government has toward assisting the provinces and the municipalities in this very important field of urban renewal.

We have a number of projects under way now. I think that we will see more of these in the days ahead, because the municipalities are now able to accept the responsibilities with much less investment in the urban renewal project than was possible before.

You will also remember that last year we passed legislation enabling municipalities to prescribe by law for the maintenance and occupancy of dwellings. This is a requirement that the municipality's official plan must contain a statement about housing conditions when the municipality makes application for the approval of an urban renewal programme.

During the year we have held a number of symposiums on urban renewal planning and housing. There was a symposium held here in Toronto on December 16 and 17 at which the federal Central Mortgage and Housing Corporation was represented. And also, the federal Minister, the hon. Mr. Nicholson, and my colleague, the hon. Minister of Economics and Development (Mr. Randall) were present, and the latter's staff as well.

In order to serve the interests of the municipalities in the north country, a second symposium was held in Sault Ste. Marie on January 15 and 16. About 700 people attended both of these meetings.

With respect to local community planning, ten new planning areas were defined in 1964, three were enlarged and one was dissolved. This brings to 385 the number of planning areas in the province at the end of last year.

Through workshops, conferences and other media, there has been increased discussion in many quarters about the intra-relationship between the municipal councils and the planning board in the planning process. We are of the opinion that there is a continuing, increasing interest in planning at an area or county level. Our department produced a Waterloo area report in March of 1964 which was the culmination of a study undertaken by the department in 1963-64. It is expected that there will be a reorganization of community planning in Waterloo county early this year.

We also feel that this report will indicate, and be an inducement, to other municipalities to go more into joint planning action. Many meetings have been held with county councils and groups of municipalities to discuss and encourage a wider geographic approach to planning and development.

Part of our community planning organization is in fact concerned with the administration and approval of official plans and zoning bylaws. This branch of the department has been divided into five regional units with each unit responsible for dealing with municipal matters related to that area, so that the staff people who are working on these things can concentrate on the geo-

graphy, shall we say, of approximately one fifth of the province.

During the year, 126 official plans are in force, covering 151 municipalities. Zoning bylaw comments are up some 14 per cent. Many of the municipalities that passed official plans eight, ten and 12 years ago are now finding it necessary to amend these plans and to bring them up to date. Of course, our department staff is continually urging the municipalities to review their official plans from time to time in the light of current needs and objectives.

Subdivision control bylaws are in force in 418 municipalities and in more than 100 geographic townships in unorganized territory covered by Minister's orders. The physical standards of subdivision design are generally improving. The department is resisting pressures—and at times it is very difficult—for approval of subdivision applications in areas where urban and resort subdivision pressures appear to exceed the municipality's ability to match growth with services. The department's policy has been to hold the line until the municipality has indicated its awareness of the implications that stem from these applications and its willingness to accept the demands in costs and other responsibilities that are inherent in each application.

In connection with redevelopment activities, last year the province, through this department, contributed \$1,374,000 to assist municipalities with redevelopment activities. There is a gradual shift in emphasis from the complete clearance of redevelopment areas to a greater appreciation of the social and economic merits of other alternatives—that is, rehabilitation and conservation. That became more evident last year with the change in both the provincial and federal legislation. This trend is well illustrated, I suggest to you, Mr. Chairman, by Hamilton's north-end project and Toronto's Alexander park project.

Another aspect of urban renewal activity emphasized in 1964 was the necessity for looking at urban renewal as an integrated and comprehensive part of the total urban community, rather than as a series of isolated and short-term measures. During the last year, eight Minister's orders were issued in connection with subdivision control and most of these are in the territorial districts.

Much of our work is also in connection with participating in conferences and workshops that are put on by various organizations. For instance, the provincial planning officials, the Ontario planning organization, and the community planning association of Canada met in Toronto and London, and we were

represented and took an active part in the discussions at these various conferences.

I have made mention of the Waterloo area report, and we participated in regional and transportation studies dealing with land use, employment and population, in several regions of the province. In Burlington, for instance, a joint study was undertaken and conducted with The Department of Agriculture and the ARDA directorate staff, the University of Guelph and the town of Burlington in connection with the impact of urban growth in agriculture. The branch is also co-operating and working with The Department of Transport, The Department of Highways and Metro Toronto in connection with the work of the Metro Toronto and region transportation study. This is research into conditions and trends and possible future land use in the area covered by this transportation study, and is a very important part of the study programme.

We have had a number of joint studies undertaken with The Department of Highways in connection with existing conditions and growth factors as a basis for regional highway programming. These studies included the Essex-Kent-Lambton counties, Niagara peninsula, Brant and Norfolk counties and the Lake Simcoe district.

In the Whitby and Grimsby areas, the branch staff participated with others in the department and with local representatives, in examining municipal relationships.

Another important branch of our department is the municipal accounting branch. Its main responsibilities, of course, are to maintain studies and research into development of the most up-to-date municipal accounting principles and practices that can be entered into in the municipalities of this province, to make services available to municipal treasurers and auditors, and to assist by the use of our trained and experienced staff who render assistance and advice on all aspects of municipal accounting, reporting, auditing, budgeting and financing. We view the audited financial statements of the 978 municipalities in the province and their local boards and we also license municipal auditors and attempt to promote better municipal auditing standards and practices and techniques.

Many of the municipalities and their appointed officials and elected officials also make use of the advisory services that we have in this municipal accounting branch, because we have available municipal accountants and finance advisers who are experienced not only in accounting but also in reporting, budgeting and most phases of municipal

financing. In that way we hope to improve the standard of work performed by the municipal treasurers and auditors in the province.

The finance branch of the department is charged with the general responsibility to effect improvements in municipal financial administration by providing advice and assistance to municipal officials, and also to analyze the financial positions of the municipalities, in order that we may advise the department, the Ontario municipal board and various other agencies of the province. For that purpose, we collect, analyze and publish municipal financial information also for the assistance of the public, governments and, of course, the financial institutions and other organizations of a similar nature. Certainly the financial institutions are very interested in having as much information as possible in connection with the financial stability of our municipalities.

We also provide advice to such agencies as the Ontario water resources commission on such matters as the ability of a municipality to finance the cost of capital works by borrowing.

Another of our functions, and one which has taken up the time of a large number of our staff, is the matter of dealing with amendments to pension plans for municipal employees.

The branch staff, sir, examines in detail many complex amendments to pension plans, which are submitted by the municipalities for approval, and the branch also prepares advice to the Ontario municipal employees retirement system, and in connection with the framework of municipal pension-plan policy in the province.

There will be a report given to the House in connection with the Ontario municipal employees' retirement system, but if my memory serves me right, at present we have something like 22,000 municipal employees now participating in OMERS and at the end of the year I think we had investments of something like \$15 million or \$16 million.

The municipal organization and administration branch is responsible for making available general administrative advice and assistance to the municipalities. Changes in legislation and local conditions affecting municipal operation, together with the changing complexity of municipal government and other factors, create a continual need for these services.

During the 1930s the role of the department was primarily supervisory, exercised in respect to defaulting municipalities. Today, supervisory duties are carried out only in respect

to some 18 improvement districts, and on a limited scale to nine other municipalities, which by Ontario municipal board order are required to obtain the approval of the department for specified functions, usually the annual budget and related services.

The municipal organization section continued the development of its programme and undertook limited studies of county government functions and elections. You may remember that there has been considerable interest in the matter of representation to county councils, and our department has undertaken a study of this very important part of municipal administration. We hope that these studies will be completed before too long and will result in legislation, not at this session, but at the next session of Parliament, to have the effect of providing more or better representation to county councils than is possible under the present legislation. You may remember that we supported, in the private bills committee, a private member's bill in connection with the representation on the council of one of the counties of the province.

Another function of this section has been the study of certain annexation and amalgamation problems in the municipalities of the province. One of the areas in which we pay money is the municipal subsidies branch. The general responsibilities of this branch are to administer loans, shared costs and subsidy programmes and it is also its responsibility to represent the department in its subsidy and shared-cost programme with the federal government, provincial departments and the municipalities. It is also necessary to prepare internal procedures, forms and records to make these programmes available to the municipalities and then to provide information and advice regarding subsidy and shared-cost programmes to federal, provincial and municipal officials.

The municipal works assistance programme, which is the federal loan fund, handled through our department, has now had filed with it some 660 applications from municipalities and school boards. In these applications, and many of them required a great deal of work and a great deal of time, some \$122 million have been involved. A number of these applications are still going through the process of being examined, and some are waiting for tenders to be called and various other functions of that kind. All in all, we think that this part of the programme has been well accepted by the municipalities and school boards, and complete examination of it will show that it has made possible funds

to municipalities and school boards, which would not have been able to undertake the programmes they did undertake, had it not been for the forgiveness feature of the programme.

We have had to be careful in this programme, of course, not to overtax the municipality's ability to carry this debt, because the purpose of this programme in the first place is to create employment. Therefore, it was necessary for a project to qualify as a project that would not ordinarily be undertaken by the municipality or school board at this particular time, and as a programme that was accelerated because of the benefits of this programme.

Another of the responsibilities of the municipal subsidies branch is attending to the centennial grants that are available through the federal government and the provincial government. As of March 11, we had received some 494 applications. Of this amount, working with a committee headed by my colleague, the hon. Minister of Tourism and Information (Mr. Auld), we have approved 149 projects. These in turn have to be approved by Ottawa and Ottawa had approved 120 of these projects. The estimated eligible cost of the projects contained in the applications which we have received is some \$28 million.

Another of the subsidy programmes that we administer in this branch is the municipal works assistance programme, and I have here, Mr. Chairman, the figures for the date February 28, 1965, that is three weeks ago. We had handled applications from 305 participating municipalities and agencies involving employment of some 16,000 men for a total of 1,050,000 man-days for a total cost of \$80.5 million. The direct payroll involved in these projects is \$21,148,000. This is slightly in excess of the same period last year. At that time, we had more municipalities and participating agencies, but the important figure is the amount of direct payroll involved. Last year at this time it was about \$3 million less than in the projects that we have under way this winter.

This branch also makes payments under The Drainage Act, and, of course, The Unconditional Grants Act pays grants for indigent hospitalization and a number of grants of that type. The branch also pays grants under the police and fire departments Acts. The department makes payments on behalf of the province on provincially owned property at the commercial mill rate of the municipality for general municipal purposes. The department also makes payments under another section of The Assessment Act in respect of

municipal taxes on provincially owned land that is rented to a tenant.

Another of the important functions of the department is that operated under our law branch, which was established in 1960. The important functions of this branch are the provision of advice and legal opinion on points of law, consideration and preparation of departmental legislation, and also the examination of legislation of other departments that may have an effect on our municipalities in the province. The solicitors in our department are very often consulted by solicitors acting for municipalities on some of the more difficult municipal law problems. We think that this is a very valuable service and that it gives an opportunity for the local solicitor to discuss and test his opinion with our department's legal people.

We administer about 30 statutes in the department and, of course, several of these are very extensive and I must say are very technical in nature, so that this is rather a heavy burden on the part of the law branch staff.

Then the department legal staff also examine all the private bills. These are very carefully scrutinized in the branch and revisions are recommended where appropriate.

Our accounts branch, which the hon. members may be surprised to know has a staff of only five persons, has the functions of payrolls and revenue and expenditures accounting, payments of bills, compiling of estimates and forecasts, periodic statements to the Treasury board, and the responsibility for paying such amounts as our audited claims for grants and subsidies and payments in lieu of taxes required.

The estimated gross payments for the department during this present fiscal year are about \$100 million. Next fiscal year it is anticipated that these payments will probably go up to about \$150 million because of the amounts which will be paid out through the municipal works assistance programme.

Another of the important functions of the department is that of the library facilities. We have, shall I say, rehabilitated or re-established our municipal library in our offices at 801 Bay Street. University students and planners and persons from other departments are making very great use of this library, which contains a lot of books and publications and various information relating to municipal matters generally and planning matters, and so on. These facilities are being used very much by many people, including, of course, our own staff.

Another of the organizations with which we are concerned, but which we do not operate as such, is the Ontario municipal board. As you know, Mr. Chairman, this has come to be known as the administrative process, because it operates under an Act of this Legislature. My responsibility, or our responsibility in the department, is to provide the board with facilities, office, staff; and, of course, the funds to operate. We in no way indicate to the board what its decisions should be, though we are called upon on many occasions to provide information as to the financial situation in various municipalities. Also, we provide information with respect to various other matters such as zoning bylaws, appeals of various kinds and forms. The board deals with many assessment appeals, of course, and compensation arbitration and matters of that kind.

Now, in questions of law and jurisdiction, there is an appeal from the Ontario municipal board to the court of appeal, and on all other questions there is an appeal to the Cabinet of the province. The duties and the functions of the board are found largely in The Municipal Act, The Planning Act and The School Act; but in addition to that there are a host of various other statutory provisions which confer jurisdiction on the board in a very wide variety of cases.

I think that one could say that the functions and the jurisdiction of the board may be divided into two general categories. There is the responsibility for the sound growth and development of municipalities within the framework of the statute, with particular regard to economic stability; and second, jurisdiction as arbitrator in the first instance, or by way of appeal to determine compensation to be paid by the Crown in the right of Ontario, or its Crown corporation by municipalities and other local authorities and by certain private corporations. The board's jurisdiction with respect to the growth and economy of municipalities can be divided, I think, under the following headings:

First, constitution, boundary revision and dissolution of municipalities; second, approval of capital undertakings and the imposition of rates and levies to recover the cost thereof; third, the approval of restricted area bylaws, official plans and plan of subdivision; and fourth, the matter of assessment.

Now, Mr. Chairman, I would hope that with this rather lengthy explanation of the duties of the department I might be of assistance to the hon. members when we are dealing with the individual items by providing additional information.

On vote 1301:

Mr. G. Bukator (Niagara Falls): Mr. Chairman, through you to the hon. Minister, and through the hon. Minister to his Cabinet, including the hon. Prime Minister—I do not want to miss anybody this evening, I am very generous—I find myself in the position where I have the problem of finding fault with the hon. Minister and his department. I find that is rather difficult to do.

Hon. Mr. Robarts: Quite right!

Mr. MacDonald: The Tories are right behind you, George.

Mr. Bukator: It is nice to see you all back; I am not speaking to an empty House, I am very much encouraged.

Mr. Singer: That gang is in full flight again tonight.

Hon. J. R. Simonett (Minister of Energy and Resources Management): It might as well be, it is empty anyway.

Mr. Bukator: The hon. Prime Minister, at least the hon. Minister—you see, I am all confused already. The hon. Minister of Municipal Affairs is possibly—let us say that if I were going to give out prizes this evening for the best Minister or one who ranks high among the Ministers, I think I would give it to the hon. Minister of Municipal Affairs for the work that he does in his department.

Some hon. members: Hear, hear!

Interjections by hon. members.

Mr. Bukator: But he has a serious problem—

Mr. D. A. Evans (Simcoe Centre): I was going to leave, but you are making a real good speech; I think I will stay and listen to you.

Mr. Bukator: Thank you, Mr. Chairman. You did a good job today yourself for three and a half hours in this House.

The hon. Minister himself cannot accomplish the many things that he talked about this evening. He skimmed over the top of many departments of government—and many there are. He has no doubt come up to the Cabinet on occasion about the many things that he wants to implement and he finds himself in a position where he cannot get unanimous—I do not suppose—support from the Cabinet, and therefore he takes it and plays it by ear.

He comes before us annually with a nice,

well-typewritten report; he gives us a lot of statistics which always confuse me. Lord knows, in my own little business I get all tangled up with a few thousand dollars a year, and he is submitting millions.

He painted a very rosy picture and I am inclined to buy what he is selling, however.

Interjections by hon. members.

Mr. Bukator: As a matter of fact, this is not even script prepared for me. I happened to come by it because it is my job to find what is wrong with this department this evening, and I have a letter dated March 8 from the association of mayors and reeves and it reads: "My dear Member"—and I suppose that was written to the many members that belong to that association.

I continue:

Enclosed is a copy of a brief presented to the Hon. J. Robarts and the Cabinet in October of last year. At that time, the Prime Minister assured the president, Mayor G. Stronach, and members of our executive that this would be reviewed again and we would be advised.

An hon. member: It is the hon. Prime Minister's home town, George.

Mr. Bukator: Is that right?

An hon. member: Yes.

Mr. Bukator: London?

An hon. member: His home is there, at Grand Falls.

Mr. Bukator: To continue:

We have only heard by newspaper report that this is going into force in May—

Whatever it is I do not know yet, but we will come to it.

Interjections by hon. members.

Mr. Bukator: I think you will be laughing from the other side of your face before I get through with you.

An hon. member: That is right.

Mr. Bukator: To continue again:

The president, Mayor G. Stronach, has sent a wire to Mr. Robarts two weeks ago and failed to have a reply and requested me to ask you to have this matter reconsidered before it is put into force.

You do not even have enough intelligence—through you again, Mr. Chairman; I was corrected by the hon. Prime Minister the

other day, you should never talk directly to a Cabinet Minister or to the Prime Minister—so I say to you, Mr. Chairman, that the Prime Minister of this province did not have enough respect for the mayor of London to reply to his letter.

Some hon. members: Shame, shame!

Mr. Bukator: Let me read to you a report that has been standing before the Cabinet for some 15 years, with no result whatsoever. The hon. Prime Minister—again this is naturally written to him, because he is—

Some hon. members: The big wheel!

Mr. Bukator: I will continue:

Honourable members of the provincial Cabinet:

On behalf of the executive of the association of Ontario mayors and reeves, I wish to extend to you our appreciation for this meeting with you today, and secondly, to thank you and your office for the advance notice of this appointment which is so necessary, not only for our offices, but to the elected mayors and reeves who are busy like you honourable gentlemen.

This association is made up of elected heads of municipalities both large and small, and like you, sir, and your Cabinet, are the policy-makers of local government, having to answer to the taxpayers by standing for election. Our association this year again has an increase of 73 new members bringing our membership to 438 and represents the largest municipalities, including cities, towns, villages, townships and counties in Ontario.

Of the total population of Ontario, 6,129,850, we represent 5,990,000 of the population. Once again, Mr. Prime Minister, you will note that in our brief, many resolutions we are bringing before you cover the same requests that we place before you every year and have for the past 15 years—

I can readily understand why the hon. Prime Minister would leave; this would be embarrassing. For 15 consecutive years they have brought these resolutions before you. I quote again:

Our basic aims are still the same:

For your information: To obtain what we feel will be the most equitable adjustment in municipal tax structure in order that municipal revenue will be used almost in its entirety to provide basic municipal services properly chargeable to the property owners.

To provide municipal legislation—permissive, where practical; and mandatory where necessary—to enable municipalities to provide the most efficient and highest standard of service to their citizens.

May I mention, sir, that we have also reiterated this position in a brief to the special Ontario tax committee, set up to look into the tax question appointed by your government.

The following brief and the resolutions which were passed at our annual conference is submitted to you and your Cabinet, with the firm hope that you will find it within your power to implement these requests and in so doing help the local governments in Ontario which are described as “creatures of the province.”

We offer these comments in the interest of municipal government in Ontario and we feel to make this province of Ontario even greater. I respectfully submit, on behalf of the association of mayors and reeves, the following submission.

and it is signed by Mr. Stronach.

I read with interest, later on in this report, that one of our present members was a past president of this organization.

An hon. member: Eddie?

Mr. Bukator: Yes, Mayor E. Sargent of Owen Sound.

Some hon. members: Hear, hear!

Mr. Bukator: Another gentleman from the county of Welland, Mr. Swart, with whom we are well acquainted, is doing a good job there.

The hon. Minister quoted some large figures, and when he did that I was wondering whether in those figures education was included. It must have been.

Hon. Mr. Spooner: That is right. I said on municipalities and local boards that 47 cents out of every dollar that the hon. Provincial Treasurer gets comes here.

Mr. Bukator: Forty-seven per cent of every dollar that the Provincial Treasurer gets goes for school purposes; is that right?

Hon. Mr. Spooner: It goes to municipalities and local boards.

Mr. Bukator: Municipalities and local boards, 47 per cent.

Mr. Singer: Including education!

Hon. Mr. Spooner: That is right. It is a local board, is it not?

Mr. Bukator: This will be most interesting to most members of the House.

Intejctions by hon. members.

An hon. member: Let George make the speech.

Mr. Bukator: I would like to hear that last comment again. It must have been a very nice contribution. To continue my quotation:

Each was dealt with at length, and during the annual conference of the association of mayors and reeves, at its annual conference held in Sudbury, Ontario, June 21 to 24, inclusive.

It should be emphasized, however, that deliberations at this conference were not limited to five resolutions. A total of 127 resolutions were presented to the conference on behalf of 438 municipalities, of which 52 resolutions were endorsed. All of these resolutions were processed through the association's resolutions committee and were presented to the conference after careful and considered deliberation. The resolutions committee met for a total of 13 hours.

Before dealing in specifics, the association believes that many of the ills of Ontario municipalities could be cured if the provincial government would give serious consideration to lack of tax revenues available to municipalities as opposed to the apparently unlimited field of taxation revenue open to the government.

The municipality derives its revenue from direct taxation on real property. The provincial government, on the other hand, derives its revenue from 37 different sources, including taxes on corporations, gasoline sales, races, logging and land transfers.

They did not put liquor in here. I understand, according to the hon. Provincial Treasurer there were \$421 million derived there also in the last year.

Some hon. members: Oh no, no!

Mr. Bukator: Put me right! That is gross sales, that is not all profit?

Hon. Mr. Spooner: They may have water in the whisky, but it is not quite that much.

Mr. Bukator: There are areas in which they make themselves very cheap. They have their own little stills. It is only \$93 million

profit! That is not too bad, you know. It is quite a nice issue.

Interjections by hon. members.

Mr. Bukator: Fine and dandy, the total net revenue for the province from various sources is estimated at \$1,556,000,000. Am I too far off on that figure? This is according to the mayors and reeves.

Mr. MacDonald: What year?

Mr. Bukator: For fiscal year 1963-64.

On the other hand the municipalities, with one source of taxation, collected \$745 million in 1963. These figures indicate that municipalities with one source of taxation are collecting more than half of the total the province gets from 37 sources. It is an indication, we believe, that the property owner is the victim of too much taxation. This argument I put up annually, I think for the six years since I have been here.

It might be pointed out here that municipal taxes increase in accordance with the cost of provincially provided local services. On the other hand, provincial government revenues, the sales tax, for example, increase in direct relation to increased sales.

Three per cent tax on fiscal 1962-63 netted the government \$175 million. I remember that at that time that was the deficit of the province. I thought that was about the deficit of the province the year before, and I thought with collecting \$175 million in sales tax you would at least balance your budget for one year. If I recall rightly the figure was about \$175 million—not a deficit, but a shortfall. I looked it up in the dictionary and it means the same thing.

Mr. L. Troy (Nipissing): Not "Windfall."

Mr. Bukator: A "windfall" increase in the amount of taxes at the same three per cent is expected to net the government \$183 million in 1963-64; and your estimate is close to \$190 million, I believe, in this coming year.

An hon. member: \$194 million!

Mr. Bukator: This pattern of increased revenue without increased taxation appeared prevalent in the whole field of provincial taxation. In municipalities, slight increases in assessment failed to head-off increases in levies.

Now then we will get to the education problem. I am sure someone might say that we are not dealing with the estimates of The Department of Education this evening, but

municipalities must provide, through their taxation, the money to pay for school purposes, so I would like to touch on that subject with these resolutions.

The cost of education is one of the most pressing provincial government problems facing municipalities today. Typical of the financial burden placed on the backs of homeowners is found by looking at the situation in three municipalities; namely, the town of Kenora, the town of Keewatin and the townships of Jaffray-Melick. Education absorbs 62 per cent of municipal taxes in Keewatin and 73.5 per cent in Jaffray-Melick. Can you imagine that, 73.5 per cent in Jaffray-Melick.

As a result, these and other municipalities have found it necessary to postpone programmes. This is a very important issue. You will find municipalities often condemned for not bringing about the necessary services people want, and for very good reason. If they have to pay 73 per cent of their tax dollar for school purposes they naturally cannot give their people the necessary services that they require.

So, in this paragraph it says, as a result, these and other municipalities have found it necessary to postpone and delay urgent public work projects in order to meet the cost of education and still maintain a reasonable tax base that will satisfy industry. This in essence is the situation:

Municipalities are contributing more and more toward the high cost of education and at the same time are attempting to create a tax climate favourable to the location of new industry.

And naturally we all fight for new industry.

In 1963, total expenditures by municipalities in this province reached \$695 million, exclusive of debt retirement charges. Of this amount, \$341 million was invested in education. The association has reason to believe that the education costs will continue to climb because of the additional amounts of money which boards of education will require to operate and maintain the new vocational schools which were built by the senior levels of government. The association congratulates the government for constructing these schools, but it hastens to point out that the high cost of operating and maintaining these schools, because of their nature, will be a major factor in subsequent municipal tax bills.

And that has come about already. I remember when you were all bragging about the fact that you were giving them these techni-

cal schools, but you did not tell them that they would have to pay for their teachers and maintain the structures. This fell right onto the shoulders of the people.

An hon. member: Oh no, they were told.

Mr. Bukator: It was told very quietly, let us put it that way.

In short, the addition of these new vocational schools has created a genuine financial crisis in civic government and the association feels that this government should contemplate taking an entirely new approach to the problem. It is therefore recommended that—

and I think they are asking for too much, there is a limit—

Hon. Mr. Simonett: You do not agree with them.

Mr. Bukator: I did not say that. If they are asking too much and cannot get it, we will settle for a little less. The hon. Minister of Energy and Resources Management should know that. You know something of management, I hope. When your estimates come up we will find out how much you know.

To continue:

The provincial government assume 80 per cent of the cost of education, and the provincial government increase the grants towards school construction costs so as to put them in line with present-day costs.

The provincial government pay a board or commission to define teacher categories and establish salary schedules for teachers in the various economic regions of the province.

The provincial government, through its Department of Education, produce a standard set of plans for school construction, and these plans be made available to the municipalities, thereby reducing architects fees.

The provincial government introduce a system in which it assume the share of the outstanding debenture debts to schools, thereby eliminating the debt from the books of municipalities.

The situation with regard to education is an urgent one. The association earnestly implores the government and honourable members to give this problem serious consideration with a view to giving education and the municipalities a new deal.

I would like to touch on some figures I have not read into the record. I have here the Ottawa-Eastview and Carleton local government review. This is the first copy, and it is

only a review with no recommendations, but I found some very interesting figures in here. This is page 110.

In 1963, education expenditures represented more than half of the total municipal corporation expenditures in Stittsville village, at 62.4 per cent. The Nepean total was 51.2 per cent, but it was less than one-quarter in Cumberland, Fitzroy, Huntley and Marlborough townships, about 23 per cent and 24 per cent. But overall, more than 50 per cent of all revenue collected they pay for school purposes.

Can you imagine again, 62 per cent of the total tax dollar is paid for school purposes!

This is very much along the same line. There are 100 pages or so pertaining to the school question.

I do not know what particular department to take on next.

Mr. R. F. Nixon (Brant): Public works!

Mr. Bukator: I have something to do with Public Works, but that is not the department before the House.

Here is a serious one that not too many people in this House have touched on—administration of justice. It says here, in this particular resolution to the Cabinet again, and this I know has been coming up annually for quite some time:

The administration of justice, while not a basic municipal responsibility, yet it is one which municipal government in Ontario assumes. Under existing legislation the municipal taxpayer is obliged to provide jails and lockup facilities, to pay the salaries of the jail guards, to finance courthouses for the county and supreme court, to pay coroners, pathologists, post-mortem and inquest fees, witnesses and jurors, to provide accommodation for division court, magistrate's court, to pay salaries—

I do not know if they pay magistrates or not, it says here that they do. They mean a portion of it, no doubt.

—and their staff, to provide accommodation for the legal law library for lawyers, to transport—

Can you imagine that! Providing libraries for lawyers at the cost of taxpayers:

—to transport prisoners, provide funds for the administration of family and juvenile courts. Services provided are, generally speaking, of a federal and provincial nature except in the area where municipalities use them for the prosecution of local bylaw cases.

And I can assure you that is not a very large percentage.

In comparison to the direct expenses of municipalities, the amount of money returned through fines and forfeitures is insufficient or insignificant. Therefore, the association of Ontario mayors and reeves petition this government to recognize and accept the fairness of the argument presented and take whatever steps are necessary to assist the municipalities by assuming the entire cost of administration of justice, including the burdensome cost of buildings and maintaining courthouses and jails.

That is a fair request. Many of you represent small towns, townships and summer resorts. People come in from all over the country, they do get in trouble from time to time and that particular municipality or that county has to bear the cost. The cost of jurors is paid for 100 per cent by the county. It is not quite fair.

Therefore, I think there is a certain amount of revenue that does come in and I do believe the government should collect that and pay the bills. They should be paid from the provincial level.

There is quite a brief here on hospitals, but I will leave that until the estimates of The Department of Health.

I think the administration of justice is a problem that the government is acquainted with. I am sorry the hon. Attorney General (Mr. Wishart) is not here; I suppose he is wrestling with this. I remember coming before his predecessor or maybe the one before that—the hon. Dana Porter—with a submission from the county of Welland pertaining to this very problem. The hon. Dana Porter, being the gentleman that he is, said the whole question should be looked at. He realized there was a problem there. But I do not know who has been looking at it, because nothing has been done. This is not a just portion of taxes to be borne by the man who owns a little house down the side street; this is not a just portion of taxes for a man to pay as business tax on a little store that he runs around the corner. This is a tax that should be borne by the province and I hope eventually it will do the same with that as it does with the hon. Minister of Reform Institutions (Mr. Grossman). Some of the departments, I understand, are paid for 100 per cent by this government, which is very good. All the government has to do is take on the rest of the job and we will be in business.

Hon. A. Grossman (Minister of Reform Institutions): I will think it over.

Mr. Bukator: Thank you very much, you are a gentleman.

An hon. member: And there are not many of them left.

Mr. Bukator: I should not be laughing at a time when things are so serious in this House, but what amuses me is that the hon. Minister does get up and make an exceptionally good report annually and we buy it, but here is the other side of the story. I remember the former Prime Minister, Mr. Chairman, having these people before him and I remember him putting his hands up and saying, "You are the grass-roots government. We are glad to hear your submissions. You are closer to the people. We are glad to have you." I remember on one or two occasions, when I sat there for five consecutive years, the directors and vice-president of the OMA were before the Prime Minister and his Cabinet, and he turned to one of the Ministers when a resolution came up and said: "This we are looking into. This is a point, you make it well." Then he would turn to one of us who was making the argument and say: "Is there anything else you have to say about this problem?" Naturally, he took your shotgun, took the bullets out, handed the gun back to you and said, "Shoot."

So on went the years. My hair was black then and now it is almost white, but the same resolutions are presented to the same government. Well, not quite—

Mr. Singer: Well, the Minister would not even meet with them this summer.

Hon. Mr. Spooner: Where?

Mr. Singer: In London.

Hon. Mr. Spooner: Oh, do not be silly. Which Minister, me?

Mr. Singer: That is what the press said.

Hon. Mr. Spooner: I might tell you that I think I was there more than most of the delegates who were authorized to attend the convention. How do you like that?

Interjections by hon. members.

Mr. Bukator: I am going to keep the hon. Minister of Municipal Affairs honest from now on in.

Hon. Mr. Spooner: I have always been honest.

Mr. Bukator: I am also going to attend the OMA and the mayors and reeves conventions

just to get in touch again with the folks I knew so well at one time. No doubt we will meet there and we will settle these problems between us, and we will not have to bring them back to this House another year.

Municipal councils, having passed through several economic recessions since the end of World War II, have become increasingly concerned about the problem of social welfare. At the Sudbury conference this year, member municipalities made several representations in this regard, pointing out that demands on municipal treasuries to meet welfare costs have increased from \$54 million in 1962 to \$57 million in 1964.

The association recognizes that the provincial government contributes 80 per cent towards welfare costs. This we have known for a long time. But it respectfully points out that this grant is made with regard to only certain costs. It does not, for example, go towards administration charges, nor does it go towards the cost of the so-called supplementary benefits. And where these are in fact supplementary or necessary is open to question in the association's view.

The government made no contribution towards the cost of drugs. In the city of Cornwall last year, the city welfare department spent \$303,000 to provide needed drugs to indigent welfare recipients.

With regard to the question of administration costs, this association would merely point out to the government that these tend to increase in direct proportion to the demand.

The association is also concerned with the nature of a resolution provided by the Ontario welfare officers association at its 1953 conference, with reference to so-called charge-backs to municipalities for non-resident welfare recipients.

I guess most of you are acquainted with that. If an individual moves to another town and becomes a recipient of welfare, it can be charged back to the city that he comes from, or town that he comes from, if he has not lived in that particular city that he moved to for 12 consecutive months. They charge it back to the municipality from which he came.

Under present arrangements, the municipality is entitled to reclaim money expended on welfare for a person who has not been resident for a period of one year and who has not worked for income during that period. This charge is made to the municipality in which the recipient formerly resided.

The effect of the resolution provided by

the Ontario welfare officers association would be to eliminate certain of these provisions, placing a burden on the larger municipalities because these are the places to which indigents flock during time of economic recession. Thus, this association urges this government to make no change in the present charge-back provision on the grounds that the present legislation is adequate to protect municipalities.

You see, they are good to you. They agree that you have some law that still applies.

Therefore, the association recommended:

(a) That the province assume payment of 80 per cent of the cost of administration and welfare; and (b) that it contribute 80 per cent for the cost of supplementary benefits, including drugs; and (c) that it make no change in the charge-back legislation.

The association of mayors and reeves wishes to go on record as stating that it vigorously opposes the adoption of certain pieces of legislation which may adversely affect the municipalities. For example, the Ontario Legislature has given three readings to Bill No. 132, An Act to amend The Planning Act—

Mr. Chairman, the hon. Minister and I could have quite a debate on this brief that they sent along, pertaining to his committee of adjustment. But I will not take up the time of the House with this one tonight. We are both acquainted with the problem and I am hoping something will be done.

Hon. Mr. Spooner: I think it will be all right. It is just a matter of time. It is just a case of working it out.

Mr. Singer: Just a matter of time! How long?

Mr. Bukator: To quote further:

In essence, Bill No. 132 transfers certain powers from the planning board to the committee of adjustment in the area in which consent is required by a subdivider or subdividers. Under the present provisions, it is up to the planning board to give consent, subject to the approval of the elected council.

If this bill is enacted, then the committee of adjustments could give consent without having to process the matter through municipal councils. Thus the council has no choice but to register its objections before the Ontario municipal board, often with additional expense of hiring legal assistance.

Hon. Mr. Spooner: If they hire legal assistance, they will be able to pay for their own books then.

Mr. Bukator: Well you would know better than most of us, because you are closer to it than we are. Well, I should finish this page and make it, let us say, coherent.

In the association's view, this piece of legislation adversely affects municipalities because it transfers certain powers from the elected representatives of the people and places it in the hands of a committee which does not hold itself accountable to the people.

The association suggests that: (a) Bill No. 132 be not given final approval; and (b) that in case of legislation that may adversely affect municipalities The Department of Municipal Affairs notify this association immediately after such a bill is given first reading. In this way the government and the municipalities may be able to work out their differences in the best interests of the people they serve.

We feel this to be so serious that a supplementary brief dealing with the subject is included.

And I made reference to that brief which I will not read.

There has been a lot of talk of regional government and I have read many reports pertaining to regional government. There have been experts, people from the law society, people from the University of Toronto, and most important, at least one man who had more than his adequate proportion of courage to submit this particular brief—I see the hon. Minister of Economics and Development is not here, but he no doubt has heard about this report of Professor Krueger's more than once. I think Professor Krueger has done an excellent job of showing the government their weaknesses, and so I do not know that I care to take up more time of the House with that particular problem. Most of us are acquainted with it, and it is an exceptionally good one.

I would like to touch lightly, though, on some areas of regional government. I have a report before me, a primary report again, on local government in the municipality of Lincoln and Welland counties. There have been many of these reports throughout the province and I think that they make a point here that could be applied to many areas of local and county and regional government.

When I make reference to the welfare, I must admit that the government has taken a step in the right direction when they have

appointed county welfare administrators. They have them in two or three counties at the moment. They have not been in business long enough to prove the point, but I do believe, along with the fact that they take care of people on welfare, they may be able to scout about through their travels, and find work for the recipients of welfare rather than pay them relief; put them to work because many of them want the jobs anyhow. So you have a county system of welfare administrators and I think this is good.

But listen to this most interesting paragraph or two, pertaining to the police question in the counties of Welland and Lincoln. It takes in both counties.

Unlike assessment, policing is definitely a government service. Some would put it as the most basic, since without law and order civilized life is impossible. In essence the question is whether large political police units are necessary either (a) on a county basis; or (b) for county and city combined, that is two police forces for the region or regional, that is one police force for the whole region. The overriding argument is for efficient policing, that some amalgamation is desirable beyond question.

In Welland county in 1960 forces in the municipalities ranged from two to 47 people. No force of less than five can have a man on duty working 40 hours a week, every hour of the day and night, man a central station and carry out patrolling duties adequately as well. Detection, too, and identifications are a necessary part of police duties. Expert opinions have noted that some part of the regions in both counties do not receive proper policing.

This is proper. How can you give proper policing with only two policemen in a force? Naturally, they cannot put in the time, Mr. Chairman. I quote:

Sufficient policing depends not only on a large enough, and specialized enough force, but also on training and equipment. Here again, the small force is at a grave disadvantage. Training, pay, fringe benefits and recruitment of good men all suffer in small forces. Until a few years ago, only a few municipal police departments in Ontario gave the members of their uniformed branch a recruit-training course of recognized standards.

A source of municipal police departments in the province of Ontario—the police college report, Department of the Attorney General:

The province established a training

facility at the police college in 1960, but preliminary evidence tends to show that small forces do not take advantage of it. Attendance is not mandatory.

Legislation may be required to put policing on a regional or county basis, but there is no reason to think it could not be forthcoming after due consultation with the hon. Attorney General. The Police Act, RSO 1950 makes it plain that the overall responsibility for policing is provincial, and that the province delegates most of the responsibility to local authorities. As to cost, a submission to the Welland county council committee is indicative. This estimates that a total amalgamated force for the county and the two cities would cost a trifle less than the total cost at present, and at the same time be more efficient. The various municipal contributions towards the cost of the united forces could be worked out. For example, contributions might vary with assessments, and so with ability to pay, although this suggestion would need further inquiry.

Clearly, this proposal for county and regional police forces requires further study. Such a study should include also the role of the OPP acting for the small municipal units in the region. For instance, is the OPP becoming largely a highway patrol? That is a good question. They like to keep them there, but I do believe they should do the policing in the small municipalities also.

Should all traffic patrolling be left to the OPP? Is the OPP going to curtail its police policy of contract to small municipalities? I hope I never see that day. Possibilities should be investigated to see whether something like the English system could be adopted, whereby chief constables are appointed subject to the approval of the Attorney General, or a central grant of 50 per cent of the local police budget is given and where a staff of inspectors of the local police department is maintained.

Now when I make reference to the police department, that could apply in many other areas.

You talk about your planning boards and you are quite pleased about them and you should be. Where a city has appointed a planning board and the board works conscientiously to designate the area for many purposes—they have their five per cent for park purposes; they tell you what you can build; you have your industrial areas and your commercial areas and your residential areas—this is all good. But the problem comes just beyond that particular municipality, when you have your fringe area.

People who cannot afford to live up to the standards in that city, find themselves in little shacks; find themselves just outside of the service area so they do not have sewers, they do not have water, they do not have garbage collection, they do not have police protection.

You find yourself with one serious problem—you might have three planning boards in one county, with areas in between that have no regulations whatsoever. Recently, the hon. Minister has seen fit—this government has seen fit—I think in the last year, to pass an amendment to The Planning Act whereby counties could have a county planning board.

Now, I may be wrong about when that happened, but I think it was in the last year. This is very good, but the hon. Minister of Municipal Affairs, being the kindly gentleman that he is, does not take it on to himself to try to persuade the Cabinet, in areas such as the one I speak of, to make it mandatory to have a regional or a county type of planning area, where you can control the area where you are getting the undesirable growth that no one wants. When I said mandatory, I speak for myself, naturally. I am not committing my party to that, but I think it would be a good idea.

I could continue for many more hours. I would like to give you one statement here from a very good friend of mine, which I think would sum up what could be done to bring all the loose ends together from the many reports that you have. I will read just one paragraph of a very well prepared paper.

The Goldenberg commission recently is examining the strength and the weaknesses of the form of government established in Metropolitan Toronto. We of the Liberal Party propose that a commission be established immediately to examine the whole of the local government structure, including the financing of services within Ontario, and to make recommendations respecting the establishment of regional government throughout the province.

I do believe the sooner the proper personnel is appointed to a committee or a commission of that type to pick up these loose ends, the sooner we will be on the right track to putting this government or this province of ours in an area where there can be proper planning for the province.

I will have more to say as the different estimates come up, and I feel there is much more to be said about the hon. Minister's department on behalf of my hon. colleagues.

Mr. F. Young (Yorkview): Mr. Chairman, the hon. Minister has placed before us certain

observations about the work of his department and the hon. member for Niagara Falls has commented upon various aspects of that department. After that blast of grapes I see the hon. Minister has survived and is still smiling across the floor, but tonight I would like to concentrate on one of the fundamental problems that we face in the field of municipal affairs.

The hon. Minister has outlined many of the activities that are being undertaken by him and by his department, and I think we can sincerely congratulate him for many of the achievements he has outlined. Progress has been made in the whole field of urban redevelopment, and in increased interest in planning at the county levels, to mention two points he talks about. The assessment manual is under way and is doing, I think, a good job in giving guidance to the new assessors. We hope it will play a very large part in bringing some uniformity to the whole assessment procedure across the province.

But in this whole matter the fundamental problem the hon. Minister faces is this: He is in the midst of great activity, but that activity is carried on in a piecemeal way. And it is piecemeal because he is trying to administer an archaic municipal system. During the last few years the select committee has been at work looking at the whole gamut of municipal affairs and we hope that that report will be available before too long. I say to him that his greatest problem arises out of the fact that we do have an archaic municipal system and he is trying to administer that system, which grew up at the beginning of Canada in 1867 and beyond. The hon. Minister knows this, because this problem is absolutely fundamental and very difficult for him at this present time.

As our select committee moved across the province, and as we heard briefs presented to us within these walls, we saw certain problems emerging which took on a pattern. We saw the problem of staffing the small municipality. The small municipality cannot afford the kind of staff that the large one can. We saw one brief presented to us just recently which said that in the safety field only 19 of the 38 municipalities have appointed safety inspectors. Some of the dog catchers and combinations of clerk-engineer and so on take on safety functions, too, as do welfare administrators and all these others. The small municipalities cannot afford either the staff or the present-day machines to do a modern and efficient job.

We saw it in the police system a year ago, where across the province small one-man,

two-man and ten-man police forces are not able to cope with the problem of organized crime and the growing crime wave in this province.

Waterloo township, in presenting its brief to us, told about the problem—and I have clippings here which I will not read—of how its fire trucks had to go ten miles through another municipality to reach the scene of a fire. I know there are arrangements being made through municipalities for co-ordination of fire services, but what happens when fire breaks out in a municipality which otherwise might give help to the other one? So the whole co-ordination of firefighting is a problem.

In Hamilton we saw the problem with the suburban roads commission. Hamilton is perfectly willing, you see, to contribute toward the suburban roads commission, because, in the first place, those good roads bring the shoppers in to spend their dollars in the shopping areas in the city. But the roads do the other thing—they also take the families out to the surrounding municipalities to educate the children. So that the burden of education is taken off the taxpayers in the city and they are quite happy with that kind of arrangement.

We saw, too, in the Wentworth roads commission, which is being corrected now, a whole commission administering 1.5 miles of road.

On the hospital situation: Down in Ottawa, Carleton county does not spend any capital money for hospitals but it gets its hospital service in the city of Ottawa, which must foot the bill.

In industry and industrial development—the responsibility of The Department of Economics and Development—we find different areas across the province struggling to bring in industry and each municipality striving to bring industrial assessment within its boundaries to cut down on the tax rate. And so that struggle, which is unco-ordinated, goes on endlessly.

We see the reaching out of a central core of a city trying to annex the suburbs, the struggle for annexation all around the perimeter of so many of our cities. Then there is the strip development from city to city as those municipalities in between strive to get assessment, with hot-dog stands and garages and service stations and theatres and this kind of development.

One of the striking features about many European cities is that you come to the edge of a city and you are in the country; there is no strip development. So far, they have been

able to hold that kind of development. At the edge of the city is the rural scene; the new city or the town! The time is here when we have to face the whole problem of strip development along our highways and along our concession roads.

Up in Port Arthur-Fort William, at the head of the lakes—the hon. Minister of Mines (Mr. Wardrope), of course, would say this is because of his good administration up there; it is municipal but perhaps he had something to do with it, I do not know—but Port Arthur has abundant water supply. Fort William, just to the west, has to get its water from Port Arthur.

The logical development of this area is to the west; there is plenty of room. But if Port Arthur lets Fort William have more water, and so lets development proceed, it loses the assessment it might otherwise have. So there is a dilemma there which has to be faced.

The result of this situation is that in two cities of almost the same population, both about 45,000 or 46,000, there is a commercial mill rate in Port Arthur of 74.5, and in Fort William it is 84. The public school rate in Port Arthur of 68; in Fort William of 75.

There is a fundamental problem here: How are these municipalities going to get together? Is Port Arthur going to keep its water and forbid development, particularly where Fort William does not have sewage disposal facilities and Port Arthur has? What about the growth of this area? I have here a great many reports from the Ontario water resources commission telling of the situation along our rivers: Some cities and towns with sewage disposal and efficient sewage disposal plants, others with none; industry pouring its effluents into those rivers, even though the towns themselves may have sewage disposal plants—a real problem for that whole river basin, the Thames, the Grand, and many others. So we have the multiplicity of problems reflected in a report by Norman Pearson called "The Failure of Planning in Ontario." This is put out by the civil engineering department of Queen's University. He says this:

Our 970 municipalities, 39 counties, 30 cities, eight separated towns, 150 towns, 154 villages, 575 township municipalities, 20 improvement districts, 11 districts, 3,053 school boards, thousands of other boards and commissions to the tune of one level of government for every 1,200 people, are obsolete. In planning for one simple matter in the Hamilton-Wentworth area, some 87 bodies had to be contacted to get a common planning policy; in the Greater Kitchener area it is necessary to get about

24 chairmen to agree. These are the symptoms of a political failure.

The planning system of Ontario will not be corrected until we radically reform our methods of provincial government, our taxation and grant systems. More and more the real decisions are made at provincial level while the folklore suggests that what matters is local autonomy. More and more the real decisions are made outside the Legislature by appointed boards and commissions and administrative tribunals.

The constant erosion of local government has made nonsense of the original Baldwin concept and now the multiplicity of redundant levels of government militates actively against planning. The myth of local autonomy in an age of centralized power actually weakens local government and destroys responsible government. The functional units, within which we work, are never within one boundary and it is politically impossible to get coherent adherence to a plan when all factors favour irresponsible government. There is no incentive at present to proper planning.

I realize some of the figures that Mr. Pearson gives are not identical with the ones the hon. Minister gave us tonight, but the principle enunciated is still valid and sound.

Faced with this situation, the fact is that the hon. Minister is not only trying to administer an archaic system of municipal government, but his own fellow Cabinet Ministers are ignoring his municipal divisions and are completely at odds, with perhaps one exception, with what he is trying to do. Their administrative units are different from his, and we have the different Cabinet Ministers setting up their own administrative units for their own purposes. Regional offices of all kinds are springing up.

The hon. member for Niagara Falls mentioned the Krueger report which I want to quote briefly here. Professor Krueger says this:

Because of the lack of effective municipal units on a regional scale, many of the Ontario government departments have increasingly had to rely on their own administrative regions. The growing acceptance of regionalism is a valid concept in the development and conservation of resources and, in economic and municipal planning, has led to an increased emphasis on regional programmes implemented through administrative regions. There has been a growing tendency to establish regional offices to help administer Acts on a regional basis, to collect data, to conduct

research, to carry out educational programmes, and to provide a means of two-way communication between government and the people, through field representatives.

Generally [he says] each department has eliminated its administrative region for its own specific purpose, without regard to regions of other departments. The basis for eliminating administrative regions has varied from department to department. In some cases the regions have been limited on a basis of physical geography. The Department of Agriculture has used the county as the basic administrative unit and it seems to be the only one that is sticking to that. Other regional boundaries have been chosen arbitrarily in order to divide the province into areas with approximately equal amounts of administrative work. For still others, the regional units seem to have been made on an ad hoc basis which is difficult to explain.

Mr. Chairman, as we look at this situation, we find that various departments have outlined to us what their regions are. We have The Department of Lands and Forests, for example, which gives us 22 regions; Tourism with 32. The Department of Reform Institutions is now encouraging the various municipalities to substitute a new institution for the old county jail, and will give grants if they will group together; but these groupings will likely have no relationship to the others.

Conservation authorities run up and down the river valleys, and so bear little relationship to the others. Education in its regional high schools, Health with its health units, all these are delineated without harmony and in violation of the municipal boundaries within which the Minister has to work. And Krueger says that, after reviewing the provincial regional administrative organizations, one is led to the conclusion that when confronted with an outmoded municipal structure, the government of Ontario, in place of the needed basic reorganization of that structure, superimposed upon it a whole new and complicated set of administrative regions. This expedient has, in turn, created a fundamental impediment to rational planning of resource and economic development.

I realize I am not telling the hon. Minister anything that is new or different here, but the fact is that we are completely out of harmony as far as the Cabinet Ministers and their administrative areas are concerned. Out of this chaos the hon. Minister has a great challenge to bring some sort of harmony;

this is a big job he faces, and this House faces, in this field over the next few years. All this means that we have to think in terms of regional government, which my hon. friend mentioned a few moments ago; but, basic to it all, I think, is a fundamental change in our whole approach to planning in this province. And fundamental to this change is a basic power to plan, and the question, "where is that basic power going to rest?"

Today, of course, the final planning power is with the Ontario municipal board. The OMB does a great deal of work, too much work. It has control of our financing, of our law making at the municipal level, planning of municipalities, and all sorts of odds and ends which the Cabinet Ministers, I suppose, through the years, did not want to be responsible for and shunted off to the municipal board. The board did start with a pretty clear idea of its responsibilities and functions, but those responsibilities grew like Topsy over the years, without any plan, in this haphazard way, until today the OMB is overworked. It has just too many functions; it has too much to do, and it does not have adequate staff to do the job. Any one of us who has tried to get decisions from that board, or information from the board, realizes that the staff just cannot keep up with the volume of work it has to do.

I was interested in looking into the public accounts, Mr. Chairman, and finding that the money spent last year in the public accounts for staff, other than salaries for the board and travelling expenses, was \$162,921.32—\$163,000, roughly, for staff other than the board itself. This cannot possibly provide staff large enough to do the great volume of work which this board is expected to do. Too many minor things are referred to it and these men cannot handle the volume they are expected to handle.

One of the functions of this board is planning. It handles the official plans, finally, for land use, zoning by-laws, rezoning if disputes are referred, and it has no planning staff to help it.

I would say this: at least those I know on the Ontario municipal board are good people. They are dedicated to a job, and to trying to do a job. But they have had practically no experience, with perhaps two or three exceptions, in the whole field of municipal planning—particularly in the exploding suburban areas where the great problems are met in this field of planning today. These men are expected to be the final experts in the planning field, in a field where they have not had experience. And so they are, as far as planning is concerned, a group of semi-

experts struggling to do a job without the advice of a planning staff and without the advice of planning experts they ought to have.

I know that the department does give them some advice from time to time but if they are expected to do this kind of a planning job, Mr. Chairman, I submit that they should have a staff set up adequate to survey the province and do what is expected of them.

I think, for example, of two or three instances of happenings in my own municipality. In the St. Andrews subdivision, at the corner of Bayview and 401, a plan was outlined and submitted to the council, with a density of about 7000 people. For two years and more the council struggled with that plan and then finally it was sent back to the Minister with a density of 2,400, not the 7,000. That is what the council and the planners felt was proper because of the limited access, and because of the various factors there. But the Ontario municipal board gave the original subdividers almost all they wanted with a density of about 6,000 instead of the 2,400 which the local planners felt was right. Today the problems of schools, where registered lots had to be bought, the problems of parks, and particularly the problem of traffic, is building up. The people in that area are now blaming the local council of that day and the planning board and the staff for a bad bit of planning.

I think of another situation: Leslie Street between Sheppard and Finch, east of the Don River where a railway line runs close to Leslie Street. The planners, the planning board and the council tried to work out a logical development of that area. They tried to widen the area between the railway and Leslie Street so that two things could happen; a rational industrial area could be built along that railway, and that the grade separation on Finch Avenue could be far enough away so that the Leslie intersection would not interfere with it. But unfortunately the chairman of Argus Corporation sat with his home at one corner of Leslie and the chairman of Dominion Stores sat at the other. Whether that had a bearing on it or not, I cannot say here tonight, but it was well over a year before that plan which set the area pattern could even get through the municipal board and then it was turned down. Well, these men have rights, but the establishment of their rights presents now to the planning board and the council a whole new set of problems, a new set of problems of how to use that narrow strip between Leslie and the railway, a problem of grade separation, and a problem of a new kind of plan when these

pieces of property at each end are to be developed in the future.

Now I quite agree, as I said a moment ago, that the individual landowner has basic rights. But this problem on Leslie Street brought into very sharp focus one of the fundamental planning problems of the municipality, and one which the hon. Minister has to face. I think the hon. Minister will agree and all of us, and certainly it has been the policy of the OMB and most municipalities, that re-zoning of land does not take place unless it is an application from a person who owns the land or at least has an option on it.

That makes sense. I should not be able to make an application for my neighbour's land and have it re-zoned, particularly down in value. But what happens if a municipality wants to plan ahead? What happens when land should be zoned down in order that this plan should go forward? What happens when the president of Argus, or the chairman of Dominion, wants to stay where he is? Or what happens when plain John Doe wants to stay where he is? Yet the municipality wants to plan ahead for two, three, four, five, 20 years. Sometimes street lines must be changed if that kind of rational planning is going to be done. This is the fundamental problem that we face in a situation like this. We are facing it also, I suppose, down the south side of Queen Street.

Ultimately it would seem that the power to make certain fundamental planning decisions must rest with the municipality itself. If it is going to plan ahead, it must be able to expropriate certain key pieces of land, and if it is going to expropriate those key pieces of land—whether they belong to very important people or less important people—then it must have available money which it can borrow at reasonable rates to buy this land. It then becomes an asset for the municipality, it is no liability. To do this, we come back to the big problem of a municipal development bank which other countries have had and which we in Canada desperately need. Perhaps if some of my hon. friends to my right would take the message down to Ottawa, this could be established and established soon.

An hon. member: We will do that.

Mr. Young: Well, I am glad you are going to do that because this is one of the things we need. Now, if the money is there we come to the problem that no municipality has the right to zone a person's land down in value. The municipality should buy it and having bought it take possession of the property, put the zoning on it, or the services. It

can change the outline of a street—whatever needs to be done. At that point it can either sell the land back to private developers with a plan on it, or it can move ahead to develop that plan itself.

So here we find one of the key problems that we have to face, and that we have to solve—the problem of long-term planning in the municipality itself.

There is another problem here which the Ontario municipal board poses to us and I want to use an illustration of a case which occurred—the Bimini Crescent case—in my own municipality where in July 1963 bylaw No. 18033 was passed, zoning certain lands. This was in connection with a plan of subdivision. People moved in. Notices had been sent out to the original owners of the land, people who at that time were builders or subdividers. The assessment rolls had not been brought up to date at that time of year and so the people who moved in—and a few were there at the time—did not get notices. Because of that, the Ontario municipal board in December, 1963, ordered that the original bylaw be set aside.

Then a little later came a hearing, May 12, 1964, and at that time the board said certain things. They believed they had been mistaken in the original bylaw. They said they were surprised to discover that most of the proposed new location of a six-acre park shown on exhibit one was included in the area, and most of the proposed park already had been re-zoned for semi-detached or duplex dwellings and only one acre or slightly less was left for park purposes. In some way the Ontario municipal board had made a mistake here. They said that having been misled by the evidence of the applicants' chief witness—this was an official of the North York planning board—the board could only assume that the objectors were similarly misled, and that their objections might have been stronger in the argument of counsel on their behalf, and more vigorous, if they had been aware that the proposed park location shown to them on exhibit one was not available.

As a matter of fact, the park was available. A mistake was made. And further representations were made to the board with the result that on September 22, 1964, the board confirmed the original bylaw 18033 passed on July 22, 1963. But at that time the board said nothing about its statement which got very great press coverage across this province, about being misled by the evidence of the applicants' chief witness. Because of that statement a municipality was branded as doing very poor planning. An election came

on. In that election, this case played a very prominent part. On platform after platform the statement of the Ontario municipal board was quoted and much bitterness built up because it was said that the planning people in that municipality had misled the Ontario municipal board and that poor planning had been done. That incident played a very large part in the elections last fall, even though in the midst of the campaign the board reversed its decision and okayed the original concept.

So I say tonight that the Ontario municipal board has no business in the planning field, except in one area. I bring before you the Gordon report. I hesitate to quote an authority such as Walter Gordon in this House, because of the smiles that it might bring to certain of my hon. friends here, but Walter Gordon, in this case I think, had far better advice than he had a little later in certain affairs that happened in Ottawa. In any case the Gordon report dealt with certain problems that municipalities are facing, and among them he made two recommendations, one of which has already been implemented, the transfer of certain functions to The Department of Municipal Affairs. But he also said this:

At the present time, official plans and amendments require the approval of the responsible Minister, but he may, and if requested, shall refer them for approval to the municipal board. This procedure has the merit of providing an opportunity to hold a public hearing, a feature which we believe should be preserved. After its examination, however, instead of making a final decision on the matter, the board should submit its recommendation to the Minister and the final decision should rest with him. In making his decision the Minister no doubt would be influenced very greatly by the recommendation of the board and would also be able to take into account information, supplied by his departmental officials, of a technical character relating to the proposed plan and to the financial competence of the municipalities and others involved in the project. Quite apart from this, the proposed change would comply with the principle of ministerial responsibility.

This report has been gathering dust in the library since the time it was issued in 1959, and it would almost appear that this government is anxious to see it buried as far as this part of it is concerned. I will give them credit; they did implement the first part, but this part has not been implemented; and, to

date, we have no assurance that it is going to be.

It may well be that the government hopes it can be forgotten and that the Ontario municipal board will continue to take the heat off the Minister when there is a dispute between subdividers and voters. That heat deflection is a valuable function of the municipal board as far as the government is concerned, but it is not a proper function of the board.

The responsibility for planning should be with the Minister concerned. The Ontario municipal board is not a policy-making body, or it should not be. The Minister himself should be carrying that function of making policy. That responsibility should be put back where it ought to be and the Minister himself should have the final say.

As the Gordon report suggests, he could refer disputes to the board for hearing and it can make recommendations. But those recommendations then come back to the Minister and there the Minister makes the decisions.

If this happens, and even if it does not, the Minister is faced with a problem of expanding his staff. He has mentioned tonight how he is struggling with this problem of trying to get people. I know that there is a tremendous bleeding process in a staff of the kind the hon. Minister gathers together. As municipalities build up, establish planning staffs and planning boards and want planners, they perhaps, first of all, look toward the provincial department. So a lot of people pass through and, in that way, get valuable training and are able to pass on that training to the province as a whole. But certainly there should be a very great build-up of staff as quickly as possible, within the department itself; and those people should be trained in the planning function.

The hon. Minister has mentioned, at various times, the problem he has in building planning boards and getting municipalities to take this responsibility. On January 16, 1965, the *Toronto Daily Star* reports him as saying that, of the 385 planning boards in Ontario, 150 of them may be said to be inactive—either because they have ceased to exist through non-appointment of members or because there is no current planning being carried on. Only 34 per cent of the planning areas is covered by official plans and, of these, 39 per cent is out of date and otherwise inadequate.

This, perhaps, is not the fault of this hon. Minister particularly, except insofar as he has been a member of this government over the

years. At the present time, I will give him credit in that he is trying to get things moving and trying to do a job in the planning field. But the job is so big that far more money must be allocated for this job. Far more staff must be built up, and built up quickly, so that that staff can give assistance across the province; and also, if the Gordon report should be implemented, it can give the kind of planning advice that the hon. Minister will need in that regard.

In the Krueger report again, on page 19, we have these words:

It has been stated by government officials on a number of occasions that the purpose of these surveys was to provide the facts upon which a regional planning organization could be based.

These are the studies to which the hon. Minister referred tonight:

However, in most cases, the regional studies have not resulted in the establishment of an effective regional planning organization. The government seems to have been unwilling to act unless there was spontaneous demand from the municipalities in the region, and the municipalities have not requested action because they do not seem to appreciate the need for a regional organization to tackle problems that are regional in nature.

Mr. Chairman, the hon. Minister has spoken of regional planning boards and his encouragement to planners on a county basis, but the fundamental problem here is one of power. The regional planning board, or even a county planning board today, under the present set-up, can make recommendations; but it might make recommendations to two, four, six, or a dozen municipalities within that area. But if one of those municipalities refuses to carry out the recommendation, the co-ordinated plan that is recommended cannot be implemented in full. And while one or two of the municipalities might be willing to implement the plan, that plan, if it is a united and co-ordinated plan, stands or falls in its entirety. And while some advantage would accrue to a few municipalities to implement part of the recommendations, by and large, unless the whole thing is done, the planning board finds itself frustrated. It begins to ask what is the purpose of working to discover what the best planning procedures are for the area while many of the officials concerned refuse to take it seriously.

Along with the expanded staff in the department, Mr. Chairman, one of the early jobs which should be undertaken by that staff and by the hon. Minister, is a survey of this

province, thinking in terms of regional governments of the most practical kind, regional governments which will reflect what is already being done by the other members of this Cabinet, regional governments which will encompass within them logical planning areas, river valleys, the various regions the other Cabinet Ministers have outlined.

That harmony will not be easy, but a thoroughgoing study should be undertaken so that this job can be advanced. I would say tonight that definite areas should be studied; areas such as the Lakehead, Sudbury, Ottawa, Kingston, Oshawa, Hamilton and the Niagara area, the Kitchener-Galt complex, London, Windsor and the Georgian Bay tourist area, where the whole problem of lake pollution and use of land has to be faced, and faced soon, if we are to rationalize our whole tourist programme and our whole cottage development.

No purpose is served in this study unless the cities and the separated towns are brought into the region as part and parcel of these regions. As regional government is set up, it is only in a government of that total area that the study shows there is sense in co-ordination.

With this regional survey, something else must be done. The next step must be the establishment of a provincial land-use plan which will lay down the guide lines over the next couple of decades, delineating certain areas where certain kinds of development will take place. In a short brief presented to the mayors and reeves in Sudbury last year—and I can vouch that the hon. Minister was there for the last day or so and made a good speech to the convention. The brief says:

The province must decide, for example, whether the only areas in which we can successfully grow grapes, peaches and other soft fruits, should be conserved for this purpose, or whether industrial users should be allowed to overrun them. The province must decide whether green belt and agricultural areas should separate Oshawa, Toronto, Port Credit, Oakville, Hamilton and Niagara Falls, providing fresh food and breathing space, or whether the so-called Golden Horseshoe should be allowed to complete its urban sprawl around the head of the lake. The same applies to other industrial constellations around the Great Lakes and elsewhere.

Plans for development of northern Ontario in industry, agriculture, mining, forestry, fishing, tourism and holiday industries, and so on, should be laid down so clearly that northern municipalities would

have a proper frame of reference in which to operate. Only senior governments have staff and resources thus to map the future of the north.

Mr. Chairman, a land-use plan such as this should be flexible; it must not have rigidity so that it brings development within a strait-jacket. But it must give guide lines so that land is designated for these uses, and municipalities can plan within these designated uses, over the years ahead.

This having been accomplished, Mr. Chairman, I would suggest to the hon. Minister that the next step that should be taken, as regions are established in this province and as regional governments are set up, is that the final power to plan should be handed over to these regional governments except in the case of border disputes. I presume that when two municipalities cannot agree upon certain fundamental problems affecting both of them along their boundaries, at that point the hon. Minister and his staff would have to step in and perhaps make some decisions. And so the hon. Minister, with that responsibility—and I suppose a power of appeal would have to be set up here, too—would press for the development of more regions and the handing over of more planning power to those new regions.

The final goal of the hon. Minister in this field, it seems to me, would be to get final planning power out of his own department, except for those bits and pieces of municipalities that may not be within regional governments.

But I suppose that day will never come entirely for this matter, and I suppose that there will always be a real problem for the Minister in this field. Even though the regional governments took over this final power to plan and set up their own appeal boards, with final appeal perhaps back through to the government, the fact remains that the Minister will still need a very large staff and a very efficient staff. He will still need to train his people to feed them into these new regional governments.

And while we look to the future, and while I hope this hon. Minister is planning along these lines, we realize that the road is long and difficult and is not going to be easy. But one thing is dead certain: Unless we outline a plan for the future, unless we begin along steps which are practical and feasible, we are not going to even start on a programme such as this. We are still going to be handicapped by the kind of problem the hon. Minister has. So I hope that he will be able to persuade his own friends in the

Cabinet to allow him to do what they are now doing; that they will allow him to tackle this problem of regional government realistically; that they will give him the financial resources and the manpower to build this kind of practical regional development in the municipal field. If they do that, and if they say to him: "Mr. Minister, you must modernize your department now and build new boundaries and new concepts in municipal government." Then I think this province is on the way to a future which can be bright in the municipal field.

Hon. Mr. Spooner: Mr. Chairman, if I may be permitted to pass a few remarks about some of the comments of my hon. friends.

In the first place, I would like to thank my hon. friend from Niagara Falls for his very kind comments. The hon. members of the House might be interested in knowing that he and I have been interested and actively involved in municipal administration for many years; and though he was a municipal representative from a municipality in the southern part of the province and I was from the northern part of the province, and our municipalities were separated by perhaps 500 or 600 miles, nevertheless we had the opportunity on several occasions during the year to meet with the municipal associations of which we were fortunate enough to be executive members. In that way, I must say, Mr. Chairman, I acquired a very real appreciation of my hon. friend from Niagara Falls and his work in the municipality in which he resided, where he still resides and has resided for many years. On these occasions when I present the estimates of this department or legislation involving municipalities, I know that I am talking to him and that he understands and knows the subject matter of our discussions. So in order that we may understand that we are not coming to the hon. members of the Legislature under false pretences, I wanted to make this statement, that it has been my pleasure to have been associated with the hon. member for Niagara Falls, not only in this House, but in many activities of a municipal nature before we both became members of this Legislature.

There was reference made by the hon. member in connection with a telegram which had been sent to the hon. Prime Minister from the president of the Ontario mayors and reeves association. I am sure that you realize that it is not possible for the hon. Prime Minister to answer all of the communications which cross his desk. The subject matter of this telegram was entirely a municipal matter and the hon. Prime Minister asked me to

reply to this communication. I did, and I explained the situation to the president of the Ontario mayors and reeves association, and I advised him in my letter that after the receipt of this telegram, the hon. Prime Minister had discussed the matter with me. I advised him, I had given the hon. Prime Minister a full report on what the subject matter was, what attention and consideration and study had been given to the subject matter, and I set out all of these things.

The subject matter of the telegram was related to an item of legislation which was debated in this House and approved by the Legislature during the session of 1964. I had given the matter consideration during the year, and representations had been made on both sides of the argument by many people interested in this subject. I felt that a reply coming from my office would be sufficient to satisfy the inquiry of the president of the mayors and reeves. Had I thought that he would not have been satisfied with that answer, I would have had the reply prepared for the signature of the hon. Prime Minister and it would have been sent in that way.

So I do not think there was any great difference insofar as the recipient of the telegram was concerned. At the same time, there was correspondence from the clerk of the city of London regarding the same subject, and in that instance the hon. Prime Minister himself took the time to reply and I have a copy of his reply here.

Mr. Singer: But that one was from London, that is different.

Hon. Mr. Spooner: Well, maybe.

Mr. Singer: That is just a little different—if it comes from London it gets more attention.

Hon. Mr. Spooner: Well, anyway, I think that the recommendation contained in the telegram from the mayors and reeves association was given every consideration, and that as far as we are concerned the matter is now closed.

In connection with this particular piece of legislation—and it deals with the matter of the handling of land severances—you might be interested if I were to refer to some other correspondence here. I might say that in a number of instances, members of the association of mayors and reeves have taken the trouble of communicating with us here, either in The Department of Municipal Affairs or directly to the hon. Prime Minister, advising that it was not the opinion of this particular municipality, or these particular municipalities, that the executive of the Ontario

mayors and reeves were speaking on their behalf. I have here in my hand, a copy of a letter which went to the hon. Prime Minister enclosing a copy of the letter to the president of the mayors and reeves, advising them that as far as this particular member was concerned—he represented a member municipality—the stand of the mayors and reeves was not his stand, and that his municipality was favourable to the legislation which has now been proclaimed.

Mr. Singer: You are bound to find dissenters.

Hon. Mr. Spooner: There have been more than one or two dissenters.

Mr. Singer: Some disagreed with you, though.

Hon. Mr. Spooner: That was the executive, not the body.

We have arranged a number of seminars in the province of Ontario to deal with this matter concerning the transfer of consent granting authority from planning boards to committees of adjustment. There will be a session held in London, Ontario, on March 25. Another one will be held in Brockville on March 31. One will be held in Sudbury on April 5, and one will be held at the Lakehead on April 8. There will be others held in different parts of the province, so that all of those people interested in the subject matter, will have the opportunity to discuss the rules and regulations and the methods of dealing with these severances with the departmental staff. So, I think for the moment, Mr. Chairman, we will leave that matter.

Now, the next matter mentioned by my hon. friend from Niagara Falls, dealt with the matter of the administration of justice costs, and just at the moment I cannot give you figures to substantiate the statement which I make now, but more than a year ago—it is perhaps two years ago, as a matter of fact, I think it was before, no, it was while I have been in The Department of Municipal Affairs, it was in the days of the former Attorney General—one of the municipalities made an appeal to us that the cost of the administration of justice in this particular municipality, was onerous. And so it was decided at that time that we would brief departmental staff to study the actual cost involved in this, and when we received the report of our staff we were very much surprised to find that it did not cost this municipality anything for the administration of justice. As a matter of fact, they were making a few dollars, and we asked

the representatives of the municipalities to come to a meeting and we gave them this information. I might say that we have not heard from them since.

I do not say that that applies to all the municipalities across the province that are faced with this question, but I might mention again that when the hon. Prime Minister and the Cabinet approved the appointment of what is known as the Ontario committee on taxation headed by Mr. Lancelot J. Smith, that all of these municipal expenditures and municipal revenues were matters which were referred to this committee for study and report. It might be valuable to refer at the present time to the terms of reference of this committee.

The committee is composed of Mr. Smith, Mr. Eric Hardie of Toronto, Dr. R. Craig MacIvor of Hamilton, Mr. Carl Pollock of Kitchener and Mr. R. Bredin Stapells, QC, of Toronto.

The committee was charged with the responsibility under The Public Inquiries Act to:

(a) Inquire into, and report upon, the taxation and revenue system of the province of Ontario and its municipalities and school boards; in relation to their expenditures the tax and revenue sources available to them; their debts and other financial obligations, with a view to determining whether, within the constitution of limitations existing, and having regard to present and potential financial requirements, such tax and revenue system is a simple, clear, equitable, efficient, adequate and as conducive to the sound growth of the province as can be devised.

(b) In connection therewith, to inquire into such other matters as the commissioner shall deem advisable.

(c) To co-operate with the Royal commission on taxation, and with any other bodies of inquiries appointed by other provincial governments, and

(d) After due study and consideration, to make such recommendations in accordance with the objectives and terms set out herein, as the commissioners see fit, to the Prime Minister and the Executive Council of Ontario.

As you know, this committee is still in operation. It has not yet finalized its study, and I hope that in due course of time—I am advised that it is hoped that the committee will be reporting some time this coming summer—that this study in considerable depth will be able to provide information as to the terms of reference which have been referred to it, and which will deal with the matters of

the municipal-provincial cost and how these matters of welfare, administration of justice and these other matters can be improved and how they may be improved.

I think that we all realize that there is no money-making machine here in the hands of the hon. Provincial Treasurer; he just has so much money. As a matter of fact the complaint is that he is spending more than he takes in, and placing future generations in the position where they are going to have to repay debts that are now being consummated by the present residents of the province. Some day these things are going to have to be paid.

Mr. K. Bryden (Woodbine): Who is making that complaint?

Hon. Mr. Spooner: I think it has been said in this House—

Interjections by hon. members.

Hon. Mr. Spooner: I would say that at the present time there would appear to be a very reasonable balance between the revenues of the province and the debts of the province. I think that we could, perhaps, take an analysis of the provincial debt and indicate that it would appear to be, in its present form, certainly, good business practice. So I agree with the hon. Provincial Treasurer in what he has done in this regard.

Now, great stress has been placed, not only by my friend, the hon. member for Niagara Falls, but also from the hon. member for Yorkview, in connection with regional government. As we all know, we have in this province, at the present time, 38 county organizations. When you examine the legislation that is now available—the authority now available to the county organizations—there is no doubt that there is, in the municipal legislation at the present time, very many areas where county government should become more active than it has in the past. I have tried in the several years that I have headed this department, to co-operate with the association of counties in the province, and we have tried to instil greater interest and activity into county government.

We have not achieved very much success, but I think that we have made some progress. As an example of our co-operation, in co-operation with the cities of Ottawa, Eastview and Carleton county last year we entered into an agreement involving a special study of the area that I mentioned, which is supported financially by the province of Ontario and by the municipalities which I have mentioned.

The terms of reference in the particular

case of the Ottawa-Eastview-Carleton county local government review—50 per cent paid by the province and 50 per cent by the participating municipalities—the terms of reference of this study, Mr. Chairman, may be of interest. These are:

To inquire into and report upon: (a) the structure, organization and methods of operation of all the municipalities and their local boards in the county of Carleton, including the cities of Ottawa, Eastview and the corporation of the county of Carleton.

(b) All aspects of the functions and responsibilities of the existing local government institutions within the said area and, in particular, without limiting the generality of the foregoing, intermunicipal relations and problems which concern, or may concern, any two or more of the municipal corporations or local boards having jurisdiction within the said area.

(c) Here we get into the planning end of it—the anticipated future development of the area or other changes therein which may require the reorganization or revision of the existing system of local government in the area.

(d) The effect of present and anticipated future projects and operations of the national government upon the responsibilities and resources of local government therein, and

(e) Any other related matters affecting the local government structure within the area.

I think those terms of reference are of the broadest—as broad as they possibly could be. The hon. member for Niagara Falls has in his possession a copy of the initial research work which has been done. The consultants performing this work are holding public hearings and discussing a very large number of briefs which are being presented to the consultant, so that before too long we expect to have a report on this study of the review of all the facts of municipal administration in that particular area of the province.

In this area, you will remember that—I think it is about 20 years ago—the federal government called into Ottawa a planning consultant from France who designed the development of the national capital, and a very fine design it was and is. Actually, this planner, not being able to look into the crystal ball any more than one of us, I think myself—and I am no planner, I have no time to be—I think that he failed to realize the great increase there would be in federal government operation in the national capital, because the development that he saw taking place as of 1980, has now arrived in 1965. The green belt surrounding the national capi-

tal, I think we may find, is not quite in the right position. It may have to be moved out.

Those are some of the things that occur, and you find through a study in the local municipality. But you cannot take that study and that report and apply it to Metropolitan Toronto, or Hamilton or Welland, or some other place.

For that reason, we have conducted a number of studies of our own and some in connection with other municipalities. Professor Krueger has been mentioned. Another one has been Professor Mayo, who has done some considerable amount of work in Welland and Lincoln counties. These studies are going to be, I think, an indication to us as to what can take place, and perhaps in the future, if we have the results of half a dozen or a dozen of these studies in reasonably large areas, we may be able to get some trends that would indicate to the department that what has worked out well in one area, might fit somewhere else. This is what we are doing now.

In connection with the Lincoln and Welland areas, much work has been done by the counties. With the help of Professor Mayo—and there may have been others—we have agreed to put up a proposition to those municipalities in those two counties, and we have already arranged that we are going to call a meeting of representatives of the municipalities in these two counties in Niagara Falls on April 28. That is the earliest date, because I want to be there myself. That is the earliest date that I can see that I can be present and it is the earliest date at which I can be sure to have present the reeve of Thorold township, who has been a very important figure in promoting this study that has taken place in the past.

An hon. member: Good fellow!

Hon. Mr. Spooner: Yes, of course; he is another friend of mine of many years standing in municipal administration. I am glad to know that you think he is a good fellow, because I have a very great deal of respect for him; I think he is a very fine man.

Mr. Bukator: There is only one thing wrong with him.

Hon. Mr. Spooner: Is that so?

Mr. Bukator: He belongs to the NDP.

Hon. Mr. Spooner: Oh, I was not aware of that.

Mr. Singer: He was one of those people who opposed the land division system.

Hon. Mr. Spooner: He opposed that one; that is all right. That is a matter of opinion. I think that talking about the land severance again, give us a year or so, and all these things will find their proper place and you will not hear any more arguments at all.

Mr. MacDonald: Maybe evidence will prove you are wrong as well as the association.

Hon. Mr. Spooner: I am not going to worry about that at the moment.

The hon. member for Yorkview has said, and rightly so, that municipal administration in the province is a problem. We have 6.5 million people, the larger proportion of them centred in the large urban areas of Metropolitan Toronto, Hamilton, London, Windsor and so on. We have many rural areas, which require municipal services, where financial ability to pay for services is limited, financial ability to invest is limited. Our growing population is centered more and more in the urban areas, and we try to spread them out through the activities of our community planning branch, and so on and so forth.

You have no idea, sir, how difficult it is to deal with this matter of subdivision plans, for instance, and land severances, and the requests which come to my desk and my staff. Every developer in the country has an idea that all he has got to do is cut up a piece of land into lots and go out and sell it and make a fortune. Of course, that is where we stop him.

Mr. Singer: That is the whole point of the argument.

Hon. Mr. Spooner: That is the whole point of the argument; that is right. And that is where we stop him; because we say, "Oh no, you must provide for the municipal services which the buyers of these lands are going to require, and you have got to put up land for other purposes, such as park lands."

Mr. Bryden: And he tacks that onto the price.

Hon. Mr. Spooner: Well, why not? He cannot get it anywhere else.

Mr. Singer: That is just what the committee of adjustment cannot do.

Hon. Mr. Spooner: Oh, the committee of adjustment is going to look after your problem. You are going to be so happy it is not going to be funny; because it is going to bring all these questions dealing with the matters of severances of land out in the open, where they have not been in the past. And I am telling you there will be no

nonsense, because severances have taken place in this province about which the adjoining owners and neighbours did not know anything for years. Was that fair? Not at all.

Mr. Singer: If you cannot control this matter, that is your fault.

Hon. Mr. Spooner: We are going to get it out in the open; that is what is going to take place with the new legislation. There will be no developers making nice quiet operations for land severances without the public knowing about it. That is where we have got to get this done. Let us deal with that and I am sure you will find that, within a year from now, everybody will understand where they stand with this matter of land severance.

Mr. Singer: We have that now with the municipalities which operate in this province and you are responsible if it does not operate satisfactorily.

Hon. Mr. Spooner: I just passed the legislation last year, and we proclaimed the Act as of May 3. That is the way it is going to be.

Mr. Singer: You have dug in your heels.

Hon. Mr. Spooner: Yes, sir; and we are not going to have any more of this business of land severance taking place and then, several years later, the neighbour finding out that a severance has taken place, he has never been notified, he does not know anything about it, and his land has been injuriously affected because of that.

Mr. Singer: That is just a red herring.

Hon. Mr. Spooner: There is no red herring at all; because if it were not here—and I do not want to be naming names. I would be able to tell you some of them, you see, and you might be surprised. Let us end it at that, because this is going to work out properly, you just wait and see.

We will get back to municipal administration. As hon. members know, we expect momentarily to obtain a report from the chairman of the committee which has been studying The Municipal Act and related Acts.

Mr. Singer: Presses are turning this minute.

Hon. Mr. Spooner: Yes, the presses are turning this minute. I have been made aware of that by the chairman of the committee.

What have I done to meet that problem when I get that final report? I will tell you what I have done. In order to prepare myself,

I act like the surgeon who is going to operate on someone tomorrow morning. He makes arrangements with the hospital to have an operating room, to have staff and nurses and so on, and he sharpens his scalpel.

Mr. MacDonald: Have you made arrangements with the undertaker?

Hon. Mr. Spooner: I do not know about the undertaker; I am not going to bury anyone.

One of the very loyal and hard-working members of The Department of Municipal Affairs for the past several years has been Dr. Lorne Cumming. I must pay tribute to Lorne Cumming for the contribution he has made to municipal government in this province—right from the time he was city solicitor in Windsor, went to the Ontario municipal board, and eventually came into The Department of Municipal Affairs as a deputy Minister. I have enjoyed my association with him.

Dr. Cumming was 70 years of age on January 14, 1965 and, according to civil service regulations, he must retire.

Mr. MacDonald: Appoint him to the Senate!

Hon. Mr. Spooner: No, we cannot appoint him to the Senate.

Interjections by hon. members.

Hon. Mr. Spooner: Knowing that the report on The Municipal Act and related Acts was going to be promulgated—I think that would be a good word for it—in due course of time, I came to the conclusion that it would be wise on my part to retain the services of Dr. Cumming as an adviser and to charge him with the responsibility of doing the work that would come about as a result of this fine report. So, Dr. Cumming is, like myself, awaiting momentarily for this report so that he can get to work in sorting it out. Of course, in the meantime, he is busy with other responsibilities, such as the—

Mr. MacDonald: He is keeping his hand in.

Hon. Mr. Spooner: He is keeping his hand in, yes—such as the study in Carleton county, and the study in the Welland-Lincoln county areas. We have another project under way involving municipalities in the county of Waterloo.

Mr. MacDonald: The hon. Minister has no idea of what is in the report?

Hon. Mr. Spooner: I have no idea what is in the report; no, sir.

Mr. Thompson: The hon. Minister said it is a fine report.

Hon. Mr. Spooner: I am told it is, yes. I have been assured of that. But I have no knowledge of its contents any more than anyone else, other than the members of the committee. I am quite convinced, of course, that the members of the committee know what is in the report. Not being one of those, I have no idea what is in the report.

Mr. Bryden: Did the hon. Minister watch CBC on Sunday?

Hon. Mr. Spooner: No, I did not watch CBC on Sunday. I have no time to watch CBC any day, let alone Sunday. I was at a meeting with some of my Legionnaire friends on Sunday and had no time to look at television.

However, Dr. Cumming in the meantime has some special responsibilities in the department. Mention was made about the development of the municipalities at the Lakehead. I want to say something about that also because that is another area where we are going to undertake a study on a similiar basis to that which I have explained in other areas, and there again we are going to proceed to the Lakehead to arrange a meeting with the five municipalities. There are two cities and three townships, and we are going to discuss with them the possibility of engaging an outside consultant to undertake a study of this kind to see whether it can be proven to the municipal people, and also to the residents of the area, that there would be some advantage gained in some form of regional government. As you know, in the territorial districts there is no county council.

I think that we are making some progress in these fields, and I am quite convinced that as the years go by, that county government or regional government will get back into performing its own functions on a regional basis. I am quite convinced that there are many areas of municipal administration today that could be better performed on a regional basis than can be performed on an individual basis. To give you an example, in the field of municipal assessment, for instance, today with the use of data processing equipment, I am sure—because I have done municipal assessment myself—I am sure that a much more efficient operation can be carried on with a large assessment so that the costs can be distributed over a very large area.

Mr. Bryden: Would the hon. Minister permit a question?

Hon. Mr. Spooner: Yes, sir.

Mr. Bryden: Does the hon. Minister think that the counties can operate efficiently as a form of regional government when the cities are separated from them?

Hon. Mr. Spooner: That is one of the points that I am not going to try to answer tonight, because it is a pretty complicated thing. Of course, we must remember that the cities in many cases are subscribing funds to the suburban roads, and it could very well be that a study of this situation would indicate that the city might be better to come back into the county organizations where it would not have to subscribe to the suburban roads. You see, there are arguments on both sides of the fence, and I am not prepared at the moment to say that one is better than the other.

I was dealing with the matter of assessment. Under either a district assessor or a county assessment commissioner, I think that we are making progress in making a profession of municipal assessments. We have spent a lot of money to rebuild our assessors' course. We have agreed to pay a subsidy of 60 per cent of the cost of tuition to the individual who passes the course. We are going to make some more progress in that field.

I hoped that the municipalities would put up the other 40 per cent. I do not know of any which have so far, but I would hope they would. I think by having assessors or people working in assessment who would be doing only that, that they will have a greater interest in maintaining their position and improving their position. I am quite convinced that with the subsidies that we are paying towards the cost of county and district assessments, that better paying jobs will be available to these people who will make a career of this work.

Mr. Singer: But you have to be brave enough, as brave as the hon. Minister of Education (Mr. Davis), to make them do it instead of just suggesting it.

Hon. Mr. Spooner: That is right. I am not quite as brave as he is.

Mr. Thompson: What about the hon. Minister of Health (Mr. Dymond)?

Hon. Mr. Spooner: It is now 11 o'clock and I am not very brave at 11 o'clock.

However, I wanted to say something about staff training again, because we are into another field also and mention has been made about community planners. Planning people are very hard to get. I thought I was very smart by putting planners out in the branch offices and, just as the hon. member for

Yorkview said has taken place, they were stolen from me by the municipalities. Basically, you see, that is a good thing.

It is a good thing that those particular people have come to The Department of Municipal Affairs and are going to work in a municipality. That is perfectly all right, but it certainly creates havoc with my staff.

Now, here is what we are going to try to do this spring. We are going to bring into the department perhaps five or six young men from grade 12 or grade 13, and we are going to pay them a salary, and we are going to put them through a training course in the community planning branch in the hope that in a year or two we will have not planners, not engineers with a planning specialty at MIT in Boston, for instance, we will have people who will be able to go out in our branch offices and from our head office, who will be able to discuss planning matters knowledgeably with the professional planners, the consultants, and in turn with the municipal people.

I think that in that area, Mr. Chairman, we can make some progress.

Mr. Singer: You are not going to keep them unless you pay them good salaries.

Hon. Mr. Spooner: We are going to pay them, and I have already arranged all that with the civil service people. We are going to pay them a salary that will be a reasonable salary, it is not going to be—

Mr. Bryden: Not like the salaries you used to pay?

Hon. Mr. Spooner: I do not know what they used to pay.

Mr. Singer: Not like the salaries you paid your planners who went to the municipalities?

Hon. Mr. Spooner: Just a minute now. I think the planners we had in our branch offices were reasonably well paid, and there has been an adjustment, as you know, in the matter of salaries of all civil servants within the last year or two. I think the salary schedules we have, by and large, are reasonable. I know that the hon. Provincial Treasurer and the civil service commission and the association are always in consultation on these matters.

I think, Mr. Chairman, that I have dealt with a number of these matters. There are many other details that the hon. member for Yorkview, particularly, has mentioned, and I have made notes of those. I hope when I come back next year I will be able to show

a little more progress than has taken place in the last 12 months.

But I want to assure you of my intense desire to make progress in the field of municipal administration in the province, because I think it is most important that local people, through their municipal councils at whatever level, have to realize that we are in a different age, and we have to make progress. They have to accept more and more responsibility at the local level. One of the things that we are trying to do in the department is to provide more responsibility for the local councils in various ways, and as I bring in legislation during this session, I think you will see that I act in the way that I speak. Thank you.

Mr. Singer: Mr. Chairman, three-quarters of the department is under the first vote.

Hon. Mr. Spooner: If you want to go on, we can go on all night on this 1301.

Hon. Mr. Robarts moves that the committee rise and report progress and ask for leave to sit again.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of supply begs to report progress and asks for leave to sit again.

Motion agreed to.

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, tomorrow we will resume the estimates of this department.

Hon. Mr. Robarts moves the adjournment of the House.

Motion agreed to.

The House adjourned at 11.05 o'clock, p.m.



ONTARIO

Legislature of Ontario

DEBATES

OFFICIAL REPORT—DAILY EDITION

Third Session of the Twenty-Seventh Legislature

Wednesday, March 24, 1965

Afternoon Session

Speaker: Honourable Donald H. Morrow

Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

WEDNESDAY, MARCH 24, 1965

The House met at 3 o'clock, p.m.

Prayers.

Mr. Speaker: We are always pleased to have visitors to the Legislature, and today we welcome as guests, students from the following schools: In the west gallery, Deer Park public school, Toronto; and in the east gallery, North collegiate institute, Barrie, Central collegiate institute, Barrie, and Oakville-Trafalgar high school, Oakville.

Petitions.

Presenting reports by committees.

Motions.

Introduction of bills.

Hon. J. Yaremko (Provincial Secretary and Minister of Citizenship): Mr. Speaker, before the orders of the day, I would ask your indulgence and the indulgence of the hon. members of this House, to make a short statement.

The other day, on the occasion of the second reading of Bill No. 30, I made reference to an incident which happened between the Steel Company of Canada and myself, an incident which was duly reported in the newspapers.

In fairness to the vast bulk of that organization and to the present-day Steel Company of Canada, may I say that that incident happened over a quarter of a century ago, in the late 1930s, and that the Steel Company of Canada was an organization of some considerable size even then, with divisions and branches. My relationship with the Steel Company of Canada in the years that followed were of the highest kind. Indeed, if I had not worked the following five summers with the Steel Company of Canada, I would no doubt have been unable to complete law school and Osgoode Hall. My father has completed 34 years of service with the Steel Company of Canada, is retired on pension, and is still unable to understand how the steel company can operate without him, but he is resigned to that.

May I say that the Steel Company of Canada, in the 25 years that has passed, has

proven itself to be one of the outstanding corporations of the country. I would want nothing that I said the other day to be misinterpreted as relating to anything of a recent nature.

Hon. L. P. Cecile (Minister of Public Welfare): Mr. Speaker, before the orders of the day I would like to make an announcement which I am sure will be agreeable to all hon. members of the House.

Commencing April 1, 1965, some important changes in regulations of The Mothers' Allowances Act and The Dependant Fathers' Allowances Act will be effective. For both these allowances, there will be an increase across the board which will average 15 per cent. We have also removed the previous maximum which amounted to \$255 a month, and replaced it by a ceiling of \$300 monthly for any case. Of course, additional benefits continue, such as medical, hospital and dental services, and family allowances.

Another notable feature is that of increased exemptions permitted for earnings from employment. The new regulations allow employment of 120 hours monthly, in place of 24 hours weekly, and the income exemption has been nearly tripled, based, of course, on the size of the family. For example, a woman with three children previously would have obtained an exemption of \$23 monthly. Under the new provisions, she can now earn \$60 a month, without deductions, plus 25 per cent of any amount beyond that sum. This regulation will give more flexibility and encouragement to women who are in a position to accept employment. Where a son or daughter in the household is employed, we have provided for a complete exemption of their income up to \$80 monthly.

Foster mothers' allowances have been increased in this instance from the previous rate of \$30 to a new rate of \$40 monthly.

These amendments, effective from April 1, will involve a review of some 12,000 cases.

I shall also inform the House that the Cabinet has approved, with effect from April 1, an increase in the rate under The Homemakers and Nurses Services Act. The new sharing arrangements provide for homemakers

services at an amount up to \$12 per day, in place of the previous maximum of \$8. The restriction of the homemakers employment to an eight-hour day, has also been removed.

Payment for nurses services has been established at \$4.50 a visit, in place of the previous \$2.50 a call.

The province shares 50 per cent of these expenditures.

Some hon. members: Hear, hear!

Mr. J. B. Trotter (Parkdale): Mr. Speaker, I was wondering if the hon. Minister would permit a question. The question is this: Has he given any thought to giving an allowance to those families who are not on welfare, but whose income is actually less than those who receive welfare?

Hon. Mr. Cecile: Mr. Speaker, the only answer I can give to that is that this matter is being studied. There is nothing definite yet, but it is under study.

Mr. Trotter: Is there any hope of doing something?

Hon. Mr. Cecile: I am afraid that I cannot even give that information to my hon. friend at the present time.

Mr. S. Farquhar (Algoma-Manitoulin): Mr. Speaker, before the orders of the day, I have a question to ask of the hon. Minister of Lands and Forests (Mr. Roberts), notice of which has been given to him.

What steps is the department taking to ensure that all of its conservation officers are officially sworn in under the provision of The Game and Fish Act?

Hon. A. K. Roberts (Minister of Lands and Forests): Mr. Speaker, the question of my hon. friend appears to have arisen from an article appearing in the *Sudbury Star* of yesterday, which infers that conservation officers of the province of Ontario should be sworn in, and that without such oath, they have no authority to administer The Game and Fish Act.

I should like to assure the hon. member that there is no requirement for a conservation officer appointed under The Game and Fish Act of Ontario be sworn in, except such oaths of allegiance and secrecy as are required under The Public Service Act. These oaths are taken by a conservation officer at the time he is first employed by the department. With his appointment as a conservation officer no further oath is required to authorize him to carry out his duties.

Accordingly, the department will not be

taking any action along the lines mentioned by the hon. member. Some department staff who are conservation officers hold office under federal statute, such as fishery officers under The Fisheries Act, or ex-officio game officers under The Migratory Birds Convention Act. In making the appointments under the federal statute, it may be that the federal authority has omitted to arrange for the administering of an oath for due performance of duties, but that has now been remedied.

Mr. Speaker: The member for York South.

Mr. D. C. MacDonald (York South): Mr. Speaker, my question is to the hon. Minister of Transport (Mr. Haskett).

Would the hon. Minister tell the House whether his department makes a practice of selling a carbon copy of passenger motor vehicle permits to private firms; and, if so, for what purpose?

Hon. I. Haskett (Minister of Transport): Mr. Speaker, an arrangement was made more than 30 years ago with *Might's Directories Limited*, whereby a copy of the motor vehicle registration information was made available to it. In return for the information, the company agreed to pay to the department, one cent per registration, and to supply the department with a statistical breakdown of all registration information by counties and cities.

The company was authorized to sell statistical information to the motor vehicle manufacturers relating to new motor vehicle sales, and to others in the automotive trade for advertising purposes. This information is now supplied to *R. L. Polk Limited*, who purchased the motor list part of the business of the original company and, I might add, sir, that every province and every state on the continent, makes similar information available for like use.

Mr. Speaker: Orders of the day.

Clerk of the House: The eighteenth order, House in committee of supply; Mr. W. E. Sandercock in the chair.

ESTIMATES, DEPARTMENT OF MUNICIPAL AFFAIRS

(continued)

On vote 1301:

Mr. F. Young (Yorkview): Mr. Chairman, I am one of those who regretted to hear the proclamation of a certain bill last year, Bill No. 132, which the hon. Minister (Mr. Spooner) discussed last night. I was rather

interested in some of the statements he made at that time, regarding the consent transfer. He said, as I understood him, that the main reason for this transfer of consents from the planning board to the committee of adjustment was so that a public hearing might be held. I find it difficult to understand all the ramifications of what he has said, because fundamentally most lands where land divisions are made are already zoned, and if they are not zoned, then a public hearing must be held in regard to the re-zoning. More than that, one of the big places where suburban areas find the need for this kind of land division is in subdivision plans, where registered lots are already in existence and where blocks may exist zoned for apartment buildings of some other purpose. Then a syndicate wants to buy a certain part of that apartment land, and for purposes of mortgage, the land needs to be divided.

Zoning is not affected. And yet under this kind of a transfer which the hon. Minister has recently announced a public hearing must now be held in the case of single family lots. I may have a house built on two lots, and, if they are registered lots, there is no reason why a public hearing should be held for me to build a house on the other lot. If I am on a very large lot, and the land is now zoned, I get the land division and I build, but my neighbours know that that is land that is zoned properly and upon which I have a right to build.

If there is some restrictive covenant, then, of course, that must be referred to a public hearing. Or if there is any violation of a zoning bylaw, this must go to the committee of adjustment for a public hearing. So for the life of me, I fail to see why it is so important for a public hearing to be held in cases of this kind.

I realize that one of the ideas that may be in the back of the mind of the hon. Minister is that the planning board members might also be committee of adjustment members. In the large municipalities, the time factor makes this a sheer impossibility, and so these two boards must be separated.

But, fundamentally, land separation is a planning process. The planning board and the council lay down certain guide lines for planning. Subdivision plans are outlined and processed. The zoning is laid down at that time. Even there, there is no need for a public hearing.

But now we propose that the committee of adjustment, which has not been in on the planning, which does not know the guide lines unless it is going to take a great deal of time

now to study the background of planning in each municipality; that body is going to be able to plan in very important respects. They are, in many cases, going to be able to frustrate the whole intention of the planning board and council in their ongoing planning schemes.

And so, Mr. Chairman, through you, I would like to ask the hon. Minister why he is so concerned about the matter of public hearings? It seems to me that in this House, having made a fundamental error we should rectify that error; because over this next year there is going to be very great pressure upon the hon. Minister. Delay after delay will occur in this whole matter of consents. Where a consent can now be put through, if there are no problems, in a very short time, consents in the future may take up to six weeks or more. There is going to be a great deal of frustration in development, particularly in the rapidly developing areas of this province.

Perhaps the hon. Minister can give us some answers on this.

Hon. J. W. Spooner (Minister of Municipal Affairs): Well, Mr. Chairman, in reference to the matter discussed by the hon. member for Yorkview I would like to again repeat in part explanations which have been given to this House a year ago in the session of 1964, and again during this session that we are now in. It was during the 1964 session that we passed the amendment to The Planning Act. This amendment was enacted with the proclamation date to be named by the Honourable the Lieutenant-Governor.

The major purpose of this amendment to The Planning Act was to relieve planning boards from the responsibility of dealing with applications for consent to sales, mortgages or long-term leases of lands located within areas of subdivision controls designated under a certain section of the Act—I think it is 26—and to transfer authority for the granting of such consents to the local committees of adjustment, or in certain cases to the Minister. It is our belief that by relieving planning boards of what was essentially an administrative function the planning boards would be enabled to deal more effectively with their primary responsibilities, which are advising their respective municipal councils and other local authorities on what we think are increasingly pressing and complex problems of planning the future development of their communities.

The granting of such consents is in effect the granting of a special exemption from the subdivision control bylaw and should only be

used—and I stress this—should only be used in individual cases to prevent unnecessary hardship to an owner under circumstances where registration of a plan of subdivision is not warranted.

Local committees of adjustment are really local administrative tribunals and I suggest that they appear to be particularly well qualified to handle exemptions of this type, in substantially the same way as these same committees of adjustment have been dealing with applications for exemptions from zoning bylaws.

Unlike planning boards, committees of adjustment already have well developed procedures for notifying affected parties of applications submitted to them, for holding public hearings and for the handling of appeals from their decisions to the Ontario municipal board. On the whole, the record of committees of adjustment in dealing with zoning matters is very good and I am confident that they will despatch their new responsibilities effectively and conscientiously.

Now, in addition to putting planning boards into a better position to perform their principal duties, the coming into force of the amendments to which I have referred will correct two defects in the existing arrangements for granting these consents. The first of these concerns the power of the consent-granting authority to impose conditions when granting a consent. Experience has shown that the division of a single parcel of land by consent is in every way as effective a subdivision of the original parcel as the registration of a plan of subdivision. In order to safeguard the interests of the municipality and its ratepayers, there should be the same power to impose reasonable and proper conditions of approval, dependent upon the circumstances in each case and subject to the same rights of appeal.

However, Mr. Chairman, the growing practice of imposing such conditions has raised serious legal problems resulting in a series of cases in the courts, culminating in an important decision of the court of appeal delivered on February 3, 1964, which seriously questioned the legality of the imposition of certain conditions, including in particular the imposition of a condition which required the demand of a sum of money to the municipality.

Now, the second defect in the existing procedure was that only the applicant for a consent to a severance was given a right of appeal from a decision of the planning board, refusing a consent or imposing conditions of approval to which objection was taken. As a result, there was a serious danger that the

whole purpose of establishing areas of subdivision control might be defeated by the unwise exercise of the power to consent to individual severances. It was becoming more and more apparent that there were many situations where another interested party, perhaps a neighbour or even the municipal corporation itself, might want a consent decision to be reviewed on appeal by a higher authority, similar to the present appeal to the Ontario municipal board from decisions of the committee of adjustment on zoning matters.

Let me assure you, Mr. Chairman, and assure this House, that these 1964 amendments to which we now refer were not brought into force immediately because it was realized that the municipalities and their planning boards and committees of adjustment would require ample time to adjust their organization to the new procedure, as well as to complete their consideration of pending applications. Moreover, it was decided that the local municipalities and their officials might well require further time to obtain a thorough understanding of the purpose and intent of the legislation, and in many cases might desire to reorganize existing committees of adjustment or to appoint new committees where none existed. During this period, from the session of 1964 until now, the government has given very careful consideration to the objections which have been submitted from various sources in respect of this legislation. All of these objections had in fact been presented and thoroughly discussed during last year's session of the municipal law committee.

Now I might also say, Mr. Chairman, that during the past year I have also received a considerable number of unsolicited resolutions and submissions approving the new legislation.

Now, many of the objections, I suggest to you, sir, appear to have been the result of a fundamental misunderstanding of the proper functions of planning boards, together with what one might refer to as an inadequate knowledge of the far-reaching effects of the legal decisions to which I have referred and the resulting need for a substantial revision of the existing legislation dealing with this subject.

Last night, sir, I advised the House as to the number of meetings that were being arranged where municipal representatives, committees of adjustment, are and have been invited to attend to discuss with officials of The Department of Municipal Affairs the new procedures. Here is a book which we have published giving all of the pertinent informa-

tion that we think will be of great help to the committees of adjustment. I am sure that hon. members realize that if we find that there are some serious difficulties in dealing with these matters, we will come back to the Legislature and ask for a further amendment if necessary; or, if not, we will amend the regulations and the rules we have now set down.

I think, under these circumstances, sir, that we should be satisfied to leave this legislation as it is and proceed to work with it until we find that it is deficient in some way or other.

Mr. Young: Mr. Chairman, the hon. Minister still has not answered the question which I asked with respect to the need for public hearings in the case of land division—in the case of consent. I can understand his concern that certain areas of land should not be subdivided by consent. Some municipalities, of course, have been doing this to some degree so that the necessity of having official plans placed on that land might be circumvented. This has saved time and energy, and all the rest, and I think, by and large, it has been a good thing. I can see, with this legislation, that very small pieces of land which used to be divided by consent will now have to have subdivision plans on them. Perhaps that may be a good thing in the eyes of the hon. Minister. I think it will slow down the process of development tremendously; because, when we see pieces of land with three or four lots having to have subdivision plans, then of course the slowing-down process becomes extreme and absurd.

As far as conditions are concerned, this body has, within its power, to allow planning boards—as well as the committees of adjustment—to impose conditions. So I think a red herring is being dragged across the trail in this regard; there is no reason why the same result cannot be achieved by leaving this where it has been—in the hands of the planning boards. I suppose the hon. Minister has made up his mind that this is going through, but I feel that it should not go through without a very strong protest in this House, a protest which has already been made by many municipal bodies in this province since the proclamation of the Act.

Hon. Mr. Spooner: Mr. Chairman, in answer to that, I think that you will have to accept my request that we give this a chance. Already we have had one conference in Ottawa; I think it was held a week or so ago; there were some 60 or 70 people present, with officials of the department. They discussed all these rules and regulations—and

there are many different types of applications for severance—and I assure you that my staff people will attempt, if at all possible, to make these requirements as simple as possible so that there will be no undue delays. But I think that we have to realize that it is good business for municipal administration to be out in the open; then nobody can say that anybody is getting anything.

Mr. Young: They are out in the open at present.

Hon. Mr. Spooner: Well, that is all right. I am telling you that we recommend that severances be dealt with, and we want them dealt with, out in the open where we think it is desirable that they should be. All those who may have an interest in the particular severance—the municipality, the planning board, and so on and so on—will have an opportunity to be heard and to appeal. There will be none of this business of severances taking place and then no one finding out anything about it for some years later. That has happened in the past, as my hon. friend knows.

Mr. V. M. Singer (Downsview): Mr. Chairman, I have listened to the hon. Minister's reasons on this, not only today and yesterday when he introduced his estimates, but a year ago when the bill came in. I have listened to the arguments advanced by the hon. member for Yorkview and the arguments put forward by many municipal bodies, many officials in municipal administration, and the only conclusion I can come up with is that there are changes going to take place because the hon. Minister says they are going to take place.

Hon. Mr. Spooner: Because I have been advised it is good legislation.

Mr. Singer: I listened very carefully to what the hon. Minister said, and his reasons just run around in a great big circle. Now he reads to us a statement—I will bet he delivered a statement almost identical to the one he delivered at the Park Plaza hotel about a year ago. It would not surprise me if it was exactly the same one. His views have not changed at all since that time.

An hon. member: What was he doing there?

Mr. Singer: There was a conference of planners, I think, at the time.

Hon. Mr. Spooner: No, it is not the same statement, I can assure you of that.

Mr. Singer: I would suspect that might be the very same statement he made at that time.

Hon. Mr. Spooner: Let me allay your suspicions and guarantee you that it is not the same statement.

Mr. Singer: Well, it may be a different statement, but it says exactly the same thing. And he made the same point; he made the point about the court's decision. Now he knows, as well as anyone else knows, that if the court decision says there is a municipal practice that is not allowed by the statutes, then this Legislature has the power, if it so desires, to change what the legislative Act says and allow the practice of imposing conditions to be valid and legal and authorized. A very simple amendment to The Planning Act would have allowed this.

The second point about notice: I do not know about notice being given in all municipalities; but I know how notice is given in some municipalities and I know that it is a very elaborate procedure. I wondered for a long time why the hon. Minister had not written into the Act—and it is not there, either in The Planning Act or in The Municipal Act—that when there are hearings dealing with zoning matters, notice is compulsory. There are rules the municipal board has worked out where notice is required to be given, and where a hearing takes place before the municipal board; and there is an argument that there was no notice. I know the municipal board pays very close attention to it, so that any alert municipality, any municipality that is concerned with the affairs of its ratepayers, will establish careful procedures about giving notice to those people who are likely to be affected.

If the hon. Minister is concerned about notice, surely he could say, in The Planning Act or in The Municipal Act or in both Acts, that notice must be given when hearings of this type take place. But the substantial objection, and the hon. Minister has not answered this before, about taking this away from planning boards and giving it to committees of adjustment, is that where there are planning boards, in larger municipalities, they have staffs to advise them. They have planners to advise them. They have experts to advise them. Committees of adjustment are separate and apart and, by and large, do not have staffs; and, by and large, they do not give advice. They will have to get them. Now he is going to revolutionize the whole thing so that municipalities which both have committees of adjustment—busy municipalities, expanding ones—are going to have

to have extra planning staff to advise the committee of adjustment, as well as the planning staff to advise the planning board.

You are separating the planning concept into two jurisdictions; and the committee of adjustment, by going contrary to the planning concepts established by the planning board and endorsed by the local council, can completely defeat and destroy what those planning concepts are, by granting these consents quite separate and apart from what is going on in the rest of the municipality.

There is one large municipality in this province before whose committee of adjustment I appeared on one occasion. The chairman of the committee of adjustment is a very able man; his only staff—it is one of the largest municipalities in this province—is a secretary who gives him mimeographed copies of the applications. There is no planning advice made available to him at all; he feels that any application before the committee of adjustment that takes any longer than five minutes is a thoroughgoing waste of time. His object is to get his hearings over as quickly as he can, and I have heard many complaints that the people who apply for these consent applications do not get a proper hearing; nor do the objectors. This is the sort of procedure the hon. Minister is inviting, because the chairman of this committee of adjustment, a very able man, a very fine man, just has neither the patience, nor the time, nor the planning knowledge, nor the planning curiosity, to fit the thinking of the municipal planners into the planning concept in this particular committee of adjustment.

This is what the hon. Minister wants to encourage further and I ask him why? It is obvious that he has his heels dug in and no amount of argument is going to change him at this point, but the question that must be given is: Why the upsetting of procedure which seems to be working in most of the big municipalities, at least in this province? Why is the hon. Minister disturbing a procedure which the mayors and reeves group believe is a proper procedure and which the executive of the Ontario municipal association believes is a proper procedure? What is he trying to prove?

Mr. Chairman, this just does not make any commonsense to me at all, and I wonder why the hon. Minister would not pay a little more attention to some of the myriad of objections he has received. It may work in some municipalities. It may work better in some small municipalities where there are no planning staffs; but if that is what he is aiming at then why does he not make it optional and allow

those municipalities, where it might work better, to adopt it if they feel that it will work in a better way? This surely would be a reasonable compromise.

But I am afraid, Mr. Chairman, that we have argued this point for a long time, and argued it very fruitlessly because the hon. Minister is not going to listen to the argument. For what they are worth, I think the arguments form a valuable part of the record, because I am satisfied that, if planning procedures go on, there is going to arise, as a result of this action, a great conflict between certain committees of adjustment and certain planning boards and certain municipal councils. The hon. Minister is now giving power to a body—over which the municipality has no control—to completely upset the whole planning procedure. He does not seem to worry, and he says that he is doing it because notice is not being given.

Now there are ways in which these land divisions can be handled and notice has to be given; there are ways in which conditions can be imposed and made legal. Those excuses are of no moment as far as I can see. I think the facts speak for themselves, and along with the hon. member for Yorkview, I suggest that the hon. Minister and the department are going to rue the day that this portion of the Act is proclaimed.

Mr. K. Bryden (Woodbine): Mr. Chairman, before hon. members proceed further to get into specific matters under these estimates, I would like to raise a general question of a technical nature, with regard to—

Hon. Mr. Spooner: May I interrupt the hon. member? Is he discussing this matter of severances?

Mr. Bryden: No, another subject.

Hon. Mr. Spooner: Well, if the hon. member does not mind, I think we have to realize that there is no intention, and this will not have the effect of upsetting the planning functions in the municipalities. The committee of adjustment cannot upset or destroy the planning concept, if appeal provision is open to the planning agency and to the council, and to interested parties.

In many cases, the planning board has not had the time to develop the planning concept, and there are many of these cases of severances which will be referred to our office—they say referred to the Minister, which, of course, means referring it to community planning staffs—and so I think that the procedure will work. We have paid attention to the objections on which hon. members

place so much importance, and at the same time we have—through our staff meetings and even by consulting outsiders—we think that we have investigated this whole subject very thoroughly. So I ask you as honourable gentlemen, to leave this matter for the present time and let us work it out. We are quite confident that the public are not going to be delayed in any way, or placed in any greater inconvenience, but we think that this will be a programme that will work out satisfactorily in the days ahead.

Mr. R. F. Nixon (Brant): Mr. Chairman, if the hon. member for Woodbine would permit, I have a question for the hon. Minister having to do with the amendment to The Planning Act. As he has explained to the House previously, it was because of the requirements of a municipality in Brant county which has been charging a severance fee for some time, that he deemed it necessary to bring in these amendments. I would hasten to say that this was only one reason for the change, and I would like to go on record as saying that I feel that the difficulty in the township of Brantford might have been alleviated by some means other than this, so that the difficulties that have been expressed so well by the hon. member for Downsview would not have come about.

I would like to ask the hon. Minister specifically why there was such a delay from the time of the enactment of this legislation until his decision to proclaim it more than 15 months later.

I would like to say again that this does not mean that I would favour all of the provisions in the Act. But he should be aware of the fact that in the municipality of the township of Brantford there has not been a severance for many months, and because of the delay in this proclamation, meeting after meeting of the council and the planning board has been held in very acrimonious circumstances. There have been charges and counter-charges, usually with the authority saying we are waiting for word from the department. They have assured us on many occasions that the proclamation is but a few weeks away.

They were led from month to month almost 15 months, without, I submit, the reason ever being given properly to them. I feel that after having gone through those meetings, the reeve and the council and the planning board deserve some official explanations for this lengthy delay.

Hon. Mr. Spooner: I do not think, Mr. Chairman, that there was any promise made to the township of Brantford. I met with them

myself and I advised them that in due course of time—as a matter of fact, on one occasion, several months ago, I told them that I thought that the proclamation would be May 1. I think—is it Mr. Biggar who is the clerk?

Mr. Nixon: That is right.

Hon. Mr. Spooner: He is the gentleman I was speaking to and he was quite satisfied with that date. The reason that we did not proclaim this immediately was because—to be very frank about it—there were quite a number of objections from different parts of the province, promoted by one of the municipal associations, I suggest, in spite of the fact that some of the members of that association were very much opposed to the stand that the association's board of directors took and are in favour of the legislation. So it was necessary for us to develop these procedures, and to make the necessary arrangements to instruct our own staff to begin with, and to arrange to give the municipalities that did not have committees of adjustment, time to name these committees and so on and so forth. These things do not happen just quite like that.

Mr. Nixon: Mr. Chairman, with great respect may I say that on two occasions I was either present or party to a communication between the people in Brantford township and the hon. Minister, and I very well remember this assurance that the proclamation would come before the end of summer, 1964. They planned on that; they let the people who had asked for severances know about the plan of the government in this, but it was not at the end of the summer, 1964, nor even in November, 1964, nor a few weeks following the end of 1964. It was really a very difficult delay for the council of Brantford township. I just felt that these people, having been subjected to a lot of pressure locally, deserve a complete explanation of why this delay was necessary.

Hon. Mr. Spooner: I appreciate that some of these things are unfortunate. Remember that we have a very small staff in our department—we have less than 300 people—and this imposes a great amount of work on the particular branch. I had been told that it was felt that it would be sometime last summer when the proclamation would be issued and unfortunately—I have mentioned before the submissions that were made by certain people that had to be studied—when we get one letter complaining about something, we just cannot drop everything else for that one letter. We receive, on an average, 100 letters a day.

Mr. Nixon: Their objectives were not unreasonable, however.

Hon. Mr. Spooner: I appreciate that; it is unfortunate and I am sorry. It is my fault and I accept the responsibility.

Mr. Nixon: That will make them feel better.

Hon. Mr. Spooner: If that will make them feel good, that is OK with me.

Mr. J. P. Spence (Kent East): Mr. Chairman—

Hon. Mr. Spooner: The hon. member for Woodbine had the floor.

Mr. Bryden: If this is on the same matter, I have no objection to that if this matter is being cleaned up as it relates to severances.

Mr. Spence: Mr. Chairman, under this heading, community planning I would like to say a word or two to the hon. Minister. We have in this province of Ontario many towns and villages in which the debenture debt has reached the saturation point. Some of these towns and villages have no sewage system and, of course, there is what they believe to be a shortage of water. When these towns and villages decide to go into a sewage system, the municipal board of the hon. Minister's department will only approve on account of the debenture debt a third of a sewage system for a town or village. This is something that is of great concern to these towns and villages.

Of course, the medical officer of health is advocating or agitating for sewage systems. And we have, in these towns and villages, subdivisions being set up and, of course, under the department, the planning branch hesitates to approve of a subdivision on account of the lack of sewage systems. I say that when your municipal board approves of only a third of a sewage system, yet it may be perhaps ten years before it ever comes to this new subdivision, this is certainly going to cause stagnation in our many towns and villages across this province of Ontario.

I think the hon. Minister and his government should give more assistance. I am not opposed to sewage systems and I know all the towns and villages are in favour of them; but, they cannot afford them. But when your department disapproves of a whole sewage system because it believes the town or village cannot afford it; then the community planning branch will not even approve of a subdivision because there is not a sewage system in this town, this is going to cause stagnation in these towns and villages in the rural areas.

It is a hardship, and I think there will have to be more assistance given to these towns and villages if they are going to survive.

Mr. Bryden: Mr. Chairman, the matter I have to raise at this moment is of a somewhat different nature, relating to the method of presentation of the estimates.

I raised this matter with the hon. Minister last year and I thought the case I put was so reasonable and sensible that there would be a change in the department's method of presenting the estimates. However, I see that they continue with their same old, bad habits.

If one looks through this estimate book from beginning to end one will find that almost every department, except The Department of Municipal Affairs is out of step. Every department breaks down its estimates into an appropriate number of roles in accordance with some logical procedure. The Department of Municipal Affairs has the entire department in one vote, vote 1301, apart from capital disbursements which are of quite a small amount—that is those which are to be voted are quite a small amount; there are some large ones which are statutory, but we cannot pass on them, anyway.

There is also a separate vote for the Ontario municipal board, but it is not part of The Department of Municipal Affairs, so we find under vote 1301 there is the entire operation of The Department of Municipal Affairs, involving a total expenditure of more than \$55 million. We go back a couple of pages in the book and we find The Department of Lands and Forests with 11 different votes for its ordinary operations apart from capital disbursements, involving a total of \$29 million.

Now, I am aware of the fact that the department, I suppose for informational purposes, shows us a breakdown of its salaries, travelling expenses and maintenance by main office and branches. In the summary page it actually describes that breakdown as an estimated allocation of vote 1301, ordinary expenditures by branches.

I suggested to the hon. Minister last year that this way of doing things actually permits a sort of a hanky-panky that would not be permitted if the estimates were presented in another way. I suggested to the hon. Minister that it would permit him to transfer money from, say, the accounts branch to the law branch. In other words, if he found that he was under in one branch and over in another he could just shift money from one to the other. He could not do this if he had

separate votes because the Treasury board would be down on his neck; in fact, the auditor just would not sign the cheques. If a department goes over on one vote it cannot transfer money from another; it has to go and get a Treasury board order, which is as it should be if we are to have proper financial control.

The hon. Minister last year assured me that is not done within the department, that the department treats each of these separate branches, which are presented to us only for information and not as votes, as if they were separate votes and does not transfer money from one to the other.

Well, I naturally accept the word of the hon. Minister. But then if he does that, why not present them as separate votes? It is certainly possible that hanky-panky of the nature I have just described could go on. The supply bill that will come before this House later, if it follows the pattern of previous supply bills, will say merely that the money voted to the government must be expended in accordance with the votes and items set forth in the estimates.

The only items set forth here are No. 1, salaries; No. 2, travelling expenses; No. 3, maintenance. They cover the entire department, they are not broken down by branches at all.

There are, of course, other items relating to special payments and so on. But all the salaries of the department are in one item. Thus if the department wanted to transfer salaries from one branch to another, I do not think that under The Supply Act the auditor could stop it, and I think he should be able to.

At any rate, apart altogether from the financial control elements involved in this procedure, Mr. Chairman, which I think are important, I would suggest to the hon. Minister that if he presented his estimates as a series of votes more or less organized according to the branches that he has listed here, his estimates could be discussed in a much more orderly fashion than is possible under the way that he now presents them. As it stands, under vote 1301 anything whatever relating to The Department of Municipal Affairs is in order, and that covers quite a lot of ground.

If he would break these down and have vote 1301 as the main office, 1302, shall we say, as community planning, and accounts could probably be combined with the main office and so on; then we could deal with the various subjects, for which the hon. Minister is responsible, in a rational way.

I, frankly, cannot see why the hon. Minister resists such a reasonable suggestion in view of the fact that practically every other department of government accepted this type of procedure long ago. I think the only other estimates we could now complain about are those of The Department of Highways. The Department of Highways and The Department of Municipal Affairs, it seems to me, Mr. Chairman, are the black sheep of the government as far as rational presentation of the estimates is concerned; and rational presentation of the estimates, of course, is an integral part of adequate financial control. I would urge the hon. Minister to consider this matter again and do something about it for the coming year.

Now if the hon. Minister of Municipal Affairs has any comments, I would be glad to hear them, Mr. Chairman.

Hon. Mr. Spooner: I remember the comments of the hon. member in connection with the accounting practices of the department when they were made last year. The matter was given consideration. I remember at the end of 1964 we had a staff of 252 people and I am assured by the accounting branch that to do what the hon. member suggested would probably increase our accounting staff by one person. The Treasury board analysts who are staff people in the department of the hon. Provincial Treasurer (Mr. Allan), analyze all of these estimates before they ever go to the Treasury board for approval. They have been satisfied with the method in which these things are kept.

Now, I will admit that we could very easily try to swerve funds from one of the divisions to another division, providing we stayed within the main office vote of 1301. I agree with you, and we will give this another look this year, if you do not mind, try to improve it.

Mr. Bryden: Well, no other department could effect that type of transfer, and I suggest to the hon. Minister, I am not saying he does it, but I suggest to him that it would be a very bad thing if it were done.

Hon. Mr. Spooner: As a matter of fact there is another thing to bear in mind, and that is we have been going through a period of reorganization during which we have been trying to departmentalize. I think, quite frankly, that there were people who were working, for instance in municipal accounting, who perhaps spent part of their time in accounts branch, or some combinations like that.

Mr. Bryden: That I can understand. I believe you have been reorganizing your department.

Hon. Mr. Spooner: We will give it attention again for next year's estimates, we hope we will be able to—

Mr. Bryden: Mr. Chairman, just one last word on this point. I do not want to belabour it, but it seems to me that it should not take an extra employee simply to put numbers beside the various breakdowns you have presented instead of having them all under one number.

Hon. Mr. Spooner: Well, we will do our best.

Mr. E. Sargent (Grey North): Mr. Chairman, this department is the most important department in our whole jurisdiction in the fact that it controls and affects the lives of 6,000,000 people more closely than any other department in the House. I agree with my hon. colleague that over the years the hon. Minister has a wonderful record as a dedicated Minister, but I am wondering if at this point if the job is not getting too big for him.

Hon. Mr. Spooner: Probably it is.

Mr. Sargent: I congratulate him on the appointment of Mr. Palmer; I think he is a wonderful example. But I think, if he admits he does not have enough staff, that is his fault; and for him to get up in the House and apologize to the hon. member for Brant for things that have happened—as the hon. member for Woodbine says, I agree that this is a very sorry presentation of such a large sum of money. The hon. member for Kent East stated that municipalities had debenture debts reaching almost to the point of insolvency in many cases; we all know this, but this department struggles along. The hon. Minister himself must know that the tax base, insofar as the mess in assessment is concerned, is the base of all our troubles. We have seen many cases in the press, for example the city of Guelph having its tax rate jump to 106 mills. In spite of how much the hon. Minister tells us about the efficiency of his department, there does not seem to be any principle involved—no firm policy on the equalization of assessment.

At this time I would ask you a point—in fact, to bring this to a head, have you any policy on equalized assessment in this province insofar as municipalities are concerned? If they carry out an equalization, will you pay part of the capital cost, will you help them, and will you steer it?

Hon. Mr. Spooner: Are you going to sit down and expect an answer, or are you going to stand up?

Mr. Sargent: I am going to find out if you have a policy which affects the lives of so many people. What is your policy on equalized assessment?

Hon. Mr. Spooner: Mr. Chairman, in answer to the question, I do not think there are very many people around who would be in a position to discuss this kind of a policy. If you want to know something about our policy with respect to improving assessment practices in the province, I would be glad to discuss that with you. Is that what you are asking about?

Mr. Sargent: Well, somebody over there should know what is going on.

Hon. Mr. Spooner: That is for sure. But I want to know what you want to know, so I will not spend all afternoon talking about something in which you have no interest.

Mr. Sargent: Mr. Minister, you must know that municipalities are going out and paying large capital costs to do equalized assessment within their municipalities.

Hon. Mr. Spooner: Oh, that has nothing to do with it. Mr. Chairman, if the hon. gentleman is interested in improving the assessment practices of the municipalities—

Mr. Sargent: No, you should be concerned.

Hon. Mr. Spooner: I can tell what we are prepared to do with that. We are sponsoring, and have for some time sponsored, the appointment of county assessment commissioners so that all assessments of all the municipalities in a particular county, or a group of counties, will be under the control of one assessment commissioner. He will provide himself with proper staff; he will have properly qualified assessors on his payroll; and he will then assess all the properties in the county or counties in an equalized manner. The department is quite prepared to assist financially in the cost of operating the assessment commissioner's office, and in this vote we will get to a point where I will tell you how much we are prepared to grant to assist county and district assessment. As a matter of fact, the figure is \$335,000 for the coming fiscal year.

On top of that, we have spent a considerable amount of money to re-establish the assessor's course, which is given through Queen's University. We have also agreed

that we will pay a subsidy to each assessor who takes the course and who passes the necessary examinations, and that we will refund 60 per cent of the cost of tuition to him. I hope that the municipalities will grant the balance of 40 per cent of the cost of tuition as an inducement to the assessors to take this course and to become more proficient in this work. We hope also, in the training programme which we support, that this will have the effect of bringing more people into the field of assessment as a career. In that way, we are quite confident that this will improve the assessment practices in the province; and it will be a further guarantee to the municipal people, the elected officials, that assessment in the various counties of the province will be equitable. In that way, all real estate will be bearing its fair share of real estate costs.

I think, sir, that is about the best I can give you.

Mr. Sargent: Mr. Minister, you must know that in 1951 we had to carry out an equalization in our city. At that time you knew the need for equalization. In 1963 we had another equalization—the capital cost was \$40,000—and you have known about this problem for a long time. Nothing is going on in municipalities to my mind to alleviate the matter. I just heard from the hon. member for Wellington South (Mr. Worton) that they have cut his taxes by eight mills. The tax rate in Guelph today is 125 mills, and here you say you are running an efficient department.

Hon. Mr. Spooner: What do you want me to do, pick up eight mills?

Mr. Sargent: I think you should be doing something about equalization in assessment, Mr. Minister, because this is widespread all over the province. The programme you have had over the years is not doing the job. I would like to ask you this, Mr. Minister: Are any of your grants now based on a mill value?

Hon. Mr. Spooner: Our grants are based on our equalized assessment; and when you talk about a mill rate of 125 mills it does not mean anything if the assessment is at ten per cent of value. The true mill rates are probably about 70.

Mr. Sargent: So, in building a picture, we have seen that the way you are operating you have no set policy across the province.

Hon. Mr. Spooner: Yes, we have. I have just got through explaining it to you.

Mr. Sargent: Well, if you have a standardization in mill values then everyone would be getting the same return in grants—if you have the grants based on mill basis.

Hon. Mr. Spooner: That is why we do it on an equalized basis—in order to equalize the grants—

Mr. Sargent: What is equalized about 125 mills in the city of Guelph?

Hon. Mr. Spooner: That has nothing to do with it.

Mr. Sargent: Mr. Chairman, this is simply ridiculous. Here is a man who has been a Minister of the department and he says that equalization has nothing to do with the value of a mill.

Hon. Mr. Spooner: That is not what I said at all. I said that the statement the hon. member made about 125 mills in a particular municipality does not mean anything unless, and until, the equalization factor is known.

Mr. Sargent: That is the point I am trying to make.

Hon. Mr. Spooner: The hon. member is having a hard time at it.

Mr. Sargent: If the hon. Minister were running his department properly there would be a standard basis right across the province, not based on 75 per cent of 1941 values, but based on the mill rate.

I hear, from time to time, that a new manual is coming up; that assessors are being trained on a county basis. What about the cities? What is happening in the cities?

Hon. Mr. Spooner: Mr. Chairman, I think I can only answer the hon. member by suggesting to him that he use his influence, in his city and in his county, to have the county adopt the new assessment manual which is based on today's cost, or approximately so. If he does that, he will get a fair and equitable assessment and I am sure that the rate will not be 125.

Mr. Sargent: Mr. Chairman, we had an equalization last year; and we had no more faith in the hon. Minister's manual than he had so we called in the best brains in the assessment field that we could find. We paid them \$40,000 to carry out an equalization that will stand up in court—and that is the most important part of the hon. Minister's job, to carry out an equalization that will stand up in court; and he is not doing it. And do not

let this man kid anyone here; he is not doing his job properly.

Mr. E. W. Sopha (Sudbury): Mr. Chairman, in the period around October 28, 1964, the Cabinet of the province made a tour of north-eastern Ontario—I am now addressing my remarks to item number 10 under vote 1301.

The tour started in Sault Ste. Marie and journeyed eastward, for some reason that will never be known to the minds of men. They skirted the riding of Algoma-Manitoulin; they did not make a stop there at all; and they arrived in Sudbury on October 27, in the evening. And, as Sudbury citizens are accustomed to do, they treated these most powerful men in the province with suitable hospitality and got them to bed early for the arduous day ahead, October 28.

At the time, at the high school public auditorium, they were presented with a number of briefs representing the views of various groups and associations of pluralistic bodies of Sudbury and the region, the most important of which was a brief presented by the city of Sudbury. The only dramatic event to occur during the ceremonies was that the hon. Minister of Labour (Mr. Rowntree) lost his temper with the vice-president of the union—they have not quite forgotten that yet and it will be dealt with at some other time.

Hon. H. L. Rowntree (Minister of Labour): What? I have never heard of such a thing in my life.

Mr. D. C. MacDonald (York South): Can the hon. Minister not remember that date?

Hon. Mr. Rowntree: I can remember the day, but I do not intend to be taken in by any misstatement by the hon. member for Sudbury, great orator though he may be.

Mr. Sopha: Item 10, of course, deals with the subject to which I have addressed many comments over the years, at least once annually. That has to do with the payments in lieu of assessments made to mining municipalities. Mining municipalities, hon. members will know, comprise some number approaching 60—there are either 56 or 58 or 59 municipalities in this province, not all of them in northern Ontario.

These payments to dormitory municipalities—and there I introduce a new term: A dormitory municipality such as Sudbury is a municipality which houses the workers and provides the work force, created by the large industrial installations, with services, schools, police and fire protection, water, sewers, and everything else a municipality needs. This

type of municipality is denied the facility to tax the mining installations for these, by reason of the fact that those installations are beyond its municipal boundaries. This has given rise to many acute problems for a long period of time.

The whole history could not be treated in a single speech without boring the hon. members of this House beyond all their sources of strength and endurance to listen, but some years ago—1957 or 1958, or perhaps a little before—when Leo Landreville was the mayor of Sudbury; he, being a very energetic man of great ability, who had been persuaded to offer himself as the chief magistrate of Sudbury, took the initiative to see whether something could be done to solve this problem and relieve the city of having to rely upon the beneficence and the charity of this government. This beneficence and charity will never get them past the “pearly gates” in themselves, they will have to look to some other merit.

Of course, to do away with the necessity of having to grow bigger to get assistance, in which position they—an invidious position, I might say—had found themselves, to that end, Mr. Landreville persuaded the council to make an approach to the Ontario municipal board. A delegation of the council and other interested citizens, as well as delegates from other municipalities, journeyed to Toronto. I recall that I was part of that delegation, being then, as I am now, solicitor for the town of Coniston. On that occasion, one which I will call the first visit, representations were made to all the senior Cabinet Ministers. I recall that the dairyman from Dunnville, who at that time was Minister of Highways, was seen, as well as the Minister of Municipal Affairs, who at that time was W. K. Warrender. These representations were based upon a plea for information from the department as to what would happen if the city successfully advanced an application for amalgamation with or annexation of the main neighbouring municipalities before the Ontario municipal board.

Somewhere along the line—the history has never been too clear as to exactly what happened—I have the impression that some representations were made to Mr. Landreville to the effect that if an application for annexation and amalgamation were pursued before the Ontario municipal board—and Mr. Lorne Cumming at that time was chairman of that board—if they were pursued, every comfort and assistance would be given by the government in order to bring about an end result whereby the financial problems of the city

and their dependence upon the mines—their payments to mining municipalities—might be at an end.

I say that that is an impression I have always been under. So, accordingly, after—I have abridged this a good deal because Mr. Landreville and his council made further representations to the government; then, in the fullness of time, as the Laird of Lindsay used to say, the application was launched. I believe that was in the year 1958 and the hearings lasted over a period of ten months; I was present at all of those hearings, acting for the town of Coniston. The application for amalgamation and annexation, and I do not use those words as terms of art, would have brought into being a municipality which would have comprised all of the townships of Neelon and Garson—which are townships to the north and east of the city of Sudbury—all of the township of McKim, which was the host township, so to speak, of the city of Sudbury, surrounding it on all sides, the town of Copper Cliff to the west which, of course, is the location of the huge industrial installations of the International Nickel Company, as well as the township of Falconbridge which is the host municipality to the installations of Falconbridge Nickel Company. And indeed, as far away as is the town of Coniston, it also was the subject of the application.

The whole point was, I think it fair to say, that had the Landreville scheme succeeded, and had there been brought into creation a municipality comprising all of these municipalities, then all of the large industrial installations—mining installations—would have been located in one giant municipality. However, after ten months of hearing, and after further periods of delay while the municipal board considered its decision—to adopt the phrase I used the other day—“the best-laid schemes o’ mice and men gang aft a-gley.” When the decision of the board was handed down—and I might say at this point that I was interested to see that Mr. Lorne Cumming was no longer chairman of the municipal board; he had been replaced by Mr. J. A. Kennedy.

At the time of the hearings—and the decision was that of Mr. J. A. Kennedy—the city of Sudbury, it was decreed, would comprise all of the township of McKim and the west half of the township of Neelon. That brought into being a more-or-less square municipality which measures, in area, some 54 square miles. But, much to the dismay of the applicants and the city of Sudbury, the city fathers, Copper Cliff on the west was left out, and the large industrial installations of International Nickel Company, as well as the

township of Falconbridge to the north east with Falconbridge's works was left out, and the town of Coniston was left out. Not as a result of my efforts, but after ten months Sudbury really did not have much avidity for including Coniston, it was too far away. Coniston is some ten to eleven miles to the east on Highway 17.

Then, having said that, the result really means that here was a new creation of a municipality which really only aggravated the problems that had existed before. The city now got a much larger area, and accordingly a much greater complex responsibility, but it got in the new area no new large industrial assessment. That is to say that the plants and smelters and concentrators, and the mines belonging to the two giant mining corporations were left out of the new city.

Nobody knows the reasons for the decision of the Ontario municipal board. I say, and I think I say fairly on looking back on it and having read those reasons, I could have taken with very little effort all the premises that the board—and I mean no disrespect to them—I could have taken all their premises in their decision and using those premises I could have come to exactly the opposite decision that they came to, and included Copper Cliff and the township of Falconbridge.

But in historical perspective, we must not forget that the history of mining in northern Ontario has been the history of powerful mining corporations surrounding themselves with the cocoon—I think that is a very apt word—the cocoon of a company town. They locate their plants, their concentrators, refineries, smelters, and then they have over the years built a company town, so to speak, around those. And so it is in our area, as well as in other areas.

You might describe Copper Cliff as a company town. You would certainly describe Levack to be such; Lively, also, and Falconbridge, I would think, would fit the description of "company town." The mining companies have used this device of municipal organization so as to relieve them of the inconvenience, the irritation and the annoyance of being bothered in their affairs—in their industrial affairs—by the machinations of municipal councils who have different personnel from year to year. More importantly, they have used this device, I think it fair to say, to delay the day when they must accept their responsibilities to pay municipal taxation, municipal taxation to support that work force that the companies themselves create.

Almost everybody came to Sudbury by

reason of the genesis of the exploitation of the large reserves of ore that abound in the Sudbury basin, with the possible exception of the CPR. The CPR was there before the ores were found, as early as the 1880s, perhaps 1882 or 1883. Then the mineral was found, and since that time the city has grown into a gigantic industrial complex and, indeed, in the field of base metal mining, the largest in the world.

This problem that I have outlined, and I hope I have outlined it succinctly enough, has been the bane of the citizens of Sudbury and city councillors and city fathers for a generation now. They have, to sum it all up, they have tried every reasonable effort, they have done everything reasonable to attempt to come to some solution of the problem that emanates from the high cost of municipal services. The high cost of running local government, the high cost that must be borne by individual ratepayers where there is not an industrial base upon which to levy taxation.

The hiatus of the efforts made by the city fathers reached their apex on October 28, 1964, when they presented a very thoughtful, a very well written brief, to the Cabinet of this province on the occasion I have mentioned. I am going to make substantial reference to that brief, because I cannot in my own words outline the difficulties and the problems any better than the authors—there were several authors, I think there were about five—did in this brief.

It is interesting to note that the estimates for this year do not reflect any positive action on the city of Sudbury's brief. They do not reflect the crystallization of any conclusion that the Cabinet has come to with respect to the representations. Indeed, we cannot probe within the Cabinet council chamber to determine what discussion has taken place on the brief, and to my knowledge neither the city of Sudbury nor any of its elected or, indeed, appointed officials have been vouchsafed any decision by this hon. Minister or anyone else in the Cabinet that has emanated from that brief.

It is sad to note that the estimates this year under item 10, \$5,697,500, are a reduction in the amount that this Legislature has been accustomed to vote in aid of mining municipalities. In 1961-62, in 1962-63, in 1963-64, the Legislature was asked to vote the sum of \$5.75 million as aid to mining municipalities.

There was quite a dramatic change in 1964-65. There was cause for great optimism insofar as the Legislature was asked to vote the sum of \$6,350,500. It represented, of

course, an increase of some \$600,000. One would have hoped, and really I must confess—although it is no confession to me, it is merely a statement of fact—that when the estimates were published in the blue book, immediately upon the receipt of it, I opened to this page to see what the vote for mining municipalities would be. I hoped there would be an increase so as to encourage one to believe that the Cabinet had considered thoughtfully the plea the city of Sudbury made last October, and that we might expect some long sought after relief. However, that hope was dashed, shattered, when I realized that the vote had been reduced, reduced by not a significant amount—I belong to the Macaulay school of mathematics, which means that I cannot count—but I think it is something like \$52,500 less than last year. I could stand to be corrected. No, \$52,500 less than the three years 1961 to the end of 1964, and \$700,000 less than the vote in 1964-65. Then, as I say, we do not know what the Cabinet has done, we have not got any explanation from the hon. Minister as yet, and once again I must approach this problem. In occupying the seat that I do in this Legislature, there is no greater responsibility that is incumbent upon me than to indicate to the people of Sudbury that I am aware of this problem, and that I do not hesitate to make the hon. Minister of Municipal Affairs reasonably and moderately and fairly aware, as well as the hon. Treasurer of the province that—he looks up from the newspaper he is reading to indicate that he has an awareness—

Mr. J. H. White (London South): It is the same with the hon. member's leader (Mr. Thompson).

Mr. Sopha:—of the anxieties of the people of Sudbury and their hope that they will not for many years be the objects of charity. Really that is what it is. When you look at it and you boil it down and you take away all the external leaves of the head of cabbage, or you take away all the exterior shoots of the celery stock, and you look at it under the microscope of scrutiny, it is charity that they are being asked to accept from the benevolent government by way of a handout for taxation, for a handout in replacement of taxation that other municipalities have as a source of financing local government.

At this point I want to make reference to the formula under which this grant is paid, item 10 of vote 1301. I say this just in order to underline the significance of what I am trying to say. I am willing to offer a prize of \$100—I do not know whether that is within

the rules of the House, but I am willing—when I read the formula, I am willing to offer a prize of \$100 to any hon. member who can get up and tell me what the formula says, other than the hon. Minister of Municipal Affairs or the hon. Provincial Treasurer. Anyone else.

Mr. Singer: The hon. Minister is smiling.

Mr. Sopha: Yes. Now, here is the formula under which it is paid and that is regulation 31 of The Assessment Act, the revised regulation, 1960, and which has been amended in the years 1961 and 1963. First, one needs to start with a definition of a mining employee. A mining employee means any person who is in receipt of or entitled to any salary, wages or other direct compensation for services or labour performed in Ontario at the locations excepted from assessment under subsection 5 of section 35 of the Act and who is:

1. Resident in a mining municipality at the time of the making of the last assessment of the mining municipality; or
2. Resident outside a mining municipality and employed at a mine or mineral work in a mining municipality on the first day of October in any year.

Hon. members will appreciate the significance of No. 2. It refers to the large group of workers who live within the city, make available to themselves all the municipal services and work in Copper Cliff, in Falconbridge, in Coniston, in Garson, in Levack, in Lively, in Creighton, and several other places outside the confines of the city.

Then one must consider the definition of municipal mines assessment, which is an integral part of the formula that I am going to come to eventually.

Municipal mines assessment means 50 per cent of the total of:

1. \$1,800 for each mining employee shown in the register of the preceding year as working and residing in the municipality.
2. \$900 for each mining employee working in, and residing outside, the municipality on the first day of October, in the preceding year as determined under section 20.
3. Mines profits as calculated under section 3 of The Mining Tax Act and set out by the mine assessor in the notice of assessment referred to in section 11 of The Mining Tax Act.

I am not going to read the rest of that, but I just want to tell hon. members of the House that No. 3, mines profits as calculated, to

abridge it under The Mining Tax Act is a fiction. That is a complete and pure fiction. There is no such thing. There is no such calculation made, and has never been made with any degree of technical accuracy.

This mines profit is based upon the amount of ore—to put it very generally—it is based upon the amount of ore at the mine head, the amount of ore that is hoisted. If you ever had a look at the number of mines in the Sudbury area, then this assessor would need a staff of about 200 to calculate the amount of ore that is lifted daily out of the ground and put into the concentrator.

So this is, by agreement, a fictional figure arrived at to satisfy the requirements of section 3. Interestingly enough, when they passed the statute, when this Legislature passed the statute, the people who promoted that statute were not so dumb. I do not know if they have become dumber or smarter, but they were not so dumb at that time because they put secrecy restrictions on the mines assessor which were at least equal to the secrecy surrounding his work, which were at least the equal of anything that Kosygin or his buddy have in the Soviet Union.

Mr. Singer: Even better than the Cabinet.

Mr. Sopha: Yes, even better than Cabinet secrecy. This fellow cannot give you any information at all about what he does. If you want to look at the statute some time you will see enshrined in the statute that secrecy in regard to the information that surrounds his calculations or the amount paid of mines profit. Nobody knows, nobody really knows, other than the hon. Provincial Treasurer and perhaps the hon. Minister of Municipal Affairs and a few others, what amount any specific mine in Ontario pays by way of mines profits tax.

Then you see this point, in calculating what is called municipal mines assessment, there are three items. There is the assessment of \$1,800—just to review them—for each mining employee shown in the register of the preceding year as working and residing in the municipality; then there is the \$900 for each mining employee working and residing outside the municipality; then there is the mines profit.

All right. Now we get to the formula, and here is the computation of the payment:

1. In each year the Minister shall make a payment to each mining municipality being the total of; (a) \$45 for each mining employee shown in the register of the preceding year as resident in, and working outside, the municipality and (b) the amount

in dollars resulting from applying the adjusted mill rate to the municipal mines assessment of the municipality.

2. Where, in determining the amount of the mining payment in any year, the amount of the mines profits has been estimated and the true amount as calculated under section 3 of The Mining Tax Act when known is greater or less than the estimate, the difference shall be respectively subtracted from, or added to, the amount of the mines profits used in computing the mining payment in the following year.

Now, having read that, I am sure every hon. member of the House understands it completely, just how the payment is calculated.

I have always felt that in exercising its true function, carrying out its responsibilities of acting in the name of organized society, if government can do things simply, if it can achieve a measure of equity and justice and fairness between the state and the citizen simply, then it ought to do so. And, really, the complex and the abstract and the incomprehensible ought to be eschewed; it ought to be cast away if it is possible to do it.

Really, I have never been able to accept the efficacy of this formula, and I know the hon. Minister has some certain measure of personal pride in it. I have heard him say, on public occasions, that he had something to do with the authorship of the formula; but really, if he ever accomplishes anything in the history of this province, I do not think his name will be enshrined in the history books for the reason that he had something to do with the genesis of this formula payment to mining municipalities.

Conversely, I felt myself that the first part, the very first part of the formula, is sufficient—that is the part that deals with what we call the payment of \$45 for each mining employee shown on the register as resident in and working out. Really, that individual is the nub of the problem. If you want to focus the spotlight on any one person, it is the miner living in the municipality, being a charge upon the municipality for all of the things he and his family get, and working outside it. In working outside it, he works at industrial installations which are not subject to the payment of municipal tax to support the things given to him, their employee.

He is really a schizophrenic, this person, in a schizophrenic society. We see the schizophrenia which surrounds this individual and our approach to him. For one, he adopts one visage for one purpose; he lives in the

city of Sudbury and is identifiable, therefore, as being the object of the granting of municipal services. Yet, in his earning his daily bread, he takes himself outside the city of Sudbury and goes to work in a huge industrial installation beyond the confines. That industrial installation, in turn, does not have to contribute directly to the supply of services to him.

I thought myself, to achieve justice and equity, to achieve a measure of equilibrium between the government of Ontario and the city of Sudbury, and indeed all of the other 58 mining municipalities, that it would be sufficient to make a few calculations. To calculate the amount of municipal tax that the industry might pay if it were assessable, first calculate the needs of the municipality and then determine what payment would equal the amount that the industry would pay to the municipality in lieu of industrial assessment. This, of course, is all done under that formula now. This is all done under the guise of a payment in lieu of industrial assessment to the municipality. And, having calculated that payment, which I would like to call the just payment, then it could be paid in accordance with this first part of the formula alone. Calculate the amount per head, the amount per miner.

Mr. L. Troy (Nipissing): Like a bounty?

Mr. Sopha: Sort of like a bounty. And if it was found to be—certainly it is not \$45; the \$45 is not adequate—if it were found to be \$75, or if it were found to be \$100, or \$125, then, if the government needed a formula, they could say to the city of Sudbury, “Here is the amount; you tell us the number of miners who live in your municipality and work outside it and here is the amount per head we will pay to you in lieu of industrial assessment.”

I do not really see the necessity of this obtuse, abstruse, complex, incomprehensible formula that is to be found in regulation 31 of The Assessment Act. Let us go back to the definition of municipal mines assessment. Really, what has modern-day reality to do with a fixed assessment of \$1,800? Who lives in anything that is only assessed at \$1,800 nowadays? Very few people in this province who are employed. Certainly very few people who live in the city of Sudbury and work at International Nickel Company, or Falconbridge.

Then, in the second part, it becomes even more absurd: A fixed assessment of \$900 for each mining employee working in and residing outside the municipality. Those, of

course, it will be seen, are nothing more than figures picked out of the air. They are just abstracted out of the air for the purposes of the formula and have no reference to any reality whatsoever. Only a tiny minority of people in the city of Sudbury have an assessment of only \$1,800, or \$900, as the formula depicts.

It is of interest to make reference to that formula; but, having had this essay in this Legislature and at the expense of your time, Mr. Chairman, and the hon. members' time, I cannot say that I am any more informed. I do not pretend to understand the formula any better than when I started off in my journey to make reference to the mining municipalities' payment. So let me turn to something that will be comprehended more readily by the hon. members of this House. Let us turn to that meeting of October 28, 1964, when the city of Sudbury put the cards on the table, laid it on the line—to adopt any of the clichés—before the Cabinet assembled at the high school auditorium.

It is interesting to note—they have never been able to understand this, but I regretted that at the fine luncheon the city tendered to the Cabinet and distinguished visitors, I, as a city member, notwithstanding I was not of the same political flavour as the members of the Cabinet—still I belonged to a respectable and very historic political party—was not vouchsafed the privilege of saying a word of welcome to them, or addressing any words to mark the significance of the occasion; not that there were many speeches made, but they allowed me to break bread with them and drink water and tea, nothing stronger than that.

There were two interests being advanced, which I would like to relate. They took the occasion to pin a medal on the city clerk. Well, that is not quite accurate; the hon. Minister of Municipal Affairs did not pin a medal on him, he gave him a set of cufflinks with a cross-eyed olive on them—it could become some sort of hallmark of achievement in this province. This was done in the name of the excellent job the city clerk had done in organizing the meeting of these distinguished personages. Then another item of interest was that the hon. Prime Minister of this province (Mr. Robarts) must pay some attention to this business of “George Washington slept here,” and “General Brock slept here,” and so on, because in his brief remarks he promised the owner of the hotel that they would put up a memorial plaque to the effect that the Cabinet had met in his hotel. I have not been around to see if that plaque has been ensconced on the building

yet. That will do something to increase his business or drive it away, I am not sure which. But he, himself, the owner of the hotel, is a well-known supporter of this government and indeed a member of the Hagey commission on Medicare.

Hon. Mr. Rowntree: It is a successful hotel operation.

Mr. Sopha: The vice-president of the union has never forgotten his brush with the hon. Minister of Labour, and is still talking about it. Of course, my hon. friend from York South should speak on behalf of that vice-president of the union, because that union largely supports him.

Mr. MacDonald: He likely can speak for himself.

Mr. Sopha: However, I would like to read the news story first in reference to this brief. Under the heading, there is a picture of the Cabinet, as you can see there, seated at the table. They are not all there. I forget which ones were absent, and it is just as well that I do.

Mr. Bryden: You cannot tell the difference between those present and absent.

Mr. Sopha: Well, there were about 20 of them. They are not all there, but I think the main ones are there.

Hon. Mr. Spooner: Who are the main ones, in your estimation?

Mr. Sopha: This hon. Minister, the hon. Provincial Treasurer, the hon. Minister of Mines, and the hon. Minister of Labour right up front. However, the heading over the news story goes as follows: "Sudbury's financial problem presented to visiting Ontario Cabinet Ministers."

It begins:

The city of Sudbury this afternoon was to make the official presentation of its brief to the Ontario Cabinet calling attention of the government to the fact the city faces a financial problem "more serious than that of any other city in Ontario."

The brief was publicly read at the meeting of the Cabinet at Sudbury high school auditorium by Mayor Joe Fabbro, Controller Louis Desmarais, chairman of the special committee preparing the brief, city solicitor James Lunney, city engineer T. L. Hennessy and J. R. Meakes, past president of Sudbury and district chamber of commerce.

And I might interpolate today that J. R. Meakes is also the publisher of this news-

paper, and this newspaper—Mr. Meakes would not think ill of me in saying—that this newspaper has consistently, throughout its history supported the policies and the perpetuation of this government and has supported the Conservative Party and I think this newspaper—a very fine newspaper—is I think one of the last newspapers in Canada to continue to support John Diefenbaker, which shows its dedication to the Conservative cause.

Mr. MacDonald: That is a matter of opinion.

Mr. Sopha: My friend from York South very aptly says that is a matter of opinion.

Each reader took a section of the 15-page brief for reading. Mayor Fabbro introduced the brief and read the summing-up at the end. Controller Desmarais read those parts of the brief dealing with its purpose.

I might say, in regard to Controller Desmarais, that he is a very outstanding citizen of our community whom, regretfully, we are going to lose very shortly. He has accepted a business arrangement with a firm of chartered accountants in Montreal and is going to remove his residence from our city to Montreal. He has been, during the past two years or year-and-a-half, the deputy mayor of our city, a very energetic and a very dedicated citizen. He has also, I might add, been a member of the Ontario water resources commission. The participation of a man of Mr. Desmarais' calibre demonstrates the quality of the intelligence that went into the preparation of this brief.

City engineer Hennessy dealt with the topography of the city, and existing soil conditions and population density.

T. L. Hennessy is a man who is widely renowned, even beyond the bounds of this province, in the field of municipal engineering. Indeed, when they formed the society of municipal engineers, T. L. Hennessy was its first president. He is a man who, ever since his graduation from the school of engineering, has been employed by the city of Sudbury, a decade or more. The man is very intimately aware of the peculiar problems with which this community has to deal.

Let me make it clear, Mr. Chairman, that I do not in any way apologize for using the time on the floor of this House to talk about Sudbury problems; because Sudbury, within the economic framework of this province, is a very important community—and not only in the terms of what meets the eye when one goes to Sudbury and sees the industrial installations, but in terms of the contribution to

the economy of this province, and indeed this nation.

To put it one way, for every man who is employed in moiling in the ground for the ore there, and engaged in its refinement and its concentration, there are perhaps eight, nine, a dozen, or 15 Canadians employed elsewhere to supply him with the tools of his trade. I have heard every factor of up to fifteen jobs created for every miner who works underground in the industry. After all, let us not forget that over 70 per cent of the nickel of the free world is, and has been for a generation or more, supplied from the Sudbury basin—rather from Canada. I should not lose sight of the fact that there is a large installation in Thompson, Manitoba.

To continue:

Solicitor Lunney read the part of the brief dealing with the legal aspects of amalgamation, while Meakes covered the sections dealing with public buildings, schools, fire and police, roads, library, parks and recreation.

The brief, the text of which is—

Mr. Troy: Jails!

Mr. Sopha: No, jails in northern Ontario are paid for entirely by the province.

The brief, the text of which is reprinted on pages 8 and 9, is the culmination of more than a year's work. While few statistics appear in the 15 pages, a mountain of data was gathered before the brief was written and is available to substantiate points made in the brief, and to furnish answers to questions the Cabinet may ask after studying the city document.

Last year's council, under Mayor Bill Ellis recognized the city's serious financial plight. In May, 1963, Con. Jack Hawkins proposed to council that a special small committee should be set up to seek help from the province for the city's many amalgamation problems.

I can report to this House that the activities of that committee were watched with great interest by the citizens of the city of Sudbury. That committee was a small committee of council and it included some people who were not members of council. If that committee had been successful in its approaches—that is the committee which in 1963 made approaches to this hon. Minister and to other hon. members of the government—and successful in its representations, I might not well stand in my place today. In the meantime, literally, had the government given a sympathetic ear to that committee and given

significant relief to our city under this item, then the Conservative candidate might well have been elected in 1963 and I defeated.

I say in all sincerity, in all humility, that I would be prepared to make that sacrifice. I would rather see our city—it is like Wolfe after he had conquered Quebec, and I make that comparison with humility—he said: "I would rather have written Gray's 'Elegy' than have taken Quebec."

I would rather that our city get justice from this government by a significant increase in the mining payments than represent that city in this House. I have had this view ever since I was elected in 1959, because one of the reasons that I defeated Monaghan, who was here only one term—I look over to those benches and I see Conservatives, I look at the hon. member for Perth (Mr. Edwards) and he has been here since 1945, and the man beside him, the hon. member for York East (Mr. Beckett) has been here since 1945 or 1948, and the hon. member for Humber (Mr. W. B. Lewis) has been here a long time. But Monaghan was here only one term and he did not get into trouble in anything he did in this House. After Welland Gemmell died and the seat was vacant for a year, Monaghan was elected in 1955 and he sat until 1959. And then—the seat had not been represented by a Liberal since James Cooper was defeated in 1943—I managed to beat Monaghan. And one of the reasons that I beat him was my sense of injustice in this mining payment.

Mr. Troy: Leave, if you do not wish to hear him.

Mr. Sopha: Yes, you can go back to Chatham and look after your hardware business. We are talking about mining payment grants, and I say this in all sincerity that this problem is so current and so much discussed and the citizens are so aware of it, that it means the difference in elections in our community. As John Wintermeyer used to say, "That is the simple truth of it."

In 1963, when the election campaign was on, this committee that I speak of, the committee of council, was making representations to the government. In fact, it was thought that during the election campaign some announcements might be made, but like all committees that preceded it, that committee got the cold shoulder from the government.

I saw some of the correspondence. It was shown to me, and passed back and forth. I say to the hon. Minister that in regard to that correspondence, he might have learned in the number of years that he has been a Minister of the Crown, that he should learn

to write his own letters to important people. He should write his own letters, and he should not hesitate to write his signature, "J. Wilfrid Spooner" on them; do not let the underlings, the paid help, the civil servants write—

Hon. Mr. Spooner: I would like to know to which correspondence the hon. member is referring.

Mr. Sopha: I saw correspondence in reference to the representations made by what I call the 63 committees.

Hon. Mr. Spooner: I do not know anything about it. Send me a copy of it.

Mr. Sopha: All right. Now, Mayor Ellis—I am still reading from the news report:

Mayor Ellis appointed councillor Hawkins and alderman Neil Birney to act with the mayor on the special committee. Together, with city engineer Hennessy and clerk-comptroller P. H. Murphy, the special committee prepared a brief stating the city's case.

Later that summer, a small city delegation headed by Mayor Ellis met with Premier John Robarts on the city's dilemma. While the hearing was sympathetic, there were no promises of immediate relief from the provincial government.

I interject here. Anybody who has been connected with city government could sum up that phrase by saying, "That is the story of my life." As regards that quote, "no promises of immediate relief from the provincial government," there never has been any relief to the pleas of the city of Sudbury. Now it goes on:

About the same time, the mining municipalities of northern Ontario, including Sudbury, presented a brief to The Department of Municipal Affairs requesting that amendments be made in the distribution of mining revenue taxes among the mining municipalities. If the province accepted the major amendments, it would mean substantial additional income to the city from the payments.

However, The Department of Municipal Affairs promised only that the brief would be closely studied. Since then some of the amendments proposed in the brief have been accepted by the government, but no substantial change has been made in the mining revenue payments to municipalities.

When the new council took office at the beginning of this year, one of the first steps taken by Mayor Joe Fabbro was to appoint

a special committee to investigate the city's financial position, and to prepare a brief for presentation to the provincial Cabinet.

I interpolate to say that the head of that committee was Controller Desmarais who, my friend, the hon. member for Downsview will recall, has been the repository of confidence of this government in looking into the affairs of municipalities in various parts of the province. So not only did the mayor have confidence in Controller Desmarais—

Hon. A. Grossman (Minister of Reform Institutions): What was the name?

Mr. Sopha: The hon. Minister of Reform Institutions should take the critical look off his face, because what I said is true.

Hon. Mr. Grossman: What is the man's name?

Mr. Sopha: Desmarais. D-E-S-M-A-R-A-I-S. As I was saying, not only did the mayor have confidence in him, but this government has confidence in him. He is a chartered accountant, highly skilled and very well trained, especially in municipal affairs, and it seems to me that his firm of chartered accountants are the auditors for several municipalities in the district of Sudbury, and perhaps some within the district of Nipissing.

It goes on:

Heading this committee was counsellor Louis Desmarais, and the final committee consisted of six members of council, a representative of the labour movement in the city and five prominent city business men. Included on the committee are controllers Grace Hartman, James Cormack and Neil Birney; aldermen Bob Keir, Jack Raftis and Vic Whalen; J. R. Meakes; W. C. Jarrett; R. E. McMullan, George Turner; Ontario Mancini—

I might say that Ontario Mancini is the regional director for the united steel workers of America, who are the bargaining agent at International Nickel Company, and finally:

—M. A. Yankovich.

who is the local lawyer in Sudbury. I continue:

By June this year, the committee, with the help of city hall staff, had gathered a large portion of the material it needed to see how the city stands financially at present compared with similar municipalities in other parts of the province. Key men of the city staff visited five or six other communities of similar size to make comparative studies on the spot. Under the direction of the city engineer, con-

struction costs were studied and compared with those in the city. The assessment commissioner, Aurele Ricard, made a comparative study of similar homes in three municipalities of comparable size.

It was not sufficient to accept assessment figures supplied by other assessment offices because of the lack of a common level of assessment across the province. Local assessors made on-the-spot assessments of similar homes in each of the three communities selected.

The goal that the committee set itself, in the words of the chairman, was to prove that the city has not benefited by amalgamation, but rather that the city is worse off because of it. The final brief outlines the facts:

That there is a financial problem more serious than faced by any other city in the province.

That the problem arises from a combination of circumstances unique in the province.

That the solution of the problem lies beyond the powers of the people of Sudbury and their local government.

It is expected that the Cabinet will meet with a city delegation at an early date to discuss further the city's problem and its possible solution.

I want to refer to the latter portion I read, to the statement that the considered opinion of these people, including the publisher of this newspaper, that not only has the city not been benefited by amalgamation, but, in fact, is financially worse off. Then I want to return to my earlier assertion, and I want to say that my impression that has never been dispelled is that this government—the government of Leslie Frost when he was leader of this government—that my impression has always been that representations were made to Landreville and the other city fathers along the lines that, “if you proceed with your application for amalgamation and annexation then it will go a long way toward the solution of your problems.” In other words, the city might look forward confidently to a decision of the Ontario municipal board that would involve the bringing into the nucleus of the newly formed municipality some or all of the industrial installations.

But, as I pointed out before, that did not come about. In fact, just to re-emphasize what I said, what did come about was the city got a large area and a greater responsibility, but it got nothing in the way of an expanded or increased industrial assessment. More responsibility, less money.

Then, the brief itself to the Cabinet—I do not know where that brief is now, whether it is gathering cobwebs somewhere. But in this brief the heading is very interesting, Mr. Chairman. The heading is, “1964, A Year of Dilemma.” Then it lists those who wrote this brief, and lists these things by way of summation:

The main factors giving rise to Sudbury's uniquely unenviable financial position include:

1. Its foundation upon the mining industry;
2. Geographical location;
3. Topographical conditions;
4. Soil conditions;
5. Population density;
6. Amalgamation with adjacent areas;
7. Social transition.

Let me just refer to a few of these things in greater detail. Now the writers of the brief deal first with the mining industry and they have this to say:

This is certainly the most important single factor operating to make Sudbury what it is today. Historically, Sudbury had its beginning as a mining town. It was the location of the mines which determined the location of the city. It was the existence of the mining industry that determined the course of its early growth and basic economic structure, as well as permeating and informing every aspect of its social and cultural development. Certain serious consequences flow from this foundation:

(a) The mining industry, to a large extent, creates no rateable assessment. Further, the mining industry does not attract rateable secondary industry which might become a source of industrial assessment. The industrial assessment in Sudbury is only 2.36 per cent of the total assessment.

This problem has always been recognized by the provincial government which has had for many years a well thought out system for the distribution of mining tax revenue to mining municipalities. If, however, mining tax revenues received by the city of Sudbury are converted to assessment, the total industrial assessment of the city of Sudbury would still be only 19.9 per cent of the total. At the very outset, therefore, a clear distinction may be drawn between the city of Sudbury and every other industrial city in Ontario. Sudbury does not have the basic sources of revenue possessed by the other cities. The highly developed system of general provincial legislation for operating and financing municipalities which applies to the cities of this province is inappropriate to meet the needs of the city of Sudbury.

On the other hand, the special provisions which apply to mining municipalities are no longer adequate.

(b) There is no mining municipality in Ontario even remotely comparable to the city of Sudbury, with its population of over 80,000 people and the responsibilities that go with this. It is probably safe to say that no comparable community exists in the whole of Canada. Notwithstanding the many developments and refinements in the system of distributing mining tax revenue over the years, mining tax revenue legislation was designed to meet the needs of mining municipalities. Generally speaking, a mining municipality loses its reason for continuing in existence when the mine upon which it depends closes down. The tremendous mineral resources in and around Sudbury indicate that it will continue to be the centre of a gigantic mining complex for generations to come. This assurance of the continued vitality of the economic foundation of the city is a warrant for the expenditure of larger sums for more permanent and more sophisticated municipal service systems than would be appropriate were the future and continued vitality of the community in doubt.

Just on that score, look at the crystallization of the courageous vision of the citizens of our community, supported by the industrial giants, in establishing the university that we have. Already we have spent some seven or eight million dollars in the first phase of the gathering together of the bricks and mortar for that university. A very visionary project, and it is only the first phase. We are going to spend seven or eight million dollars more, and many of those dollars, it should be pointed out, are dollars supplied by the taxpayers of this province.

Sudbury cannot furnish services of an urban standard with its present financial resources.

Then, under the heading of geographic location as being one of the causes of the problem, they make these observations:

1. The mines, as a source of material, do not attract significant secondary or satellite industry.

How true that is. How desperately true that is. And what economic grief we have had to suffer as a result of that, because small secondary industries coming into the community simply cannot compete with the wage level, the wage rates paid by the two mining giants.

2. There is not, and will not in this generation, be a market to attract industry.

Modern industry seeks proximity to its markets. The Sudbury marketing area has a population of 136,000—far too small to attract anything more than local service industry.

3. Sudbury's location disadvantage is peculiar to itself. Each of the other population centres in Ontario, including those in northern Ontario, has grown because of an advantageous location, e.g., its convenience for shipping, trade and commerce. Sudbury has grown, in spite of its location, with the growth of the local mining industry.

4. Isolated as it is, Sudbury's small available labour pool is, in itself, a deterrent to industrial development.

It is, therefore, clear that there has not been and will not be, in the foreseeable future, an influx of industry that might act as an assessment base in Sudbury.

To which all I can add from my observations is the single word, amen. It just has not occurred since the end of World War II that any other industry of any significant size has been established in the Sudbury area, and very pertinent and germane were the comments made by the authors of this brief that at all times we have a very small labour pool. Those who are fit to work are able to work and our industry demands youthful persons to work at it. As the hon. Minister well knows, coming from the community he does, those who fit that category are working at International Nickel or Falconbridge, or they have sought their means of livelihood in wider fields. They have journeyed afar to make their living, and there just is not—and cannot be by the very nature of the industry carried on—a large labour pool which any industry coming in, a foreign industry locating there, could draw upon.

I pass over the part of the brief that deals with soil conditions, except to say that the community is at one and the same time built on the hardest rock in the world—the pre-Cambrian shield through which the services of water and sewer must be put. Part is also built on quicksand. If you can imagine a more vexing combination than that—but that is exactly the truth.

I am no geologist but my knowledge of my own community informs me that these valleys or arroyos, or whatever you call them, which cut into the pre-Cambrian shield, are host to streams. And those streams, over the ages, have deposited large amounts of alluvium in their beds; and that alluvium has turned into quicksand. Some remarkable engineering and architectural feats have been

carried out in our community, where architects have built buildings on this base. Indeed the federal government building at one of the main intersections in downtown Sudbury is, I am told, an engineering masterpiece in that it is built on pillars which go into the quicksand underneath. These pillars are so constructed that the building actually moves up and down, floating on this bed of quicksand.

I have told the hon. Provincial Treasurer many a time—and you know, if you repeat things long enough, you might finally strike a light of comprehension—that Norfolk county is, all sand, is built on sand. I was down there in earlier years planting tobacco. It is no problem in his county to put in sewers and water, but if he would have in mind the difficulty and the cost per foot of installing the same services in our community through the hardest rock in the world, it gives a picture of the problems the ratepayers of Sudbury have to face.

Then the brief deals with population density and topography. A lot of people have said that the topography of Sudbury is not the most beautiful in the world but it is home; and I must say that home is where the heart is. If you grow up in the Laurentian shield you get accustomed to those rocks, and they look as beautiful as a seascape might look to somebody else. My eyes first met the light of day at Cobalt—and I would be the last to protest that Cobalt is the most beautiful place in the world, probably it is one of the most ugly places—but you get accustomed to looking at the Laurentian shield, and for the rest of your life it is a landscape of great beauty.

In dealing with amalgamation, that portion of the brief was very extensive. I do not propose to read it because I have reviewed it, perhaps from another point of view; and in furnishing some additional facts, I have made sufficient reference to it.

Here is the way they end up and they achieve the heights of majestic prose, I think, in their summation when they say:

Through hardship and difficulty, strong people built this city of the north. They built this city amid its black rocks, in the midst of blight and desolation that were part of the price they had to pay. In creating the greatest base metal mining complex in the world, they have helped to shape the destiny of the province and this nation. Today they want to share more equitably in the benefits of the prosperous society to which they have made such a great contribution and to which they have so much more to give.

Then, in summation, the problem is enunciated in these words:

A combination of disadvantages, complex in their origin and operation, gives rise to Sudbury's difficulties, and this brief will attempt to outline some of the more critical ones. It is possible, however, to state the problem itself in one short sentence: If you live in Sudbury, you will pay 20.7 per cent more taxes than the average for 29 Ontario cities.

Now let me repeat that:

If you live in Sudbury, you will pay 20.7 per cent more taxes than the average for 29 Ontario cities, yet you will receive less in municipal services.

At the outset [say the presenters of this brief] we wish to assure the government that we recognize that every city in Ontario today faces grave financial difficulties. The objective of this brief, therefore, is to establish that, because of certain special difficulties, but particularly because of a unique combination of disadvantages, Sudbury's financial position, examined in depth, compares unfavourably with that of any other city in Ontario.

The information contained herein is a compression of almost a full year of intensive research carried out by many individuals and groups in the community, including the city council, its staff, and the research facilities at its command. The city can make available a mass of supporting evidence, too voluminous for inclusion herein, for every statement of fact in this submission, and for the conclusion that no other city of Ontario poses so acute a financial dilemma.

To which, I add, there is a challenge; there is a throwing down of the gauntlet. They say two things: We are worse off than any other city of 29 in Ontario; and we can support our contention with evidence of the statements of fact we make in this brief.

One has heard along the grapevine that, so far as the comparison to 29 Ontario cities was concerned, and maybe the hon. Minister will dispel this, when the brief got into the hands of his department, in order to confute, to contradict, to bring some argument to bear against the submissions made in this brief that the hon. Minister's staff, perhaps at the direction of the Minister, said: "Mould in Metropolitan Toronto and see how Sudbury stacks up when looked at in the light of Metropolitan Toronto." Indeed, I do not think any of the municipalities that make up Metropolitan Toronto were included in this 29—some little finagling went on in The

Department of Municipal Affairs to change the picture.

My protestation on behalf of my community is that this municipal complex of Metropolitan Toronto is completely unique in the province. This is something entirely different.

Hon. J. Yaremko (Provincial Secretary): You are right in speaking to the hon. member for Grey North.

Mr. Sopha: This metropolitan area really—look, I am not going to be deterred by foolishness—is in itself in the nature of an experiment. It is unreasonable and unfair to compare a community of 80,000, such as we are, to the metropolitan complex system of government. So the statement on the 29 cities selected for the purposes of comparison stands; and, after a year of research, the city of Sudbury is able to say to the Cabinet, as they did say: "If you live in Sudbury, you will pay 20.7 per cent more taxes, and you will receive a good many less services."

Sudbury today, therefore, faces the enormous task of filling needs as quickly as possible with less money than has been available in the past five years. Those projects, of course, are the commonplaces of any municipality: The need for schools, fire and police protection, roads, libraries, parks and recreation.

And in regard to parks and recreation, let me say this. By George, I am going to say it. I have wanted to say it for a long time, and I am going to tell you something. There is so much wealth produced in the Sudbury basin. The amount of wealth produced is so fantastic. Over the years, since nickel was first mined there before World War I, the amount of wealth that has been produced is so fabulous that if one person possessed all that wealth he would be as rich as the mythological Croesus; he would have the Midas touch in him. Thus it must follow, logically and morally, that that community should be one of the most beautiful in the province of Ontario. It should be. It should have parks and recreational facilities. It should have fine highways and it should have everything else that denotes a community of great wealth such as we are.

And yet there are those who come among us, and they say, look at this ugly scar on the landscape. Indeed, I heard the mayor of Sudbury, in welcoming the mayors and reeves, in his words of welcome before the hon. Minister came to insult them as he did, the mayor said to them he apologized for the ugliness of our community.

Why should he ever have to do that? I sat there and listened to an apology for its ugliness.

We have heard about people who have been moved to that community by their firms and employers. Their wives have followed them, and before even contemplating the removal of their young to the community the wife has said to the husband: I will not live here. I will not live here; and she has removed herself back to southern Ontario.

I say that morally that community, producing the wealth that it does, should be one of the most beautiful in the province.

However, I stand here as a man, sir, who wants to do something for northern Ontario. When we come to your estimates this year we are going to find out what you in your tenure as a Minister of the Crown have done for northern Ontario, what you have done.

Hon. G. C. Wardrope (Minister of Mines): I am just listening to hear what you have done in your area.

Mr. Sopha: What you have done? We are going to have a review of your stewardship this year, such as you have never had before.

Hon. Mr. Wardrope: I am going to have to be able to listen and advise you as to what you are not doing for your area.

Mr. Sopha: We are going to have a review of your stewardship when your estimates come. You will not be able to sit in your seat and natter and mutter into your beard. You will have to get up like a man and talk.

Mr. MacDonald: It is only another 25 minutes to 6 o'clock, you should be able to fill it.

Hon. Mr. Wardrope: When the time comes we will advise you what you are not doing for your area.

Mr. Sopha: Yes. Well, if I do, it is my business.

Hon. Mr. Wardrope: That is what you think.

Mr. Sopha: Now, in regard to parks and recreation. It is interesting to note that on expenditures the only table they included in the brief—and I am going to make reference to it—the only table they included was a parks and recreation expenditures comparison. They took the following cities to make the comparison for recreational facilities, and perhaps it is a very apt one because the man who has to engage in the very arduous and physically difficult business of mining ought to expect

as a reward at the end of his day of labour that he have adequate recreational facilities to fill in his free hours.

They took these cities of the province to make a comparison: Brantford, Burlington, Etobicoke, Hamilton, Kitchener, London, Oshawa, Ottawa, Peterborough, Sarnia, Scarborough, Toronto, Toronto township and Kitchener. They set out the population in the first column, and then they set out the capital outlay and determined the per capita outlay on parks and recreation expenditures; and that is the only column to which I would wish to refer.

Brantford, with a population of 55,624, led the way with an expenditure of \$12.04 per capita.

Pardon me, that is not quite correct. Toronto township with 73,000 population had an expenditure of \$12.24 and Brantford was second with \$12.04. They ranged all the way down but the lowest of any one in those that I have recited—including Brantford, Hamilton, Kitchener, Oshawa, London, Peterborough, Sarnia, all the major cities of the province—the very lowest is Sudbury at \$3.78; compared to Brantford \$12.04 and Kitchener with 80,650 population, which almost equals that of Sudbury, \$7.03, and so on.

So that, notwithstanding the unpleasant, the snide and the ill-meant, malicious remarks of the hon. member for York South that I was trying to run out the clock at 20 minutes to the hour—

Mr. Bryden: He said you were capable of doing it.

Mr. Sopha: I see that he has departed from the House having made the remark. He is like a hit-and-run artist, makes it and then he—

Mr. MacDonald: Sir?

Mr. Sopha: Oh, there he is. He is not in his seat.

I do not intend to say anything more on the subject. I would hope that in the fullness of time that we would hear—I hope that I have accomplished this, believe me, it will be an achievement if I have merely accomplished this as a result of the efforts that I have made—the hon. Minister will reply in the House.

Whether the press carries it or not I will report back in the city of Sudbury the answer to the question: What happened to the brief that the city presented to the Cabinet on October 28, 1964? What consideration has

been given to it? What are the intentions of the government in respect to whether it intends to answer the plea for financial assistance to the municipality?

And you may take as read every ancillary question of a corollary nature that appertains to those that I have recited!

Hon. Mr. Spooner: Mr. Chairman, that was a very interesting discourse by the hon. member for Sudbury. I appreciate his remarks in addition to the material contained in the brief of the city of Sudbury which of course was, as he said, presented to the Cabinet last October. I must say it has received a great deal of consideration not only by The Department of Municipal Affairs and myself but by the government generally.

I note that the hon. member for Sudbury has certain impressions. I must say that I know nothing about impressions that he may have gained from his association with the former mayor of Sudbury, now one of the honoured justices in the province, and anything that he has said relating to any conversations between that particular person and the former Prime Minister of this province is a matter that is not of any concern to me nor of which I have any knowledge.

Insofar as the brief of the city of Sudbury is concerned, it is basically correct. What it attempts to prove is, of course, quite correct in that the city of Sudbury, because of its location, is on a pile of rock and a pile of quicksand. Anyone looking at the community today would certainly agree that the CPR should never have landed where it did land in that particular area. It was not the location of the mines that decided the location of the city of Sudbury, it was the CPR.

Now, that being the case, I admit that they have some special problems. We in this department, in our way, try to do something to alleviate those problems.

With all due respect to the former mayor of Sudbury, who had such very close affinity with certain governmental people here to whom the hon. member for Sudbury has referred, I think that in all sincerity and all fairness we should say that it was not the mayor of Sudbury who developed the system of assisting mining municipalities or municipalities where employees of mines resided. It was the members of the northeastern Ontario mining municipalities association, which at that particular time I do not think the city of Sudbury felt inclined to support financially or otherwise.

However, it was in the early 1950s that that group, with which I was associated, developed what is now known as mining

revenue payments. The city of Sudbury has gained some valuable financial assistance through the years. Until amalgamation took place some years ago, the city of Sudbury had no mining operations within its borders. So that when mining revenue payments were instituted it was advantageous to the city. As the hon. member has so ably said and explained, funds were made available on the basis of the residence of the miners, and not necessarily the place where they worked.

I think that in all fairness, we must also collect a few items which appear in the brief of the city of Sudbury, and of which mention has been made by the hon. member. The brief indicates that if you live in Sudbury you will pay 20 per cent more taxes—20.7 was the figure quoted—on the average than 29 other cities. The people who developed this particular percentage were very smart accountants. As a matter of fact, it might be suggested that if there were clients looking for smart accountants they should endeavour to find out who these people were, because this figure was arrived at by equalizing the assessment and computing an average mill rate for these 29 other cities. That is hardly the correct way of doing it, and it is taking advantage of figures when you produce a figure of that kind.

It is also noted that the comparison in respect of taxes levied was for the year 1962. I believe that that is quite all right; but the committee started to work in 1963 and could very well have brought their figures up to 1963. And I think the figures for 1963 or 1964 are perhaps a little more favourable than the figures for 1962.

However, Mr. Chairman, that is a matter for which I do not have the figures at the present time.

When you examine the per capita tax levied in Sudbury, against all cities in Ontario, excluding Toronto, there is not very much difference; but I want to explain that there is a reason why there should be a difference, and there is a reason why Sudbury finds itself in the financial position it is in. If you are only examining figures, you will find that the per capita levy for all cities in Ontario, excluding Toronto, was \$123.14, whereas in Sudbury it is less than that—it is \$100.30, or approximately \$23 less per capita. This means that the per capita levy of Sudbury was 18.55 per cent less than all the cities in Ontario excluding Toronto. That does not mean to say that the taxpayer in Sudbury was not paying enough taxes, because he has other costs incidental to living in that area, as do people in other communities in the north country, and with that I agree.

The hon. member has talked about the industrial assessment in Sudbury. In the brief it is mentioned that it is only 2.36 per cent of the total assessment, and that is correct. But I think that it must be borne in mind that one should not only consider industrial assessment, but also the commercial and business assessment, as being an assessment that produces revenue to the municipality—and does not necessarily involve it in as much cost as is incidental to residential assessment. So, when one examines that, one gets a clearer picture and a clearer delineation of the amount of assessment attributable to residential properties and other properties in the community.

One of the great problems facing Sudbury, and other northern Ontario towns—and I suppose you could say the same thing for other towns in the province of Ontario located on the type of soil on which Sudbury is built—is the rock pile and the quicksand; because here is something we obtained from the Ontario water resources commission as to the cost of excavating and installing sewer lines. In Sudbury, the low cost per foot to supply and install an eight-inch sewer is \$5.22 a foot, but the high is \$32.58. When you go to a municipality like Etobicoke, the low is \$6.10 and the high is \$6.78. A six-inch water main in Sudbury costs them \$4.85 a foot to \$19.32, and in Etobicoke the low is \$5 and the high is \$9.72. So of course they have problems; particularly since the amalgamation and annexation has taken place; the city has done a reasonably good job in trying to provide municipal services to the area which was annexed.

There is not much foresight in hindsight. I would think that, at the time the municipal board passed the order setting up the new municipality, if the municipal officials of those days were not satisfied they had the right of appeal to the Cabinet; but I do not think that such an appeal was entered into. However, that is long past and there is no need to discuss that.

Mr. Sopha: Does the hon. Minister know of any single instance where the Cabinet ever gave any relief in an appeal against the municipal board? Can the hon. Minister think of any single one?

Hon. Mr. Spooner: Well, I have not been there long enough to answer that, but I think there have been cases where rehearings have been ordered—which would be comparable to asking the board to give the subject another examination.

The matter of the brief has been examined by departmental officials. Because of the fact

that the government was concerned with the whole problem of municipal costs and taxes generally, both at the provincial and municipal level, we are awaiting, before taking further action in connection with the brief, the report of the Smith committee on taxation. The committee, at the present time, is examining into this whole relationship of the financial support of the province vis-à-vis its municipalities. I think it would be unfair on my part to go to the city of Sudbury and say, "This is what we will do," or "This is what I would recommend the government should do to assist you." There may very well be a whole new procedure of dividing the tax dollar the hon. Provincial Treasurer gets and which he, this year, is going to split in two and give 47 cents to the municipalities and their boards and commissions and keep 53 cents for provincial endeavours. It may be that that tax dollar is going to have to be divided in a different way.

I want to assure the hon. member for Sudbury that we, and he in turn, can assure the city officials and the city council that we have examined their brief and are holding it in a vacuum at the moment because of the fact that we are awaiting a report which may have a very great effect on the financial support of the municipalities of the province by the provincial government.

Mr. Sopha: Does the hon. Minister recall that the hon. Prime Minister said something at the meeting? I did not get to the meeting at the library, but does the hon. Minister recall—I am asking through you, Mr. Chairman—that the hon. Prime Minister said something to the city fathers to the effect that he would appoint a special committee of Cabinet to study—

Hon. J. P. Robarts (Prime Minister): Mr. Chairman, might I speak to this? I have been asked this on several occasions. Apparently the idea was circulated, in one form or another, that I had said I would appoint a special committee of the Cabinet to deal with this matter. I did not say that. If the inference was taken from my remarks, it was not intended.

The fact is that the brief was received by the entire Cabinet. What I said was, that the brief would be divided and referred to each Minister who was affected by any matter appearing in the brief. This is quite a usual way of handling a brief of that type; you just simply break it up and despatch the portion of it that affects a certain department to that department; then this is brought back together and considered again by the Cabinet as a whole.

On several occasions I have been asked—and apparently the idea did get around that I had said that I would appoint a special Cabinet committee, but that really is not the usual way in which we handle these matters.

Mr. Sopha: I want to say to the hon. Minister of Municipal Affairs that I am going to dub this year of his existence: "The year of suspended animation," because I have heard so many times from his lips that he said that he is waiting for the Smith committee to report on almost everything. It is a strange thing indeed, I must say, when we have had a select committee of this House sitting for three or four years—four years the hon. member for Downsview tells me—dealing with municipal problems; and I think I am correct in saying that the terms of reference of that select committee include the financial aspects of problems of municipalities. Then, in addition to that, you have had this Smith committee. If I did not know one existed, I would think that was a fictitious name, like a fellow registering at a hotel, "John Smith." But that gives rise to the comment—and I think it a fair one—that this is the year of suspended animation. It is used as a crutch and an excuse for everything.

Let us hope that that committee, the Smith committee, reports before the estimates of another year, before another parliamentary session, so that the hon. Minister has ripped out from under him that crutch of saying "Let's wait for the Smith committee." Let us fervently pray that it does a better job than the Hagey commission.

Mr. G. A. Kerr (Halton): Mr. Chairman, I have a brief question of the hon. Minister. There was an article which appeared in the Hamilton newspaper on Monday under the heading, "Copps plans march for equal grants." I would like to read very briefly, if I may:

Hamilton will make a protest march on Queen's Park demanding a fair share of provincial financial help for this area. Mayor Vic Copps today said Hamilton will seek support of Burlington and Wentworth county municipalities in a request for money to help keep local taxes down. The mayor was commenting after Queen's Park announced an additional grant of \$1,788,000 for Metro Toronto to help hold down the civic rate. "We shall overcome," the mayor added.

In Burlington over the weekend, Mayor Owen Mullin offered the same criticism as Mayor Copps.

Mr. Chairman, I realize these statements

were made at the time it was revealed in both municipalities that there may be substantial increases in their mill rates. I was wondering if the hon. Minister could offer some explanation to clear this particular matter up?

Mr. MacDonald: Sounds like a set-up.

Hon. Mr. Spooner: Let me assure the hon. member for York South that it is no set-up.

An hon. member: He imputes bad motives to us quite frequently.

Hon. Mr. Spooner: I think that what the Mayor of Hamilton was referring to was the difference in the unconditional per capita grants that are paid to a city the size of Hamilton, and the same type of grants paid to the metropolitan corporation. Now, if we examine the schedule contained in Bill No. 111, 1964, An Act to amend The Municipal Unconditional Grants Act, we have set out why these grants vary. The purpose of the municipal unconditional grants are to assist each municipality, the taxpayers of which, through municipal taxes, contribute towards the cost of the administration of justice in a county so much per capita; to assist each municipality in the province of Ontario in the provision of welfare and social services, including indigent and unemployment relief, hospitalization and institutional care costs and other services for its inhabitants by way of unconditional grants, another figure per capita.

Then, part 3 of this bill:

In recognition of the larger per capita expenditures that municipalities with larger populations are required to make in the provision of welfare and social services, including indigent and unemployment relief, hospitalization and institutional care costs and other services for their inhabitants, the following per capita payment to municipalities having a population of over 2,000 persons in addition to those set out in part 1 and part 2 by way of unconditional grants so much, \$2.50 per capita in the case of metropolitan municipalities and cities having a population of over 750,000 people.

As far as I can see, the point of difference or the point of argument is that the mayor of Hamilton, who is the mayor of a community with a population of, I think, 275,670 according to our book, is entitled to a grant of a certain amount per capital, and in the case of Metropolitan Toronto the grant is somewhat more. I think that after reading and studying the reason—

Hon. Mr. Robarts: Hamilton is more than some other municipalities.

Hon. Mr. Spooner: Of course, Hamilton's grant is more than some other municipalities that are getting less, and this is one way of distributing these particular funds. That, as far as I can guess, is the argument that the mayor of Hamilton is so strong about.

Mr. Singer: There are a couple of items, and I think perhaps I can dispose of one before it reaches 6 of the clock. There is a second local government study tour being sponsored by the Ontario municipal association, scheduled to take place during the summer of this year. In the literature that is sent out in this regard, there is the advice that approximately 80 persons can be accommodated on this tour. In addition to representation from various municipal bodies, it is anticipated that the representatives of provincial departments concerned with local government will be included. This is the second tour of this type that has been sponsored, and having spoken to representatives of municipal governments who were on the first tour, they found it to be of substantial value.

It is particularly interesting at this time to note the suggestion that there will be certain representatives of departments of the provincial government. I think this is a good thing. These tours are of substantial importance, at least to the members of this Legislature, as well as to the members of local governments. It is very interesting that members of local governments should go and see what is going on in other jurisdictions, and perhaps catch a few new ideas about how to run their municipalities.

But the important place really where these ideas can be carried into action is right here in this chamber, in the form of new legislation. It occurs to me, Mr. Chairman, that this province could well make an investment, a worthwhile investment under item No. 2 in this vote 1301, which is travelling expenses, and send an all-party committee from the Legislature on the tour. I think that there could be great benefit to the people of the province if a representative group of the Legislature were sent on this tour, and I think that the benefits that would accrue to the province would be very substantial in bringing back new ideas that might, in the immediate future, or in the years to come, be translated into good legislation.

I hope that the hon. Minister will seriously take this suggestion under advisement.

It being 6 o'clock, p.m., the House took recess.

No. 57



Legislature of Ontario

Debates

OFFICIAL REPORT—DAILY EDITION

Third Session of the Twenty-Seventh Legislature

Wednesday, March 24, 1965

Evening Session

Speaker: Honourable Donald H. Morrow

Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

WEDNESDAY, MARCH 24, 1965

The House resumed at 8 o'clock, p.m.

ESTIMATES, DEPARTMENT OF MUNICIPAL AFFAIRS

(continued)

On vote 1301:

Hon. J. W. Spooner (Minister of Municipal Affairs): Mr. Chairman, before we tidy up this vote there are a few explanations I would like to give, much as I would appreciate being relieved of the added responsibility.

However, I think the first comment I have to make is in connection with a rather interesting comment which was passed by the hon. member for Downsview (Mr. Singer) when we adjourned at 6 o'clock, and that was in connection with the Ontario municipal association European tour in 1965.

At the moment we have no intention of having departmental representatives participate in this tour this year. We did have someone on the tour two years ago and I would say that we were satisfied with the report which was presented by this member of the staff. But it was felt that we would not want to be sending too many people on tours of this kind from the same department and so we have not made any provision for sending anyone in an official capacity from The Department of Municipal Affairs.

Now, I think that the hon. member for Downsview in his comments made the suggestion that there should be members from the Legislature on this tour, and that may have some value. I have not, of course, had any time to analyze his suggestion. There has been a considerable amount of expense involved in a number of investigations and commissions and select committees and so on, that have been charged to this department in recent years and in the current fiscal year. So I would think that we would like to have a rest from those expenditures, feeling that it might be possible to make better use of the funds in some other way; such as co-operating with municipalities and perhaps members of planning boards and people in that field of

administration on a broader basis than we have been able to do in the past.

However, I welcome the suggestion made by the hon. member and I would say that I will give it consideration. I will also mention it to the hon. Prime Minister (Mr. Robarts) and to the hon. members of the government in due course.

Now, Mr. Chairman, I would like to give some information in connection with a number of items that are listed, beginning with vote 1301 item No. 4, which is commissions and investigations, because this is quite an increase in the allocation of funds this coming fiscal year as against the current year. As a matter of fact the increase in the budget is some \$200,000.

Part of these funds will be used to continue the revision of the assessors course at Queen's university in co-operation with the institute of municipal assessors. We now have underway, as hon. members know, a regional study involving the municipalities in the county of Carleton and the cities of Ottawa and Eastview. This work will be completed this year, and so we have an allocation of funds there for that purpose.

Mr. V. M. Singer (Downsview). How much is that going to cost; is there any projection?

Hon. Mr. Spooner: Well, the allocation of funds for the next fiscal year is \$25,500. We have spent somewhere between \$30,000 and \$40,000 so far, so it will probably go about \$60,000 or \$70,000.

Now, then, we also have in the budget an item of expenditure for the Royal commission on Metropolitan Toronto which is headed by Mr. Goldenberg. That is to be completed this year.

We have nine other projects involving studies of various parts of the province that I think are of great interest to the hon. members of this House. I would like to take the opportunity to mention these briefly so that we will know that The Department of Municipal Affairs is not asleep all the time, it is only the Minister who is asleep some of the time.

I place these before the House in the order of priority which has been established by our department heads. The first one involves Peel county. That is a very important county in the southern part of the province, contiguous to Metropolitan Toronto.

Mr. G. Bukator (Niagara Falls): Who represents that riding?

Hon. Mr. Spooner: Off hand I just do not remember who is the able representative for that riding, but he does such a good job that he never seems to get into any trouble.

However, here is the reason for this regional study and what we intend to do. The changes and proposed changes that have been made to us by representations from municipal people in the county itself, the county council, affecting the other municipalities of the county; the northern area of the county with its different problems to cope with; these at times conflicting elements indicate to us the need for an examination of the possible changes and proposals which have been placed before us from time to time. We hope that our studies would maintain the idea that Peel county council as such would remain as an effective organization for guiding future developments of that county.

Then, of course, there is the pressure exerted by the Metropolitan Toronto area and its expansion which has some effect upon the continued development of Peel county.

The number two area, I have already made mention of it, is the Waterloo area, and this recommendation comes about as a result of proposals which were contained within the Waterloo area report completed by the department, with some modifications based on recommendations which have come to us from some of the municipalities in that area. We want to establish a joint planning area including the county of Waterloo and the cities of Galt, Kitchener and Waterloo. This would be a planning organization that would permit the planning board for this area to make significant recommendations bearing upon area government and administration. We think that is a desirable area to work in.

I have already made mention of the Lakehead area. That is priority number three. The cities of Fort William and Port Arthur have been very interested in this. Now they have received the support of the heads of the three township municipalities surrounding the two cities, and the study would be geared towards resolving some of the municipal relationships in the area. Mention has been made by one of the hon. members that the city of Port Arthur, or Fort William—I do not

remember which—would not go into an agreement with its neighbour to sell water to it unless the neighbour did certain things.

That is only one problem existing in that area, and I think that the study that we wish to undertake here will bring into the open some of these problems and some of the remedies that may be apparent. The study will assist not just the municipal councils but the very residents of these municipalities to supply themselves with more efficient municipal administration. That, and better planning for future growth and development.

The number four in priority is the Niagara peninsula study. In a recent report, Dr. Mayo of the University of Western Ontario, recommended this study to us; the study will be based on his report, and it will include a study of the administration of the two counties of Lincoln and Welland. We hope to obtain information from that which will be a guide to those two counties and to the municipalities in that area of the province.

Number five is the Brantford-Brant county study. This is similar to the Waterloo area. The city of Brantford and Brant county have, during recent months, endorsed the establishment of a planning organization for the municipalities that composes the county and the city of Brantford. There is a growing concern, also, about intermunicipal relationships that could lead to proposals affecting the present boundaries and municipal services provided throughout the city-county area. That is, we think, an important part of the province and we are going to undertake a study there.

Number six is the study projected in the city of Hamilton area. This is an area involving some ten municipalities and there, again, we have the support of a majority of the municipal councils who wish to see themselves, and ourselves, involved in the study proposals and we are going to undertake that this year.

Number seven in priority is the London-Middlesex area. A major annexation by the city of London took place less than four years ago. It appears that, from a planning point of view, the present efforts of the Middlesex planning board have not kept up with the problems of growth and change in the area. In the light of the possibility of further applications for annexation and the implications of the construction of the pipe line from Lake Huron—which is undertaken now by the Ontario water resources commission—it would appear to us that an extensive study of the whole problem of administration in the area of London and its surrounding municipi-

palities is important, and is required at this time.

The number eight study is called "The area of Muskoka." During the last year a number of discussions have been held at the Muskoka district council meeting, and with the executive of the council, about the problems resulting from the absence of area jurisdiction and planning in Muskoka. At the last district council meeting, which was held in November, it was agreed that a committee of municipal representatives should be set up to work with representatives of those provincial departments serving the area, for the purpose of holding a conference on resort area problems in the summer of 1965.

While this conference may both clarify and produce answers to a number of local concerns, there is no doubt that a more detailed examination, a more extensive examination of the problems of growth and change in Muskoka, will be recognized. We think that by holding a conference of these municipal people this summer, some of the problems will become apparent to a greater number. We think that this examination will provide alternative functions to our study in this area, because it is different in its economy, as well as its topography, to other parts of the province.

Number nine in priority is a study in Ontario county. The industrialization of the shoreline municipalities in Ontario county is creating special problems which involve Metropolitan Toronto, the townships surrounding the city of Oshawa, and the towns of Ajax and Whitby. At present there is a regional planning association operating on an ad hoc basis, without legislative status or a large enough budget to maintain an effective planning programme. Here again, as in Peel county, there is a division of land uses: Rural resorts in the north and urban sprawl and concentration in the south. A study anticipating the future of the municipalities involved would complement the present effort to deal with boundary changes and with the extensions of municipal service. Then, Mr. Chairman, there is the possibility that there may be other areas of the province which will require studies of a similar nature.

One of the problems we have, in undertaking these studies, is to get the people to do the job. And I say this to you: If I come back next year and say, "I am sorry, I only got half the job done," let me assure you it will just be because we have not been able to find the people to undertake the work.

I explained to hon. members last night what we are trying to do in the training of

planners in our own department; but, of course, that is not going to produce results immediately, so we have to depend on outsiders who are in this field of community planning, who are working on subdivision plans for developers, and so on and so forth. Of course, we have to be careful to get the services of people who are equipped to undertake work of this kind and, at the same time, people who are not biased in respect to one or other mode of operation, so that we would end up by having the same kind of a report everywhere we went.

However, those are some of the things we are trying to do in the department. I give you that information, Mr. Chairman, so that you will know that we are working at these things as much as we possibly can.

The next item, if I may make a few remarks about it—

Mr. Singer: Mr. Chairman, I think this is a good programme the hon. Minister has announced. It is the sort of thing I tried to get across for some five years, when I was the main critic of this department, and it is the sort of thinking I have tried to convey to some of my colleagues on the select committee. I was going to ask the hon. Minister, but he anticipated the question: Are there people available to do these studies? He has some doubts about this, and I share those doubts, because top men are needed and I do not know how many of them there are in the province who will undertake these nine jobs. And as many as he has listed, I think any of us could list another 20 jobs which deserve equal attention.

There are a couple of points that disturb me about these studies. These studies are most necessary as a starting point; there is no question about it. I am not sure whether the hon. Minister was using "planning" and "administration" as interchangeable words, or as alternate words. These studies are not going to be of any use if they are going to be limited only to planning; because I am certain that by now the hon. Minister agrees, if he did not before, that there is no point in trying to do area planning unless there is area administration. And unless this planning is done on a regional basis, together with regional administration, it just is not going to work.

Then the \$64 question comes: Once these studies are in, is it part of the government policy, is the hon. Minister prepared to say, that in the Peel county area and the portion of Peel county which will be under study, and in the Kitchener-Galt area and the Lakehead area and the Niagara area, is there some

promise that there will be government action, because I think it is equally obvious that the process of reorganization is not going to bubble up from the bottom. If it is going to come at all, it has to come from the top down; it has to come from the government, from The Department of Municipal Affairs.

There can be no better example of this than in Metropolitan Toronto, where for 30 or 40 years they discussed the possibility of municipalities getting together. They discussed the possibility of building or extending Eglinton Avenue; and it was not until the first year of the existence of Metropolitan Toronto, which was imposed by government direction, that Eglinton Avenue was built. The problem there was that it ran through four municipalities; and unless the direction comes from the top down, you are not going to get the sort of area planning or area administration that is going to accomplish these things.

I think it is most important that, along with these, the hon. Minister state—and I think he should state now, since he has embarked upon this, and it is the first time that the hon. Minister of Municipal Affairs, since I have been in the House, has at least outlined a programme that he would like to achieve in the next 12 months along these lines—that he is prepared to say, as part of government policy: "Once these reports are in we will put our departmental people to work with a view to bringing in legislation"—and within the immediate foreseeable future we will have a Kitchener-Galt bill or a Peel county bill, or a Niagara peninsula bill, which will set these things right, presuming that the study leads us in the right direction.

This is a most important piece of the continuing effort; because just another study report to put on the shelf and consider in five or ten years—the same as has been done with the Niagara peninsula—is just a waste of time and money and effort.

A couple of years ago, Mr. Chairman, I spoke at some length upon the planning studies and the various types of studies done in the Niagara peninsula, and I think I enumerated about 15 or 18 of them—and they are around the hon. Minister's office somewhere. If this programme he is outlining is just another series of reports which are going to sit in some pigeon-hole and gather dust over the years, then there is no real point to it. But if the hon. Minister is serious about the effort he is proposing, then I would hope that he would be prepared to say tonight, when these studies come in, that the government will be prepared to take the

necessary legislation to implement them. If that sort of statement came along, I think many people in Ontario would feel happy that at long last, in the field of municipal affairs, we were beginning to move somewhere.

Mr. F. Young (Yorkview): The hon. member for Downsview has raised a very pertinent point here regarding implementation of these studies. I would suggest to the hon. Minister there are some other studies that might be undertaken and these might have some bearing on civic design.

We are coming to the place on this continent and in this province where we are just a bit ashamed of the kind of civic design which we are building into our municipalities; where we get, along our main streets and on our concession roads in our suburbs particularly, the kind of hodge-podge development which has no relationship to any kind of rational development. We have a service station and a hot-dog stand and a store; and while zoning does help a little bit here, it does not do the job that has to be done.

Then added to that the terrible vista of overhead wires which we should have gotten rid of long ago on this continent, just as Europe has been getting rid of them for the last half century. Up and down our streets in our town and cities we see this maze of overhead wires. We ought to be investigating ways and means of getting rid of them. At least we should start now in the newer subdivisions to set up standards so that the wires go underground and the services are buried. This way we can have a better appearing street and a better appearing municipality.

I would hope that the hon. Minister over this next 12 months, if it is not included in his estimates, will think in terms of realistic investigation and study to give real leadership to the municipalities as to how better civic design might be achieved. This is vitally important for the future of this country.

The other thing that I would like to say, or perhaps ask, following up the hon. member for Downsview, is what the hon. Minister is thinking of in terms of training. Now I know there are certain schools at Queen's and to some extent here at the University of Toronto where planners are being trained, where people are being taught in the whole technique of planning and running municipalities. But to what extent is this adequate?

Perhaps the hon. Minister can enlighten us on this, and he might also tell us what plans are underway over the next period of time, the next five years and the next ten

years, to enlarge these facilities in a systematic way so that at the earliest possible moment we can turn out the kind of planners and the kind of civil servants who are needed in this developing age.

Perhaps the hon. Minister could answer these and then I have some further observations I want to make a little later on.

Hon. Mr. Spooner: Mr. Chairman, dealing first with the comments with the hon. member for Downsview, I would say that we are going to proceed with as many of these studies that we can possibly get organized this year. As I announced some time ago, with the retirement of Dr. L. R. Cumming as deputy Minister, I have authority in the form of an order-in-council approving his employment as a full-time consultant and adviser to the Minister generally on matters of policy and to assist the Minister and the government in the development of programmes and policies, whether relating to municipal affairs generally throughout the province or those which may be designed to meet particular situations.

Intensive consideration of reports and recommendations of the Royal commission on Metropolitan Toronto, the Ontario committee on taxation, the Ottawa-Eastview-Carleton county local government review, the select committee on The Municipal Act and related Acts and similar consideration of the recommendations resulting from other special studies and reviews which may be authorized is contemplated.

Now Dr. Cumming is charged with the responsibility of studying these proposals and I want to assure the House, sir, that when we have these matters in our hands we will give them all due consideration.

It sometimes happens, as a matter of fact it may happen many times, that study groups or individuals may and do make recommendations that are not acceptable. I am not going to be bound by accepting any recommendation in a report that I as the responsible Minister of the department and a member of the Cabinet am not prepared to accept. We must have that freedom and liberty of movement.

In connection with the subject matter that the hon. member for Yorkview mentioned, the matter of civic design, I must admit that we are behind other areas or other countries in this matter of the attention that has been given to the design of buildings in this country. Now mind you, it is probably easy to criticize and when we consider the economic circumstances under which many of the towns and communities of our country

were built, perhaps in those days they built as well as they could under the circumstances.

Mr. Young: It is still happening.

Hon. Mr. Spooner: It is still happening, yes. I was getting to that. I have great fear of planning designs that go in straight lines. I like to see a crescent once in a while or some little change in the size of the lot, so that there is some difference from one to another. Unfortunately, some of our builders have built the same kind of a wartime house, street after street of them. We can only hope that as our universities produce architects who are able to influence builders to put a few fancy things into buildings, that those situations will improve in the days ahead. I realize, as everyone else does, that there has been some very irrational development in many parts of the country.

Now of course we go to Europe and find that the people there have a little different outlook on matters involving design of buildings. Instead of tearing down and demolishing buildings as they are doing here in Toronto and many other places, of course, they preserve those buildings. I was in a city hall in a city in Germany some years ago that has been standing for 950 years. And my, are those people ever proud of that building; and it is a beautiful building. It is not a large building, it is probably half the size of this room, but it has served the purpose and is still serving the purpose.

Mr. Singer: That is what we want to look at on this trip.

Hon. Mr. Spooner: That is what you want to look at? Well, I will send you a picture of it and save a lot of money; for this year anyway, if you do not mind.

In connection with this very matter, our community planning branch is continually paying more attention to this question of civic design and the design of subdivision plans. I think if we were to compare the new development or the developments of recent years with those of ten or fifteen years ago, we would find we have shown some originality in the approval of some of these schemes.

In connection with training of civic employees, I do not think we have to restrict it to community planners only. In Canada at the present time I am advised that there are five planning schools. There is Laval, McGill, Toronto, Manitoba and the University of British Columbia. Unfortunately there has not been and there is not as much interest

in that field of education as there should be in this country. These five universities unfortunately are producing only about 50 graduates each year, and that is not enough to meet the demand of the country.

Mr. Singer: They are all graduate schools, are they not?

Hon. Mr. Spooner: I believe so.

Mr. Young: Are there undergraduates?

Hon. Mr. Spooner: I cannot tell the hon. member that, because I was just given a note by one of my staff people here tonight.

What we are going to try to do in the department is to provide a training programme of a year or two years. We are not quite sure how long it will take to produce—not engineers or not people comparable to the graduates of these universities in this field, but people who will have grade 12 or grade 13 and who will come into the office and work in the various parts of the administration of the community planning branch. They will also work in planning board operations in the local municipality in order to get a sort of internship into community planning as we see it and as the municipalities see it. We would hope that in a period of two years, we will be able to give these people sufficient training so that they will understand the planning functions and be able to discuss planning matters with the graduate planner and with architects, with developers, with municipal councillors, with members of planning boards and so on. We think that in that way we will be able to build up our own staff, and that really is the great problem.

Now we have the same problem with—

Mr. Young: May I ask the hon. Minister about the numbers—this was mentioned last night and I think it is a good approach to a problem. The graduates from grade 13 may be at a lower academic level than they should be. But rather than go into college, they might work in here if they come. But how many people will be involved in this kind of training, because there certainly will be a tremendous demand as the hon. Minister knows, over the next few years, particularly if we get regional government over the province.

Hon. Mr. Spooner: This year, the best we can do is to try to bring six or eight into the branch.

Mr. Young: That is in each year?

Hon. Mr. Spooner: We are starting to run a school, and my staff people are highly qualified and all that. But I am not quite sure as to how this will work exactly. They have conducted a lot of studies in that field, they have discussed it with the people in the field of education at varsity and so on, but they are just a little concerned as to how much they can impose upon themselves not to disrupt the whole operation of the department, because the people who are going to do the teaching are the top officials in the community planning branch.

Mr. D. C. MacDonald (York South): I hope the staff of the hon. Minister does not have to go to OCE.

Hon. Mr. Spooner: No, I do not know anything about OCE. What happens down there?

Mr. MacDonald: That is where one learns to teach.

Hon. Mr. Spooner: Oh, I see. Well, I hope not. I think that they will be able to get by with the knowledge they have now.

I have already spoken about what we have tried to do in connection with assisting the training of assessors. We are doing the same with clerks and treasurers through the cooperation of their association and our department finance branch; we are re-examining the course of study that is provided through Queen's University to clerks and treasurers, and we hope to improve it over a period of time.

Now, if I may, Mr. Chairman, go to number five, which is the—

Mr. Singer: Before the hon. Minister leaves that, I just wonder if I can make a few comments. These matriculants—if they call them that now, I do not know, the hon. Minister of Education (Mr. Davis) keeps changing the terms—are they just going to be competent technicians really? They are not going to be much more than that. But it occurs to me that the hon. Minister should sit down with his colleague, the hon. Minister of Education, and try to influence him to direct the department, or his university advisory committee, to study the need, and it is a real need—I do not think they are going to have to study it very long—for graduate planning. The importance of establishing courses—I do not know, I am subject to correction on this and perhaps the deputy could advise the hon. Minister—but I do not think there are any undergraduate planning courses. They are all graduate courses. You have to have your BA first.

Hon. Mr. Spooner: They are all graduate courses.

Mr. Singer: They are all graduate courses, and I would think that the advisory committee on university affairs could well turn their attention to this. There is a great field for bright young people to get into, and we are worried. Where are we sending our young people? What are they going to do?

We need them, and we are going to need them for the foreseeable future. This is more and more important as we go on, and there is nothing that makes it more obvious now than the hon. Minister telling us tonight he would like to do nine studies in the next twelve months, but he is not at all sure that he can find the people to do them. I quite agree with him. I do not think he is going to be able to find the people to do nine studies.

If he can handle three or four of them and handle three or four of them well, it will be quite an achievement. But somewhere along the line I think government has a duty and a responsibility to produce or encourage the universities to set up undergraduate courses to start producing young people who will be the planners of the future. I do not know how many planners could be used immediately, but I would guess it would run into several hundred, if they were available, if there were bright, young, Ontario students coming out of our universities who were properly trained. I do not think any one of them would have difficulty in finding top-notch jobs, top paying jobs, in exciting careers. I would certainly urge the hon. Minister to get after his colleague, the hon. Minister of Education, and see if the advisory committee on university affairs can not do something about this immediately.

Mr. B. Newman (Windsor-Walkerville): Mr. Chairman, the hon. Minister mentioned nine areas of study and I paid particular attention and noticed that he did not mention the Windsor area at all. Is there a reason why not?

Hon. Mr. Spooner: I am sure the hon. member is well aware that this whole question is in the hands of the Ontario municipal board. There was a hearing held recently in connection with matters involving the municipal administration in Windsor, and so I felt it was not necessary to mention Windsor tonight.

Mr. Newman: This is what I wanted to get out of the hon. Minister. Is the hon. Minister prepared at this time to make any recommendations concerning the—

Hon. Mr. Spooner: The Minister does not happen to be a member of the Ontario municipal board.

Mr. Newman: Can we discuss the annexation problem at this time or under the Ontario municipal board?

Hon. Mr. Spooner: I think it had better be discussed under the municipal board.

Mr. Newman: I have another problem to bring up, and that is concerning the grants to mining municipalities.

Hon. Mr. Spooner: If the hon. member does not mind, perhaps I could lead the organization for a while instead of skipping all over the country as we did this afternoon. The hon. member for Yorkview had something that he wished to ask and I would be glad to hear his question.

Mr. Young: Mr. Chairman, in connection with the studies, there is one further matter about which I would like to ask the hon. Minister, and that is what has been going on in the department lately regarding the five per cent land for municipal purposes. As the hon. Minister knows, this is becoming a vexing problem in areas which are now going into the air. Five per cent perhaps was enough for parks and municipal purposes during the days of urban sprawl, when we built the strawberry boxes end on end out into the country. When five per cent land was taken, if it was taken in the proper places, where children could play, it was adequate for the purpose. But today as we are building more and more apartment complexes and people are being more and more constricted into smaller and smaller spaces, then this five per cent land is completely unrealistic because there just is not enough of it.

I know in some municipalities an attempt is being made to get green space between the buildings, and to get a standard which is high enough so that a lot of green space is within the complex of buildings itself. In other municipalities, some of the standards have gone by the boards and in an attempt to get assessment, high density is allowed and the ratio of floor space to ground space goes up and up. In these circumstances it seems to me there is a duty upon the hon. Minister and upon his department to give some real leadership before this problem becomes too vexed and out of hand. The standard which has been adopted is something like 2.5 acres per thousand of population, plus of course added green space for family use. I do not think we need to go into the figures here tonight.

The hon. Minister knows those figures and I think the time is here where in some areas in Ontario we are facing this problem in a desperate measure. As the population increases, as it is increasing and will increase in the days to come, then this problem becomes one which we just have to face.

Has the hon. Minister underway any investigation or any plan by which this problem can be solved?

Hon. Mr. Spooner: Mr. Chairman, this question is not only of the five per cent land, but there are other questions of a similar or relevant nature. For instance, the size of building lots, or dwelling building lots and other matters that are related to this, are under study at the present time and have been for some time. I know that some of the people in my department are having a look at this very situation that you mention because we are well aware of it. There are some complications that arise in providing open space and so on and so forth, when you consider some of the areas that are in need of open space are the older areas of the various municipalities, and we cannot do too much about that.

I am just reminded of the page in my book where this information is given. For instance, we have an item in our budget this year, under "Provision to assist in planning functions"—item 17. So that there again you are away ahead of me. This amount is required for consultants and possible research into a number of things and subjects related to what you have mentioned, including canal subdivisions. I suppose a resident of Metro would hardly know what we are talking about but there are areas of the province where there is proposed development along canals and on parts of marinas and so on.

Mr. Young: Like Florida!

Hon. Mr. Spooner: Yes. We have not got the answers for that, and neither has anyone else.

Another area that is going to be studied is the effect of noise from arterial highways and railways on urban conditions—minimum lot sizes and things of that kind. That is all mentioned in our vote 17, and that work will be undertaken by the staff people with the help of some consultants. I think that gives you some indication that we are not unaware of this situation.

If I may go on to the next item, number 5—"development grants in unorganized territory." You will remember, Mr. Chairman, and hon. members of the House, that as of Janu-

ary 1, 1964, the two municipalities of Kapuskasing and Val Albert were amalgamated, and annexed to what was an area known as Brunetville and another area of unorganized territories. There is in this vote of \$150,000, an item of \$90,000 which is to provide financial assistance to the new municipality. Then there are other items, making up the difference of \$60,000, to cover other areas in the north country which will require some assistance in the way of development grants. There is a community just outside the boundaries of the town of Hearst. There is the town site of Moosonee, where we have spent a considerable amount of money over the last few years—and again this year we have an item in our budget of \$25,000 for improvements. Last year we spent about \$20,000, and the year before about \$22,000, to improve the streets and the drainage in Moosonee. We have an item of \$25,000 in the budget this year.

Then the Timagami area, because of the development of an iron mine near the town of Timagami, is another area where we will perhaps be faced with some studies and development expenditures to meet the problems of this little hamlet in regard to the development of the iron ore property. So we have this item of \$150,000. Last year this was included under number 17—part of it was—so this is a new vote this year.

The grant to the community planning association of Canada, Ontario branch, is the usual grant to that organization, which co-operates and works very closely with us in planning matters. The grants to municipal associations are the usual things: Item 8 is the share of bounty for the destruction of foxes; number 9 is the item relating to the payment to municipalities for properties owned and occupied by the Ontario government offices and, also, payment in lieu of taxes for Crown-owned and tenant-occupied properties. That is paid to a large number of municipalities throughout the province.

The hon. member for Windsor-Walkerville wished to ask a question about payments to mining municipalities. That is item 10, so this is the time.

Mr. Newman: Mr. Chairman, before I ask that question: The hon. Minister went over these various other votes so quickly that I did not have a chance to ask him under investigations, and that was item 4. Is the department undertaking any type of study as to the effects on municipal taxation of the granting of, say, up to a \$2,000 exemption from the assessment to senior citizens?

I notice that the state of Michigan is now

seriously considering helping senior citizens. They are proposing legislation to exempt, from payment of property taxes, the first \$2,500 of assessment on an equalized value. Are there any studies being undertaken by the department here on a problem like this?

Hon. Mr. Spooner: I am pleased to say that this is one of the matters which I have personally studied; not that I was prompted to it by anything being done in Michigan or anywhere else. But it is a very involved situation and, oftentimes, matters of this kind of a subsidy end up by subsidizing the people who are really not in need of a subsidy, so it has some complications. However, I have prepared a report which I am going to file with the government one of these days, and I will have to be guided by the recommendations that I receive from the government in this connection. But it is not a matter about which I am unaware.

Mr. Newman: Thank you, Mr. Minister. In the state of Michigan they plan on doing that on an extremely broad basis; or the studies, rather, are on an extremely broad basis. They would give up to an \$87 average tax exemption to approximately 180,000 homeowners. Be that as it may, we will get to item No. 10, and that is "grants or payments to mining municipalities."

Just outside the city of Windsor we have a town called Ojibway with a total population of six. In looking over the municipal directory I find that it is the smallest town in the province of Ontario. Yet, on the same token, you have a grant to the municipality, a mining grant, of \$40,725.16. With a population of six, if you were to spread that around, it would be approximately \$7,000 apiece. Would the hon. Minister explain how he arrived at a grant of this amount to a mining municipality when the population is only six?

Hon. Mr. Spooner: Actually, we do not arrive at a grant at all. The use of the word "grant" there is really not correct because this amount is based on the profits of the mine, which is a salt mine, located within that municipality.

We must bear in mind that this municipality, as part of the county organization, has to bear its share of county costs; and the county cost would not in any way relate to the cost of municipal services for six people. So that whether—

Mr. L. Troy (Nipissing): Gold toilets!

Hon. Mr. Spooner: Gold dust.

An hon. member: "Goldfinger."

Hon. Mr. Spooner: Oh, "Goldfinger." Well, they say that that car the fellow had in that movie cost \$35,000; there would just be about enough to buy it and put some ammunition in those machine guns.

However, the amount here is the amount certified to us by the mines assessor, who is an employee of The Department of Mines, and it is based on profits of the mining company in that municipality. If you would like, I would be glad to get you the auditor's report, or a copy of it, for the town of Ojibway, to see where the money did go.

Mr. Newman: If you do have it in a publication, I would like you to refer to the publication; if you do not, I would appreciate the report. They have here a mayor, a clerk, an assessment commissioner, an engineer, a roads superintendent—none of the four people lives actually in the town or is among the total population of six. If these people lived in the town you would have only two others.

Another question on this, Mr. Chairman, is that their assessment for 1964 was \$1 million taxable. Now exempt is \$400,000. Is that ratio, one to the other, not high?

Hon. Mr. Spooner: It is very high and I think upon examination we would find that the \$400,000 exempt is probably the mining property. That is not taxable under The Assessment Act but is taxable under The Mining Tax Act.

Mr. Newman: Thank you.

Mr. Singer: Item No. 8 I think was kind of skipped by—that is the bounty on foxes.

Hon. Mr. Spooner: Yes.

Mr. Singer: I saw that one, and a few questions occurred to me. I was very interested that this Minister has \$12,000 to pay as share of bounties for the destruction of foxes. I was wondering why the fox bounties are distributed by this department and the wolf bounties by the hon. Minister of Lands and Forests (Mr. Roberts). It occurred to me that perhaps after great study it has been determined that the foxes live in the municipalities and the wolves live in the forests. I thought there must be some logic in this, but—

Mr. K. Bryden (Woodbine): It represents a difference of approach of the two Ministers.

Mr. Singer: I am sure the hon. Minister will be able to tell us his urban wildlife policy and why he should pick particularly on foxes. Of the \$12,000 in bounties, is this solely a provincial share or is there a municipal share that goes along with it?

Hon. Mr. Spooner: There is a municipal share and the reason that it is paid out of this department is that the—

Mr. Singer: I have just a couple more here.

Hon. Mr. Spooner: Yes, if I may perhaps just give the hon. member the answer to that now. The municipality has to pass a bylaw providing that it will pay at least \$4 on every fox that is turned in to the municipality; and they pay our \$2 and send us a bill at the end of the year. It runs about \$12,000 a year. It is a municipal function.

Mr. Singer: Yes. Then delving into this question a little further, I discovered that in 1963-64 there were some \$10,068 paid to the counties; and Hastings county seemed to rank away up at the top, \$2,420 went to Hastings county. The next highest payment went to Renfrew county, they only got \$890.

I was wondering if the hon. Minister had any idea why there was a great plague of foxes in Hastings county and why they did not have too many of them in Renfrew or some of the other counties.

Actually we would like to know what the hon. Minister's wildlife policy is and how he proceeds along the lines of preparing this particular estimate.

Mr. MacDonald: No personal questions.

Hon. Mr. Spooner: There are probably better hunters in Hastings county than there are in Renfrew county, and I would suggest that there are probably more chickens in Hastings that attract foxes than there are in Renfrew.

Mr. Singer: But what about the wildlife policy?

Hon. Mr. Spooner: That is the extent of my wildlife operations at the present time.

Mr. Bryden: That is the extent to which you talk about it.

Mr. Young: Mr. Chairman, I would like to get away from this wildlife and back to the matter of grants paid to mining municipalities.

After the great outburst of oratory this afternoon on the part of the hon. member for Sudbury (Mr. Sopha), I was reminded of an item in the brief of the united steelworkers to the mining committee last fall. I wish he were here because I would like to remind him of it.

It points out certain facts, purported to be facts at least and likely are facts, that northern Ontario, where most of the prov-

ince's mines are located, is very much like a colony of the south. These were sentiments echoed by the hon. member this afternoon:

Old Cobalters are fond of saying that the wealth that once made Cobalt the world's richest silver mining camp is now in the head office at Bay and King streets or the smart homes of Bayview Avenue. Wherever it is, there is no sign of it in Cobalt.

Like most colonial countries, northern Ontario has been a source of raw material for the mother country. It is characterized by one-industry towns, towns whose main commercial links are not with one another but with Toronto.

Northern Ontario is underdeveloped. We feel it requires the same remedies applied in underdeveloped nations, including economic diversification where possible and at least a bigger share of the wealth it produces.

One of the facts we have to recognize in dealing with the mining communities is that while there is some justification for the policy that has been carried on over many years, part of that justification has disappeared. Certainly the mining industry is not over-taxed today or in any kind of delicate health. The largest part of the industry stands on a firm financial base and the senior companies are expanding their share of the total of exploration activities. And the brief says this:

The mining companies themselves are diversifying both in investments and corporate structure. The tendencies now are towards vertical integration wherever possible and practicable. The vertically integrated company, through ownership or part ownership of areas refining, fabricating, research and sales organizations, at home and overseas, becomes more than a simple mining concern. Typical examples are Preston, Inco, Hollinger and Noranda.

And so companies are able to stabilize their earnings by horizontal expansion, acquiring holdings in other mining concerns which are exploring different minerals. This provides protection against downward price movement for any one metal. Senior companies with expensive and well-organized exploration programmes map out new ore bodies as quickly as they exhaust others. And even more quickly in most cases.

So the old philosophy of the exhaustion of ore reserves and the necessity of handling many of these communities on the old basis no longer exists.

Each year the senior companies become more like manufacturing giants in that they

cease to depend on the depleting resources of a single mine. They have the added advantage of large tax concessions and the fact that their products are basic materials not subject to the whims of fashion or the threat of obsolescence.

With these facts in mind we have to recognize what the hon. member for Sudbury said, that the people who work and who live in the mining community have the right to all the amenities of urban living that we take for granted in other areas. So it is that we ought to look into the situation again and realize that the methods that we have been using may be obsolete and need to be replaced.

What has developed in the mining community is, in fact, a system which limits the obligations and responsibilities of a mine and the provincial government, and therefore places no limitations on the burden that the individual taxpayers may be required to bear, either in the form of high taxes or reduced services.

I know that certain adjustments take place as urban demands increase. We heard this afternoon about the problem in Sudbury. The hon. Minister told us how the installation of water pipes and the installation of sewer pipes cost very much more through the terrain in Sudbury than through the terrain in Etobicoke. But the fact is that the terrain in Etobicoke, while it is much cheaper to dig through, does not contain the valuable metals that the terrain in Sudbury bears.

It seems to be a logical thing that when you push tunnels through the ground in the streets of Sudbury and put in those tunnels certain pipes, that what we take out of the tunnels down into International Nickel should, in effect, help to pay for what we put into those street tunnels—the water pipes and the sewer pipes, and the other services.

So we face the fact that a company like International Nickel, which has been paying clear profits in American funds down in New York—as Gordon Sinclair is so happy to remind us constantly—at \$100 million a year over the last few years—

Mr. MacDonald: It was \$135 million profit after taxes this year!

Mr. Young: It was \$105 million this year?

Mr. MacDonald: It was \$135 million!

Mr. Young: It has been around the \$100 million level for some years and now it is much higher than that.

There is no reason why out of that profit, which comes from the terrain of Sudbury,

far more should not go back into that terrain to instal services and to make life much better for the people who have to dig that metal out of the ground.

Mr. Singer: The hon. member for Sudbury said that for an hour and a half this afternoon.

Mr. Young: He said it, but I am reiterating it. I say it again, and perhaps impress on this government that some changes ought to be taking place.

Now for some years, as the hon. member said this afternoon, there has been an attempt to get some sort of amalgamation. But that amalgamation has been frustrated; I presume by the power of certain interests within that area, interests that are very comfortable at the present time under present circumstances.

We recognize that the metal under the ground in Sudbury and in other mining areas is a provincial asset and some of the income from those mines should certainly go to help pay certain provincial responsibilities. But far more of it should go to help make life more liveable for the people in those areas. Some sort of reorganization seems indicated, so that we bring those municipalities together—the municipalities in which the mines and the smelters and all these works are located, along with the municipalities where the people live—into regional governments.

Again we come back to the problem of setting up rational governments on a regional basis. When that is done, then these great wealth producers in those regional governments should bear their fair share of municipal taxation.

At the present time, through the grants, an attempt is made to achieve something of this nature. But there is no doubt that the whole history of the north shows, all too clearly, that one thing is needed and that is for this department and for this government to bring pressure to bear so that these things can happen.

It is all right for these municipalities to come down and make representations to the government. But behind the scenes powerful interests are able to frustrate the will of the people in those areas, or at least the majority of the people. So it seems to me that it is up to this government to set out the policies, to delineate the kind of regional government that should be set up and the kind of responsibilities that these wealth producers should assume for those people who produce their wealth, as well as for the province at large. Then this government should take steps to see that these plans are implemented

and that they are not frustrated by the interests that are today frustrating them.

Hon. Mr. Spooner: Mr. Chairman, I have given an answer to the hon. member for Sudbury, and if I were to give an answer to the hon. member for Yorkview I would give him the same answer. Let me assure you that I am very much impressed with the representations that both hon. members have made, and with those of the united steelworkers and the city of Sudbury, and all these—

Hon. A. Grossman (Minister of Reform Institutions): And the one the newspaper made as well.

Hon. Mr. Spooner: And the one the newspaper made as well.

Mr. MacDonald: When are you going to be impressed—

Hon. Mr. Spooner: Mr. Chairman, I am dealing with item number 11, if the hon. member does not mind, which is "Payments toward the cost of county and district assessors and assessment commissioners." The amount of \$335,000 in the estimate this year is a considerable increase over the estimate last year to indicate the interest that we have in promoting better assessment practices and better assessors in the province of Ontario. I have increased this budget this year by \$245,000 which is almost four times what it was during the current fiscal year. I recommend this to you, and mention it specifically and especially to indicate that we are really trying to do a job in improving the assessment methods and practices in this province.

The next items are pretty well statutory items, sir—

Mr. Bukator: Mr. Chairman, may I ask a question on item No. 11? I was going through the public accounts, page N-36, 1964, and I find that the amount of \$1,500 is being paid to county assessors to encourage them—

Hon. Mr. Spooner: I have changed all that!

Mr. Bukator: I have 1963 and 1964. This is 1963 here; I am looking at public accounts 1964.

An hon. member: Those are expenditures for 1963.

Mr. Singer: The fiscal year ending March 31, 1964—

Mr. Bukator: I realize that. As a matter of fact I could have read the fiscal year

ending March 31, but the point I am trying to make is that many counties have received \$1,500 for their county assessors, except one; and that is Lincoln county. They picked up \$9,137. I am wondering—

Hon. Mr. Spooner: The difference is between the county assessor and the county assessment commissioner. The county assessment commissioner is in charge of all the assessments for all the municipalities in the county, whereas the assessor is an advisor, Mr. Chairman.

In the case of a county assessor we only pay a grant of \$1,500. We do not think that is very good. We want the assessment under a county assessment commissioner, and there we have three kinds of financial assistance: A share of the salaries, cost of supplies and office equipment; and we also will subsidize the expenditures for the use of data processing equipment.

We think that with the type of data processing equipment which is available today the municipalities in the county should get very good value from using data processing equipment. It could be used not only for purposes of preparing assessment rolls and assessment notices and so on, it could also be used for other municipal purposes such as the preparation of the tax demands and other statistical information which could be made readily available by using data processing equipment. The item has been increased considerably over last year.

Mr. Bukator: I would like to pursue this a bit further. When you have a county assessor, as you put it, is he not supervisor over the assessors in the municipalities in that county?

Hon. Mr. Spooner: He is available for advice to the local assessor.

Mr. Bukator: The assessment commissioner that you speak of in Lincoln county, just what does he do that warrants additional grants that the county assessor does not do?

Hon. Mr. Spooner: He is in charge of all the assessment of all the municipalities in the county. He has one assessment department for all the municipalities in the county. We are trying to promote that in order that the ratepayers get a more equitable assessment and that there will be better trained people in the field of municipal assessment. There will be guaranteed, as it were, career employment. We assist them financially to a greater extent in order to promote assessment in that way.

Mr. Bukator: Is all the administration done from the city out of which this man works instead of the municipalities as they do now? Is this a new departure, too?

Hon. Mr. Spooner: No, the assessment commissioner may have his office anywhere. He could have his office in Toronto. It does not necessarily have to be in the county, although it is desirable that it should be, of course. He has a staff and he is in charge of all the staff of assessors working within that county. He indicates where his staff are to work, which municipality they go to work in next week, or the week after, whatever it is.

Mr. Bukator: I realize that.

Hon. Mr. Spooner: It works very satisfactorily.

Mr. Bukator: It is most interesting, because really I have never heard of this before; so you see I am behind in some areas, too. But is this the only one you have in the province doing this?

Hon. Mr. Spooner: No, there is provision here for nine counties which now have their assessment under a commissioner. Bruce county—may I name them?

Mr. Singer: Do you have nine now?

Hon. Mr. Spooner: Yes; Bruce county, Waterloo, Renfrew, Hastings, Kent, Lincoln, York, Prince Edward, then the district of Cochrane. We have quite a considerable number of counties on the verge of coming into this and you may be interested in the list of these counties: Peterborough, Victoria, Essex, Simcoe, Lambton, Peel, Stormont, Glengarry, district of Kenora, district of Sudbury, Muskoka; and so we have made provision in our budget. The county of Ontario, I understand, is studying it but they have not got to a point where—

An hon. member: It is on the verge.

Hon. Mr. Spooner: It is on the verge, is it? It is that close? Well, we hope that will occur also.

Mr. Singer: The hon. Minister's key phrase is: "What we want is county assessment commissioners."

Hon. Mr. Spooner: That is right and in two years—

Mr. Singer: Why are you not brave enough to take the step and do it, instead of coaxing

it along and perhaps eventually getting a better system? There is no doubt in anybody's mind that it is—

Hon. M. B. Dymond (Minister of Health): You do not understand—

Mr. Singer: Oh, nonsense! How about a little bravery? How about a little initiative? They are coming like the rest of the things are coming, because you drag your feet and dig your heels in and it is awfully hard to make progress.

Interjections by hon. members.

Mr. MacDonald: The hon. Minister of Health is teetering; he has confessed it himself.

Now we are back to assessment, Mr. Chairman, I wonder if I might ask the hon. Minister a question or raise with him a point that rather intrigued me?

In the Sault Ste. Marie *Star* for March 1, when the hon. Minister of Lands and Forests travelled through that area, there is a story from Serpent River indicating—I am quoting:

Reassessment of lands in the area along Highway 17 east, between Walford and Algoma Mills, will begin at once, Hon. A. Kelso Roberts, Minister of Ontario Department of Lands and Forests, said here Saturday night.

And later it says that the areas affected include the communities of Walford, Spanish, Cutler, Serpent River, Spragge, and Algoma Mills, and a particular reference to Elliot Lake. The comment was that the assessment in these areas, in Elliot Lake particularly, was on the basis of a boom economy; now the economy had slipped into a depressed condition, the assessments were too high, and therefore the tax burden was too high.

I was a bit curious, Mr. Chairman, about why the hon. Minister had to go through—particularly the hon. Minister of Lands and Forests—unorganized territory, why he had to go through and make an announcement of reassessing in this way. Would there not be automatic reassessment in an area like this which had become a depressed area, so that levels would be brought down to something closer to real values?

Hon. Mr. Spooner: Mr. Chairman, in answer to the hon. member's question, I think we are dealing with two different authorities. The municipality of Elliot Lake is an incorporated municipality and it has its own assessment department. I know there have been some arguments in connection with the assessment made in 1964 and I

think that those things are being straightened out. Really, it does not matter very much whether you assess property in an individual municipality in terms of dollars and cents or bags of potatoes, as long as it is equitable between one taxpayer and another.

In the case of the areas along Highway 17—you mention Spanish and a number of others, Walford, and so on.

Mr. MacDonald: Spragge, Serpent River, Algoma Mills, Cutler.

Hon. Mr. Spooner: I do not think there is any municipal organization in those hamlets, so The Department of Lands and Forests would be assessing under The Provincial Land Tax Act. There, of course, the assessor, or The Department of Lands and Forests, assesses only once every three years. I think that probably what the hon. Minister had said was brought to his attention was that perhaps some of the assessments made by his department are too high, considering today's values. Then, of course, his territory is all the unorganized territories in Ontario; so my contention as to equity would not apply equally in the case of these hamlets along Highway 17. I think that is the answer to your question, sir.

Mr. Troy: Mr. Chairman, no one has mentioned yet, in the mining areas—the area of Wawa. I think the symbol there is probably a good example of what is happening to our mining towns.

A brief was presented to the mining committee regarding the payment of grants to municipalities. As you very well know, the Algoma Ore Properties Limited are there; and this brief from the municipalities was presented by the reeve of Michipicoten township. Since briefs have been read here, and other documents have been also, I am claiming the privilege of submitting this one:

The corporation of the township of Michipicoten wishes to file a brief protesting the illogical and unfair means by which the government of Ontario obtains its revenue from mining tax in northern Ontario and, returning part of that tax revenue to the municipalities by the way of grants—

First, let me say this brief was presented to the select committee on mining. Again I am not on that committee, but I have this brief:

—is or should be concerned with the economic growth of our province and more particularly the development of northern Ontario. It is common knowledge that northern Ontario is rich in mineral wealth

and resources and that to develop these resources requires capital together with a pioneering spirit and imagination. It would appear that in the community of Wawa we have a prime example of the development of mining communities and the opening up of the mining resources of the north. It is a community of approximately 4,800 people, whose welfare is dependent on the mining and the processing of iron ore. The majority of the people living in Wawa are directly engaged in mining, with the exception of a few supplying the necessary services to maintain the town.

Now Wawa is sustained by the Algoma Ore Properties Limited, a mining company which is a division of one of the great giants of the steel industry of Canada, Algoma Steel Corporation.

This mine has on its property a sinter plant for the processing of iron ore extracted from its mine. This plant, and any properties connected therewith, is non-assessable by the corporation of the township of Michipicoten. Having been in Wawa, there is a railway which runs along, not very far, but it goes to three different mines—or they are considered as three different operations. Instead, the Ontario government, under The Mining Tax Act, claims for its purse the revenue through taxation which legally should be a part of the municipality's assessment.

To illustrate this point, the township received, during the year 1964, mining grants totalling \$130,000. This represents the assessment of approximately \$1.9 million, whereas the assessment should be in the vicinity of \$8 million to \$10 million, which in turn would give an added revenue of between \$560,000 and \$600,000. This point may be further illustrated if we show a comparable set of figures for towns in the immediate vicinity, and the assessment arrived therefrom. And it mentions these towns, shows the population and assessment:

Michipicoten township, 4,800—assessment, \$4,845,000; Marathon, which is farther west, has 2,724—assessment is \$7,713,000; Terrace Bay, 1,946 people—assessment, \$5,716,000; Red Rock, 1,861 persons—its assessment, \$8,130,000; Kapuskasing, its population 11,000—and its assessment, \$15 million; Iroquois Falls, 1,694 people, and \$7,662 assessment.

In all those places that I have mentioned, outside of Michipicoten, the major industry is pulp and paper and the municipalities are able, and have the right, to assess and derive added income from these industries because

they are pulp and paper and not mining industries.

So in conclusion the reeve representing his township points out as a result of these pitiful mining grants from the provincial government, the residents of the township of Michipicoten are faced with an added taxation burden to develop their towns, build their schools and supply adequate services such as streets and roads. "It would seem," said the reeve, "to be more equitable to the municipalities for the government to eliminate the mining tax altogether and permit the municipalities to assess these industries and derive added income."

To supplement this brief, I was talking to one of the superintendents of the Great Lakes Power that services Sault Ste. Marie, who pay a very heavy tax and also for every gallon of water they use—they have four plants along the Montreal River—and for all the water they take out they have to pay at each one of these plants. While I do not think their properties have the assessment that could compare with the mining properties of Algoma Ore, nevertheless they pay a very, very heavy tax.

I repeat, "It would seem to be more equitable to the municipalities for the government to eliminate the mining tax and permit the municipalities to assess these industries and thus derive added income."

Hon. Mr. Spooner: Mr. Chairman, that suggestion was studied years ago and it just has not any application here at all.

Mr. Troy: Has it not?

Hon. Mr. Spooner: Because here is what happens. Now I will take Timmins, an area which I know rather well—

Mr. Troy: You should.

Hon. Mr. Spooner:—and there is a mining operation that has been going on for several years; it is located 18 or 20 miles west of the town. No one lives there; the people who work on that mining property, which is located in unorganized territory, live in the town of Timmins. Now through the system that we have developed of paying mining revenue payments, the town of Timmins is receiving grants for the miners who are working at that particular property.

If you wanted to compare the situation with another municipality comparable in size and amount of assessment with Wawa, I would suggest that probably the town of New Liskeard is about as comparable as any I can think of offhand. It so happens that the

assessment in the town of New Liskeard is just about the same as the assessment in the municipality of Wawa, which is the township of Michipicoten, plus the \$130,000 of mining revenue payments which the municipality gets converted into assessment—a little better than \$6 million assessment. The population is the same within 50 people.

The town of New Liskeard has the same population, the same assessment and it has no mines within a considerable distance. It is surrounded by a very fine agricultural area. The town of New Liskeard ratepayers do not assess the farm lands, that is their local industry; it is not located within the boundaries of their municipality, but if they have miners working in the mines in Cobalt—and Cobalt is going through quite a period of rejuvenation, because of the increase in the price of silver some years ago—the miners living in the community of New Liskeard are entitled to receive mining revenue payments.

The advantage to the system that we now have—and I am not arguing that it is sufficient money because I know that everybody wants to pay less taxes than we pay and we want to get more money from the province or some other tax collector than we want to collect from our own people—I am not saying that the amount of money that we pay per miner and so on in mining revenue payments is the end to end all. I am not saying that at all, I gave an explanation this afternoon of what the government's thinking was in respect to this matter and I think that will have to stand. But this suggestion that the municipalities should assess the mining industry was examined very closely, let me assure you, years ago.

I have been involved with this myself almost for years, and I must say that the system that we have developed through mining revenue payments is the most logical, and the most useful to the municipalities that are providing the municipal services to the men who work in the mines, wherever the mines are located.

Mr. D. A. Paterson (Essex South): Mr. Chairman, I would like to get back to the point of assessors. May I ask the hon. Minister, is there a compulsory retirement age for county commissioners of assessment?

Hon. Mr. Spooner: At the present time there is no compulsory retirement age unless it is governed by the county council, and in many cases municipalities do have pension bylaws and pension plans that require retirement at a certain age. Of course, under the municipal employees' retirement system there

is a retirement age, so I would think that, by and large, you could accept it that there is a compulsory retirement age.

Mr. Paterson: Might I ask under the nine counties that do have a county commissioner; would all be using the new provincial manual on assessment?

Hon. Mr. Spooner: I could not guarantee that at the present time they are all using the new assessment manual, but it certainly is our intention that they shall, in due course of time. Remember when an assessment commissioner begins to work there are other things that must be done, not the figures, but the assessment practices, to bring the assessment practices into a modern and efficient routine; and I think that we have to give these people time to get the office work properly set up and then to do the field work and the reassessment and that may take anywhere from two to five years in almost any county.

Mr. Paterson: Does the hon. Minister have any indication on how the other counties, that are on the verge of coming in, are accepting the new manual? Are various municipalities putting it in?

Hon. Mr. Spooner: No, I cannot tell you that offhand but we certainly want to see that for all assessments in the province eventually, and within the very near future—using a few years as being the very near future—they would be using the new assessment manual and the guide.

Mr. Paterson: Fine!

Mr. J. P. Spence (Kent East): Mr. Chairman, under item 12 of this vote, The Drainage Act, an Act which has done an excellent job in this province. I wonder, Mr. Chairman, could an Indian council on a reservation make use of this Act?

I ask this because in my riding we have the Moravian Indian reservation and I might say a lot of that land is certainly in need of drainage. The other night, quite a few hon. members had a great deal to say about the Indians being the first Canadians. I have been approached many times by different Indians and if they could make use of this Act it would certainly assist them and it would help to supplement their income. I, myself, think that if the Indians could make use of this Act, it would certainly improve conditions on these reservations or on this particular reservation in my area.

Hon. Mr. Spooner: Well, Mr. Chairman, in answer to the hon. member's question regard-

ing the use of The Drainage Act for services in Indian reservations, I presume that what he is talking about is an Indian reservation established as a reservation and not part of a municipality?

Mr. Spence: That is right.

Hon. Mr. Spooner: At the present time, as I understand it—and I do not have a copy of The Drainage Act available but will check it—the grants would not be available. So if the hon. member has some areas where he could get a request that these grants should be made available to Indian bands or Indian councils or reservations, I certainly would be very pleased to give the matter consideration. It has not been brought to my attention before; I was unaware of the situation.

Where other instances have come about, where our legislation did not provide grants for Indian bands let alone Indian reservations, we did something. We amended our legislation to provide that those people would be treated in exactly the same way as any other residents of the province. You may know that there is a bill on the order paper now, an amendment to The Confederation Centennial Act, to correct this situation. So if the hon. member would bring this particular matter to my attention I would be glad to look at it.

Mr. Spence: I appreciate the remarks of the hon. Minister, Mr. Chairman, and I will contact the Indian council and see if it would start action.

Mr. Troy: The hon. Minister some time ago announced that there would be some towns, and a large number of townships including Temagami in a controlled area. I noticed advertisements recently naming the townships. Then again, when the Adams mine was being developed, I understood the miners, those who work there, would have to live in areas already established. Has the department reached any stage of negotiations with the people of Temagami regarding the possibility that it may be able to take advantage of the Dofasco mine or rather the Sherman mine when it is in production? Or are the miners going to New Liskeard, and those other towns which are already established and have the services?

Hon. Mr. Spooner: Well, Mr. Chairman, in answer to that particular question, some time ago, realizing that there was to be a very important mineral development in the Temagami area, it was thought desirable, in order to prevent the building of shack towns in that general area, that the Minister of Municipal

Affairs impose a subdivision control order. That was done, and the order has been advertised as widely as required by the Act.

At the present time, there are several communities, three or four that I could mention, organized municipalities, five perhaps, within commuting distance of this mining property. I refer to the town of Latchford, the town of Cobalt, the township of Coleman, the township of Bucke, the town of Haileybury, the town of New Liskeard, and there are several other townships in that area also.

The tri-towns—Cobalt, Haileybury, New Liskeard—have been established for many years and have many municipal services available. Within the boundaries of those communities, there is available, I am told, land for the building of homes. No doubt a great number of the men who will be working at this new property near Temagami will be residents of that general local area. So I think, at the moment, because of the fact that Temagami is not incorporated, has no municipal services, and until recently showed very little evidence of having any interest in municipal organization, that it is desirable that there should be a subdivision control order on this whole area so that no shack towns will be built.

Temagami residents have recently circulated a petition to the Ontario municipal board for incorporation of the area of the village of Temagami as an improvement district. In due course of time the municipal board will hold a hearing and determine whether or not there should be some form of municipal organization for that general area. That, if granted, would appear to be the beginning of the improvement of the amenities, if I may call it that, of the Temagami area. I am quite convinced that, unless there is municipal organization, there is no possibility of development taking place in an orderly fashion; so, for that reason, this order is going to stay until such time as we are able to determine whether or not the area will be prepared to accept the responsibilities of municipal government and all of those other responsibilities inherent in the formation of a municipal corporation.

It will be some time, of course, before this mining property is in production. It is necessary for the Ontario Northland Railway to build a railway spur line into the mining property and I think there is plenty of time for all of these things to take place gradually, these events which will bring the greatest benefit to the communities in the general area of the tri-towns: Latchford, Temagami, and so on.

Mr. Troy: I thank the hon. Minister and I agree it is very wise not to allow shack towns. We have too many of them up there in our northern area. But, since Nipissing is already in the federal riding of Nipissing, the electoral riding, and since, if this redistribution bill goes through, Temagami will be in the electoral riding of Nipissing, naturally the member for Nipissing has to be concerned, a little more concerned even than before, with that area. And just as the hon. Minister has great concern, he wants to see to it, if at all possible, that with the mineral wealth in the Porcupine area and the Timmins area as many as possible of the people in that area have an opportunity of increasing their income. So you cannot blame the people of Temagami for being concerned, too.

Hon. Mr. Spooner: I did not blame anybody.

Mr. Troy: I know the hon. Minister did not.

Hon. Mr. Spooner: Do not suggest that I am blaming anyone.

Mr. Troy: I know the hon. Minister did not.

Hon. Mr. Spooner: Well, do not use that term.

Mr. Troy: I am not saying that, but you can understand, being an understanding gentleman, that they are concerned.

Hon. Mr. Spooner: Well, then, by the same token they must understand that I have certain responsibilities and that I have no alternative. But the hon. member can rest assured that we will, so far as our department is concerned, attempt to be of the greatest service we possibly can.

Mr. Chairman, we are at No. 15, I believe—no, No. 14—well, 13: The Municipal Unconditional Grants Act, \$27.2 million is the statutory payment to the municipalities and the only thing that can be argued there is that it is not enough. I cannot argue with the hon. member on that score.

The next item, Mr. Chairman, is "Payments under the municipal winter works incentive programme." I gave quite a lengthy report last night as to the programme this year.

Mr. Young: What is the terminal date of the programme this year?

Hon. Mr. Spooner: The terminal date is April 30. Under certain circumstances, the federal government can extend that one more month, in certain areas. I have just been

informed by my adviser that the federal government do not intend to do it.

Mr. Young: It has been extended at various times and I wondered if any action had been taken this year on that.

Hon. Mr. Spooner: I am advised by my deputy Minister that the federal government has announced that it does not intend to take any action.

The next item is "Provision for Canada's Centennial"; I gave you some information last night, Mr. Chairman, and now I have a more recent report from my office. This is a report for the week ending Thursday, March 18, which is just a week ago, indicating that we have received, in the department so far, a total of 504 applications for projects commemorating Canada's Centennial. We have a Cabinet sub-committee which studies these projects after they have been examined by the staff people. This committee is headed by the hon. Minister of Tourism and Information (Mr. Auld).

Our committee has, so far, approved 160 projects. After approval here in our office, they are sent on to Ottawa because we require their approval; and there is a slight delay there. Ottawa has approved 120 of the 160 projects we have approved.

The estimated cost of these projects is something reaching \$28 million, so we think that with the number of projects coming into our office, from time to time, there will be a sufficient number of memorials and centennial celebrations to properly mark our 100th birthday when it arrives.

"Municipal schools" is a usual item: and I have already discussed with you "Provision to assist in planning functions"—that is item number 17.

The next item is "Redevelopment grants in aid of acquisition and clearance of redevelopment areas, as may be approved by the Lieutenant-Governor in Council"—\$3,008,000.

Mr. Newman: That is up \$2.5 million, is it not?

Hon. Mr. Spooner: Yes, it is up a lot because of the change in the legislation which I recommended, which was passed by the Legislature in the 1964 session, and which was passed in anticipation of an amendment to The Central Mortgage and Housing Corporation Act and The National Housing Act in Ottawa—which came about sometime in June or July of last year. That was increased, from a budget of \$500,000 in the present fiscal year, to \$3,008,000 for the coming fiscal year.

Redevelopment projects under way at the present time—and I may as well list them: There is Toronto's Moss Park; there are two stages in the Windsor project; Ottawa's Preston Street; Toronto's Alexandra Park; Hamilton's North End; Kingston's Rideau Heights; Midland's Olive Street; Sudbury's Borgia Street; Sault Ste. Marie's waterfront. They account for an appropriation of \$2,208,000.

We have a provincial contribution to Hamilton's downtown York Street—that is an urban renewal project. And we have another 14 areas where we have, in total, appropriated \$100,000—I do not think that I have the list of the 14 areas here, no, I do not happen to have it—but that is for the study of urban renewal projects. It is the sort of pre-engineering work that is necessary in order to arrive at what will be a development so that we can then proceed to have it approved by the Lieutenant-Governor in Council and also by Central Mortgage and Housing Corporation people. I have here the available list of applications pending for urban renewal projects. There are: Nickel Basin, Sudbury; Sault Ste. Marie; Cornwall; Eastview; London; Ottawa; Peterborough; Kitchener; Niagara Falls; Galt; Guelph; Mountjoy township; and Toronto — a total cost of \$100,000.

We have another item here to deal with a number of other projects which we think may become active this year. These projects are: Queen Street, Toronto, across from the city hall; Market Square in Peterborough; Victoria hospital in London, and so on. We have appropriated \$700,000 there.

On the first list of ten projects which I have listed, signed agreements exist, and those projects are under way. In the second group we have agreements signed by the municipalities, and the Treasury board has approved them. The last group of \$700,000 are contemplated projects. The Ontario municipal board has approved the Kingston and Sault Ste. Marie projects and there are now draft proposals and submissions to the Treasury board to follow soon for Midland and Sudbury. I think that this year we will see much more activity in the field of urban renewal than we have seen for a long time, because of the fact that the method of financing has been greatly improved over what it was a year ago.

Mr. Bukator: What is the percentage approved by the major government?

Hon. Mr. Spooner: It is 25 per cent municipal, 25 per cent provincial and 50

per cent federal—or to CMHC. Then there are different methods of financing the projects themselves. In some cases the financing I think runs as high as 90 per cent.

Mr. Young: Mr Chairman, I am wondering why, if the hon. Minister has any reason to give to the House, the urban renewal end of it, the land clearing and this sort of thing, is in one department and the actual building of the structure is in the other department?

Hon. Mr. Spooner: The actual building is all part of the agreement between ourselves and the municipalities.

Mr. Young: Does The Department of Economics and Development not take over at this point?

Hon. Mr. Spooner: Not necessarily, unless they have a project involving the Ontario Housing Corporation in the housing end of it.

Mr. Young: Then, as far as The Department of Municipal Affairs is concerned, the project is carried right through?

Hon. Mr. Spooner: Yes.

Mr. Newman: Mr. Chairman, there is no time limit on these redevelopment projects, is there?

Hon. Mr. Spooner: No. Mind you, we do not want to get into an agreement with a municipality that is going to take forever and forever because of the cost of administration.

We try to stage it. For instance, in Windsor, we are in stages one and two this year. Some of the projects in Toronto which have been under way for some time are in stages also.

Mr. Newman: Mr. Chairman, there is no provision under this vote, is there, for rehabilitation and conservation of properties?

Hon. Mr. Spooner: That is all part of the new legislation. An urban renewal project today is concerned with rehabilitation of existing buildings as well as the demolishing and clearing of land for new structures. It is also concerned with the conservation of buildings. With the projects into which we are going now, we want bylaws that will provide maintenance of dwellings.

A year ago we passed legislation under The Planning Act to provide authority to the municipalities to pass bylaws regarding the maintenance of dwellings and their rehabilitation.

Mr. Newman: Mr. Chairman, if I may follow up on this: Are there grants available for the rehabilitation or conservation—

Hon. Mr. Spooner: This is all part of the projects.

Mr. Newman: All part of the projects?

Hon. Mr. Spooner: Oh, yes.

Mr. Young: Mr. Chairman, could I ask the hon. Minister this through you? The part of section 18 which had me puzzled here says, "Redevelopment grants in aid of acquisition and clearance of redevelopment areas." That is as far as this wording goes. "Acquisition and clearing of the lands"—now then how does the cost of building follow this clearing of the lands?

Hon. Mr. Spooner: That is finance then. The cost of buildings is financed through loans through the Central Mortgage and Housing.

Mr. Young: Then there is no cost at all so far as the province is concerned at this point?

Hon. Mr. Spooner: No.

Mr. Young: Yes, that is clear in my mind.

Mr. Newman: Mr. Chairman, if I may, I would like to clear this up for my own benefit. If an area is designated as a redevelopment area, or a conservation area, or a rehabilitation area; how does the individual property owner get assistance to meet minimum housing standard bylaws which may be in effect in the community? How can he bring his property up to that minimum standard if he does not have the financial wherewithal?

Hon. Mr. Spooner: Well, that can all be part of the project. It is only upon study that it is determined that this particular property can be rehabilitated and conserved and made to fit in with the whole urban renewal project. Then the project which is under the municipality, with the help of the province and Central Mortgage and Housing Corporation, has funds available to rehabilitate this property and this owner then is put in the position of having to repay or buy back his property.

We have published quite an interesting publication. As a matter of fact, I received an order today from the community planning association of Canada for 150 copies of our latest booklet on this very subject. If you would like to have a copy of it—

Mr. Newman: Mr. Chairman, this still does not seem to clarify it for me. Apparently I

just cannot understand the thing. But I would like to bring to your attention just what has happened in my own community concerning this, and the concern there.

Hon. Mr. Spooner: With all due respect, if I may interrupt you, it may be that what you are discussing now is something that was the situation last year, which of course is now all changed.

Mr. Newman: Mr. Chairman, in that case, I will only read the resolution. It is a very short paragraph.

Hon. Mr. Spooner: Where does it come from?

Mr. Newman: It is from the city of Windsor and it is dated January 25, 1965. If this is incorrect, then I would like the hon. Minister to correct me on this.

In order to ensure desirable results in conservation and rehabilitation areas the federal and provincial governments be requested to consider ways of providing financial assistance either through grants or long-term, low-interest-rate loans, to property owners who are subjects of minimum standards of housing orders issued by a municipality being actively engaged in an approved urban renewal programme involving conservation and designated rehabilitation areas.

Hon. Mr. Spooner: I think, without going into all the implications of an answer for that particular question, that if you were to obtain a copy of our booklet entitled, *Urban Renewal in Ontario*, you would get the answer for your problem.

Mr. Newman: The answer is included?

Hon. Mr. Spooner: I am quite sure you will find it there.

Mr. Newman: May I have sufficient copies sent over to me, then I can send one to each member of council back home.

Hon. Mr. Spooner: I do not think that is necessary. I think you will find that each member of council already has that. Certainly the municipality has them.

Mr. Newman: I doubt it very much because this is just a recent resolution by the community.

Hon. Mr. Spooner: How many copies do you want?

Mr. Newman: Eleven.

Hon. Mr. Spooner: Eleven copies. You will get them tomorrow.

Mr. Young: Mr. Chairman, there is one more matter I want to bring before the hon. Minister, not related to this particular subject. It is a matter that emanated from the association of mayors and reeves. The hon. Minister has received the resolution and I will read it in full:

Whereas the standard of firefighting equipment in municipalities has advanced whereby practically all municipalities now have an efficient firefighting service maintained at public expense; and whereas collective bargaining has been proposed by a municipality to protect the interests of all municipalities in negotiating wage agreements with employees by providing a central source from which assistance can be obtained by the municipalities; and whereas certain standards must be maintained in the municipalities at the direction of the Ontario fire marshal requiring a higher standard of fire protection; and whereas it appears that a more efficient fire department is not reflected in the substantial reduction of fire insurance rates, especially on municipal properties; and whereas it is the opinion of the council that savings might be effective if fire insurance coverage for all municipally owned buildings could be arranged through a central agency for the entire province for all municipalities having a population between 5,000 and 100,000; and whereas it is possible that a saving in premium might result if all municipal insurance was handled by a central agency; and whereas this central agency should be under the control of member municipalities, be it resolved that the province of Ontario be requested to conduct a survey to determine the feasibility of municipalities obtaining full insurance coverage through a central agency to effect a lowering of all insurance premiums.

This is the amended form that was adopted by the convention and I bring it to the hon. Minister's attention. I presume he has already received this and perhaps has had some thoughts upon it. The figures that are given—populations between 5,000 and 100,000—I think perhaps may be a bit unrealistic. It should go higher than that. My experience has been, in the council on which I sat, that the very threat of self-insurance by that municipality resulted in a substantial lowering of fire insurance and other insurance rates to the municipality. This kind of discussion is a healthy thing, I think.

As far as this resolution is concerned, it declares that the central agency should be under the control of the member municipalities:

Whether this government would go as far as thinking in terms of setting up a co-operative insurance company for all the municipalities across the province, is doubtful. But it may be that the government might go to the extent of exploring the possibility of a combination of insurance companies, which might handle all insurance centrally and thereby effect rather substantial reductions in rates. Certainly the experience of Great Britain and other countries with co-operative insurance in this field has been very good, and it seems to me that this is something that the government could well undertake and give some guidance to the municipalities as the mayors and reeves have asked. I wonder if the hon. Minister would comment on that?

Hon. Mr. Spooner: Mr. Chairman, I am well aware of the resolution. I have met with the executive of the association of mayors and reeves. We have discussed this matter. I have no facilities to conduct a survey such as has been suggested by the resolution. I suggested to the association that this was one of the services that it could well provide to its membership and that it was quite within its authority to conduct such a survey and to discuss this matter with insurance people who would be in a better position to advise the association.

I am only an agent for an insurance company; I do not know how they operate. I think the association was satisfied with that suggestion, because I have not heard from it to the contrary. At the time we met, we had a very pleasant afternoon, discussing the many resolutions that were proposed.

The only trouble I ever got into with one of these associations was when I saw some of the resolutions before some of the delegates saw them at their annual convention. There was great to-do about that. I almost got quartered—I guess that would be the right word to use. However, I got along all right with them after that.

Mr. Young: We heard some words about you—

Hon. Mr. Spooner: Yes.

Mr. Young: This government should give leadership.

An hon. member: Where is the self-initiative?

Mr. MacDonald: Mr. Chairman, before we leave this first vote, I have to confess that as we were skipping round and round I missed the merry-go-round on a couple of points that should come in on the first vote.

May we come back to this question of relief for old-age pensioners and taxes? Could I begin by asking the hon. Minister a question? Does he anticipate that the Smith committee will be considering this and perhaps making some recommendation in connection with it?

Hon. Mr. Spooner: I am not sure. I am not in a position to say yes, but I think it is one of the areas the committee may properly examine, because of the involvement of so many citizens who today are in receipt of pensions. In addition we will have the Canada Pension Plan coming into effect before too long. I think the committee may very well have to look at it.

Mr. MacDonald: It is no secret, I am sure, to the hon. Minister that this is an issue that keeps bobbing up all the time, particularly I think in the urban areas, though I suspect it is true all across the province. Usually it is in terms of relief from education taxes, a plea on the part of senior citizens that "we have done our bit in this connection." You can guess the rest of the arguments because they are all rather obvious and quite valid. I was rather interested the other night when I was speaking to a ratepayers' association in my own riding to discover that York township had presented a brief in this connection to the Smith committee and, indeed, that the township had given some consideration to an actual procedure for achieving it. This was a step further than I had run into anywhere else. The suggestion was that any old-age pensioner living in a home that he owned, and with his pension as the chief means of existence, should be able to make representations to the court of revision. The court of revision could, upon examination of the financial circumstances of this family, free the homeowner of the education tax.

My question to the hon. Minister is: Could this be done with the approval of just the township, or would it have to be authorized at a provincial level if the township wanted to go ahead with it?

Hon. Mr. Spooner: At the present time there is legislation now available in which a refund or abatement of taxes in whole or in part can be approved by the court of revision of the local municipality under certain conditions. The terminology used in the Act is not very good because it says taxes may be

written off or reduced, or words like that, on account of extreme poverty or sickness. Well, I hope that we might get a recommendation from the special committee studying The Municipal Act and The Assessment Act whereby these words might be changed. It says, among a lot of other reasons for cancellation of taxes:

An application to the court of revision for the cancellation, reduction or refund of taxes levied in the year in respect of which the application is made may be made by any person who is unable to pay taxes because of sickness or extreme poverty.

I think the words "extreme poverty" in this day and age does not sound very good; perhaps that could be amended.

Mr. MacDonald: Is the hon. Minister saying, in effect, that this does give the power now if they—

Hon. Mr. Spooner: Oh, yes. And it need not be approved by the municipal council.

Mr. MacDonald: What section of the Act is that?

Hon. Mr. Spooner: Section 131 of The Assessment Act. I do not remember the subsection, but the section is 131.

Mr. MacDonald: The other small point that I wanted to raise with the hon. Minister is—a number of municipalities have drawn this problem to my attention—the rather vexing situation of sidewalks being destroyed by trucks during the period of building of apartments. In some instances, municipalities have, when the building permit is given, fixed a certain assessment on a footage basis to meet the cost of the repairing of the sidewalks afterwards. But I have discovered in some instances that this does not meet the total cost and now they are repairing the sidewalks—sometimes under the winter works project—at a general cost to the taxpayers.

Are there any overall regulations? Or, once again, does this rest exclusively in the jurisdiction of the municipality itself?

Hon. Mr. Spooner: The contractors certainly have a liability and any municipality replacing sidewalks that have been broken by a contractor and replacing them at public expense should examine the situation, because they should go after the contractor.

Mr. MacDonald: I could introduce the hon. Minister to a few who are in that category.

Hon. Mr. Spooner: Well, I think some of the ratepayers should get in touch with the

public works department and just tell that they are not prepared to pay the cost of replacing sidewalks that have been damaged, in the same way in which a citizen damaging some other public property is liable for its repair and replacement.

Mr. MacDonald: I agree.

Hon. Mr. Spooner: The same applies there. I think that there may be some improvement that could be made in the attention given to this by the building inspector for the municipality under the building bylaws and certainly the authority is there. It is as plain as day that no citizen, whether he be a building contractor or someone else, has any right to go out and damage public property and not be held responsible for it. A few of them should be sued—see what happens then.

Mr. MacDonald: I shall direct the words of the hon. Minister to some who are interested.

Hon. Mr. Spooner: Please do.

Vote 1301 agreed to.

On vote 1302:

Hon. Mr. Spooner: The next item, Mr. Chairman, 1302, deals with the appropriation of funds for the Ontario municipal board.

The board is now composed of a chairman, three vice-chairmen and eight members. They have a complement of 53 persons.

I have heard some complaints about delays in the operations of the board. I must say that I have not, upon investigation, been able to find that delays did take place and that they were the responsibility of the board. I have found this in every instance that has come to my attention. Many of these I have investigated because I have noticed an article in a newspaper where someone was complaining that a certain municipal project had been delayed by the municipal board. Now, if you wish, I have here in my files two actual instances that were investigated and I can quote days and times. I am sure that the board was not responsible for any delays.

I am also assured by the chairman of the municipal board that there is sufficient staff in the board to perform the responsibilities with which the board is charged. This year we have made provision for more and better office accommodation for the board. The Department of Public Works is presently altering a part of the building at 145 Queen Street West, where the board's offices have been located for many years, and that way

will provide the board with better facilities for hearing rooms and private offices.

So I would say the board is performing many important functions in the province and it is performing them as expeditiously as possible.

Now we must remember that part of the board's work comes at a flood time; it seems rather strange, but everyone who has a sub-division plan to be approved or zoning by-law amendments sought all want to have it done by April 1, or some other date in the year. The result is that the board tries to sort out its work so that it has a constant amount of work going through for the 12 months of the year. I think that is desirable. It would be very expensive to provide sufficient staff and board members to meet the high peaks of the demands and there would be no work for this larger staff for the lows.

An examination of the cost figures over the years indicates that in 1950 the board's expenditures were some \$75,000 and this coming year it is estimated that it will reach the figure which is in the budget here—\$438,000.

Mr. Singer: Mr. Chairman, in dealing with the municipal board there are two questions I want to direct to the hon. Minister.

Has there been, or is there contemplated that there will be, any study done to re-examine the board's role in a general sort of a way? In connection with the amendment to The Expropriation Procedures Act before the House quite recently, in some of my remarks at that time I suggested that the board was finding itself in a very difficult position when it has to act as arbitrator, having other jobs that it has to do in connection with its role under The Municipal Act and under The Planning Act. There are many other functions that do not seem to me to belong properly within the scope of the board's responsibility. The board has been, over the years, the repository for almost every job that nobody else wants to do. It would seem to me that since the hon. Minister appears to be of a mind to advance municipal procedures in the province, and that since he has apparently commenced on a number of fields of study, that a very good field of study could be the duties and responsibilities of the board.

I will just start with that one.

Hon. Mr. Spooner: Well, I must say, sir, that the board has, over a period of years, accepted many responsibilities, but I think that we should also remember that many responsibilities have been taken away from the board as conditions changed over the

years. This board and its predecessor have been active, of course, for many years in this province. It started out originally as the old railway board which decided where railways were going to be constructed. Of course, that function has been eliminated many years ago.

In recent years we have enlarged the board and we have improved the salaries to board members in order to attract full-time people.

Mr. Singer: In order to fill the vacancies.

Hon. Mr. Spooner: And I think that a reasonably good job has been done there. There are some functions now in our Municipal Act and related Acts which I feel, like you do, are not of such importance that they have to be referred to the board. Of course the board has always fulfilled a very important function; it has been an appeal area and that, in government administration, I think, is a very important one.

I think we have to be careful in taking away the rights that citizens have under certain legislation. Though it may not be used very often, they still have that right of appeal to go to the municipal board instead of having to go to the courts. I think we have to be reasonable in that. There is an amendment now before the House, for instance, in connection with The Drainage Act, which will relieve the board of that responsibility. I am not sure whether it is an amendment to The Drainage Act or an order-in-council—it is an order-in-council. We had formerly used the services of the Ontario municipal board as arbitrators under The Drainage Act; I have changed that and made a recommendation—if it has not already been approved, it will be approved, I think, tomorrow at the Cabinet meeting—appointing a judge as the sole arbitrator under The Drainage Act.

As I said before, when we get into the studies of the revisions of the various Acts with which we are concerned, that is one of the things we are going to look at.

Mr. Singer: I was not suggesting at all that the opportunity for appeal be taken away; but I am suggesting that the board has far too many responsibilities and some of them place the board in conflict with itself, particularly the responsibility of adjudicating upon expropriation matters. I think it is obvious, without elaborating on it, that the board can find itself in conflict with itself on many occasions when it has to act in expropriation matters. This gets into the field we discussed under the amendments to The Expropriation Procedures Act, and the recommendations of the select committee that there

should be a body within this province that is the final arbitrator on expropriation matters. Similarly, I would think that the board could get itself into real difficulty insofar as appeals on assessments are concerned.

There has been a case before the board just recently, the Sherway matter, which has gone on for just as long as any matter has ever been before the board. I think that this is a matter the hon. Minister should consider very carefully. I have no idea what the board's judgment is going to be, nor do I want to argue on one side or the other. The argument that seems to have been presented has been an economic argument.

It seems to me, from what I have read in the press reports, that the concern of those opposing the decision of the Etobicoke council in this case was that there was going to be too much competition against established business in other municipalities. I have great cause to wonder as to whether or not this should be a responsibility of the Ontario municipal board in a zoning matter. Should the board be called upon to make economic decisions? Because, as I say, as I read in the news reports on the matter, this seemed to be the whole tenor of the argument. Is it feasible, economically, that a large shopping centre should be located in a certain spot in the municipality of Etobicoke?

It may be argued, and I am certain that the arguments were presented, that part of planning is economics; but I just wondered if that is the kind of decision an appointed body, such as the Ontario municipal board, should make. Maybe the government should make that. It may be that the government, having made that kind of decision, should be prepared to bring it before the Legislature. But I have very grave doubts in my mind as to whether or not the board is carrying out its proper function in sitting in judgment in an argument of this kind. I think this is something that deserves very serious consideration by the hon. Minister and by the government.

Hon. H. L. Rowntree (Minister of Labour): Mr. Chairman, I understand the principle to which the hon. member refers. I think we are going to have to wait. This matter is before the municipal board now. I think we are going to have to wait and see what its judgment is and then those who represent that part of Metropolitan Toronto will be able, and will speak to it—not from some other area.

Mr. Singer: With great respect to the hon. Minister of Labour, if he listened to what I said—

Hon. Mr. Rowntree: I have listened to you. The principle of an economic basis—

Mr. Singer: I was not arguing about what the decision would be, I was presenting a point in relation to what the responsibility of the board should be. Here is a hearing that has gone on for as long as any hearing apparently has ever gone on before the board. There were 15 to 18 different counsel there, and the board is a busy board, they have a lot of work to do. The argument, as I read it reported in the press, related to economic factors.

My question directed to the hon. Minister, and I think it is a very valid one, is: Should the time of the board be taken up with that kind of an argument? Is that properly their decision? I am not suggesting that they come down on one side or the other. That is their business. But should that properly be something on which this board should adjudicate? This is a very serious matter. I think it deserves very careful consideration, because I have grave doubts in my mind that this does in fact relate to the kind of responsibility which was originally envisaged when the board took on these planning duties.

There is one other point I want to make in connection with the board. The board is a court of appeal and is the court of last resort to which the average citizen can go when he is concerned about planning decisions. Many citizens choose to appear, or are unable to appear in any other way than, personally. They are unable to hire counsel; they are not able to afford it; and very often they are faced with very formidable opposition. Some of the people who make these applications are in the financial position to hire counsel, to hire experts, and so on. So it is very awkward for a citizen who comes before the board to adequately present his case. Nevertheless, it is a court of last resort and, in the many times I have been before that board, the board gives every consideration to an individual who comes before it, listens carefully to his ideas, and helps him.

But one suggestion has come forward which I think bears considerable merit; that is the suggestion that arrangements could and should be made to hold some of these board sittings in the evening. It is difficult enough for the average citizen, who is on his own and wants to go to the board to present his case, to prepare any sort of an argument; but it is very difficult for those citizens who are engaged in a job and who find it impossible to get time off from their positions—to spend a day, or two days, or three days, whatever the time it takes before the board—during

the daytime and have to lose that much from their salaries. I wonder if the hon. Minister could take, under very careful consideration, the suggestion that under such circumstances the board could arrange, from time to time, for evening sittings.

Hon. Mr. Spooner: That is a matter to which I have given consideration. I have discussed it also with the chairman of the board and, on some occasions when there was a request, the board has held meetings late in the afternoon.

I think that we have to be reasonable in these things. The members of the board are professional people in large part. Anyway the suggestion of the hon. member is a worthy one and I must say that we have already given consideration to it. I know that the chairman of the board is in receipt of *Hansard* and he will be aware of the suggestions that the hon. member has made this evening.

Mr. Singer: It would perhaps have a little stronger effect if the hon. Minister sort of suggested to him it might be a good idea.

Hon. Mr. Spooner: He has already agreed to that.

Mr. A. F. Lawrence (St. George): Does the hon. member appear before the board as counsel?

Mr. Singer: Yes. The hon. Minister of Labour used to appear before the transport board.

Hon. Mr. Rowntree: Never, not in my practice.

Mr. Singer: The hon. Minister was there when he was a private member.

Hon. Mr. Rowntree: That is absolutely a falsehood. I never appeared before any transport board except once in Ottawa 15 years ago; my practice was before the transport board in Ottawa, not the provincial board. I only made, in my own practice, one appearance before the transport board.

Mr. Singer: Well, I said you were there and you now say you were there.

Hon. Mr. Rowntree: Long before I was a member at a sitting in Ottawa.

I think the hon. member might want to retract his inference and his statement.

Mr. Singer: If I was wrong, I retract it.

Hon. Mr. Rowntree: That is fine. Let us not have it happen again.

Mr. Young: If this argument is now settled, Mr. Chairman, perhaps I can make an observation.

Last evening I brought before the House, and the hon. Minister, the Gordon report of 1959 in which certain recommendations were made, one of which has been implemented. The other one is to the effect that the Ontario municipal board would be, in effect, a board which would hear appeals referred to it by the Minister, but that the Minister should have the final decision in this respect.

Now I do not know whether the government is hoping that this report will be forgotten, or whether it has good reasons for not implementing it. It seems to me—this makes sense—that policy in planning matters should be in the hands of the Minister, not in the hands of a board. When there is a dispute between subdivider and citizens, it is referred to the Minister. If he wants to have a public hearing and feels it should be done, then he should refer it to the board for a hearing. Then the board simply makes recommendations back to the Minister who makes the final decision.

I wonder if the hon. Minister would comment on the Gordon report and this recommendation in this regard?

Hon. Mr. Spooner: Mr. Chairman, I doubt that Mr. Gordon was apprised of all the positions that are inherent in his recommendation, because in dealing with the matters at the level of The Department of Municipal Affairs and at the level of the Ontario municipal board, there are certain functions which are performed by the Minister. Certain other functions, because of their nature, are referred to the board. And then there is the right of appeal beyond the board—if on a question of law, to a certain court, and if on a question of determination or disagreement with the board's decision, there is an appeal to the Cabinet, of which the Minister of Municipal Affairs is a member.

Now this subject, this recommendation in the Gordon report that the hon. member discusses now, is one of the things that has been studied. It has been thought desirable that instead of the Minister of Municipal Affairs being the court of appeal beyond the Ontario municipal board, it is better as we have it now, that the appeal is to the Cabinet. In that way we think there are reasonably good methods of dealing with these problems that do go beyond the board.

Mr. Young: Could I ask the hon. Minister if there have been instances when the Cabinet

has reversed the decision of the Ontario municipal board?

Hon. Mr. Spooner: There have been many rehearings. I do not know, offhand, and my deputy, who is comparatively new in the position, is not aware of any cases where the Cabinet has reversed the decision of the board. But there have been instances where a rehearing was ordered by the Cabinet and there were some changes made in the final order.

Mr. Young: One further question. Could I ask the hon. Minister, regarding the charges that are made by the board, whether those charges cover the costs of the board's operation, or to what extent do they cover costs?

Hon. Mr. Spooner: The board revenue is estimated this year to be about \$325,000 and the total cost of operating the board is estimated at \$438,000, so there is not enough. It is not too bad—it pays about 75 per cent.

Mr. Young: Well, it seems to me that this is perhaps a reasonable proportion, because courts are not expected to cover the cost; I do not suppose the OMB should be, either.

Now there is one question that has arisen from time to time, and I am not sure of the answer; I would appreciate hearing what the hon. Minister has to say about it. The Ontario water resources commission will often order certain works to be done or suggest that certain works be done. When the application is made for the implementation of those works, can the OMB at that point overrule the Ontario water resources commission and simply say that this municipality does not have the financial resources to carry out the works?

Hon. Mr. Spooner: That is correct. There are municipalities in need of municipal services and they go to the Ontario water resources commission. The engineers prepare a plan of what would be the ultimate and, in a number of cases, there is no doubt that when the municipality goes to the board, the board just says: "It is just impossible for you to raise this kind of money in one fell swoop. You would be better to either reduce your plans or stage the project over a period of years in order to maintain a reasonable balance as to the cost that the taxpayers would have to pay in their tax fields." As to the law to which board has the final say, I am not prepared to argue. But I do know that in cases such as the hon. member mentions, that the municipal board has had to say to the municipality: "You had better re-

examine your suggested project because it is just a bit too fat for your pocketbook."

Mr. Young: It seems to me in cases like this, Mr. Chairman, that some arrangement should be worked out through the department so that the necessary works are carried out, because I presume that the Ontario water resources commission does not make recommendations like this unless they are pretty well necessary. I can understand the financial problems here, but surely in the interest of the health of the people and the good interests of the province, something should be worked out so that assistance could be rendered in instances of this kind.

Hon. Mr. Spooner: Well, there are facilities available at various times. There are grants, for instance, available through the Central Mortgage and Housing Corporation on account of the cost of sewage and water facilities. There is financing available through the Ontario water resources commission or through the municipal improvement corporation. There are grants available under the winter works assistance programme. Quite a number of projects were approved under the municipal works assistance programme for the special loans from Ottawa, made available through The Department of Municipal Affairs. I think there are other arrangements where there is a sort of a holiday for repayment of the capital, or for making payments on the capital in the early years of the operation of the project. That has taken place in a number of projects constructed by the water resources commission for a number of municipalities.

So there are a number of areas in which government assistance is available. But I think that the municipal board rightly examines the financial implications of the municipality and its needs over a period of time. In the past several years the board has been anxious to know more about the future capital requirements of the municipalities which appear before it for approval of borrowings and in something like 250 or 300 municipalities in this province, the board has a five-year forecast of their capital requirements. That has made quite an improvement in dealing with these matters at the board level. Oftentimes it has been possible for the board to approve a project on very short notice, because the five-year plan had been examined thoroughly a year or so ago. I had occasion, some time ago, to know of one instance where the application came in in the morning and the approval went out that same night because the board was well aware of the project. It had been planned

for some time and was part of the five-year forecast for capital expenditure.

The Ontario water resources commission does not always plan a project for either water or sewer installations in a municipality. The municipality will hire a consulting engineer and, of course, his job is to sell as big a project as he possibly can. I am sure that the hon. member is well aware of that. When that project goes to the municipal board they say: "This is just too expensive for you; you have to cut it down somewhere. Instead of putting in gold-lined eight-inch pipe, you will have to be satisfied with a cast-iron pipe that is only four inches." So there is some help available there.

Mr. Young: I would gather from the reply of the hon. Minister that the actual cases where the OMB overrules the recommendation of the Ontario water resources commission would be very, very few.

Hon. Mr. Spooner: Very few.

Mr. Newman: Mr. Chairman, I would like to make a few comments concerning the problem that involves my municipality and the suburban areas. The feeling in the local area is that the government's role in this amalgamation and annexation hearing — or maybe the Ontario municipal board's role — is strictly farcical. It has been delay after delay after delay. The preliminary to any of the hearings was the comment of the Ontario municipal board that this was going to be as simple as possible; there was going to be a minimal expenditure of funds; the case would be dealt with on its merits. "We will use plain, ordinary common sense," was the common expression at the time. The hearings were held. There were more than 1.2 million words recorded. The Ontario municipal board—

Hon. Mr. Rowntree: Just as in this House.

Mr. Newman: The Ontario municipal board—I do not know whether the hon. Minister of Labour was trying to be funny or not—

Hon. Mr. Rowntree: I have a right to speak; there is nothing wrong with that.

Mr. Singer: Only one at a time; that is the rule of the House.

Mr. MacDonald: The hon. member wants to add to the million words tonight.

Mr. Bukator: Naturally. By the way, what is the hon. Minister doing about the newspaper strike?

Hon. Mr. Rowntree: Now we all know how stupid the debate is getting—

Mr. Newman: The Ontario municipal board came down with its interim report and the report certainly is most unusual. It said: Amalgamate services. The Ontario municipal board advises the same area boundaries merge sewage, industry promotion and public utilities commissions.

On November 19, 1962, as a result of that report, these headlines appeared: "Ontario Municipal Report—Patrick sees Fragmentation"; "Interim Report Jolts City; Look on Official Faces Reflects Shock." In the *Now* column, John Lindblad said:

Bluntly we say that the Ontario municipal board goofed and goofed so badly that it has opened itself to legitimate speculation on why such a report was ever made. Had the board not felt Windsor and its areas were ready for annexation, it should have rejected outright the application. It did not do this. It seemed more guided by the hope that it did not wish to offend when it gave a little something here and there which in total spelled m-e-s-s.

Hon. G. C. Wardrope (Minister of Mines): Who is that expert?

Mr. Newman: A very good friend of the hon. gentlemen sitting over there.

Mr. MacDonald: He is another mistaken Tory.

Mr. Newman: This is John Lindblad, the writer of the *Now* column in the Windsor *Daily Star*. On December 18, 1962:

DECISION OF OMB DISAPPOINTS JUDGE

Judge Bruce J. S. MacDonald, chairman of the newly formed Ontario police commission, expressed disappointment Monday on the Ontario municipal board's decision on annexation.

Hon. Mr. Grossman: If the hon. member has the *Miami Herald* there, will he find out who won the—

Mr. Bukator: I agree with the hon. Minister of Labour; the debate is getting nonsensical.

Mr. Troy: You are as funny as a crutch.

Mr. Newman: The hon. Minister of Reform Institutions can do all the laughing he wishes. It will not disturb me at all because I have this to give to you and whether it is going to take me seven minutes to give it or 17 minutes matters not to me at all. The quieter

hon. members are, the sooner I will get this over with and the sooner the hon. Minister can give me a reply.

Interjections by hon. members.

Mr. Newman: If hon. members wish to interject, it is all right with me; it does not matter.

On January 12, 1963, an editorial in the *Windsor Daily Star* reads as follows:

ENTIRE AREA INVOLVED

It is becoming obvious the Ontario government is reluctant to introduce legislation to oppose the Ontario municipal board's recommendations on Windsor. This is not just because they are utterly unacceptable to Windsor; it is also because they do not offer a sound system of municipal administration.

On January 13, 1963, a *Now* column by John Lindblad said:

So why does the Ontario government continue to stall? Politics and personalities seem to be the answer. Politics, in a nutshell, seems to be that the Ontario government brains trust does not worry too much about this area. The uncompleted section of Highway 401 in this area is as good a witness as any.

After these comments in the press, more hearings were held. The interim report was discarded; the government said, "We do not wish to interfere with the Ontario municipal report." The government discarded the report; it must have interfered, or the board would have put the interim report into effect.

More hearings were held and here is the cost to the city of Windsor alone for this annexation:

In 1959 they started their first study; it cost the municipality \$2,000; in 1960, a survey cost \$3,251.30; in 1961, another submission cost \$7,243.20. The year of the hearings with the Ontario municipal board, 1962, cost \$84,131.30; in 1963, \$1,840; in 1964, \$10,668.58, and budgeted for this year is another \$10,000. This has cost the city of Windsor itself \$119,134.38.

Hon. Mr. Wardrope: Did they get that from The Department of Municipal Affairs?

Mr. Bukator: How are the diamonds coming, George, have you found any lately?

Hon. Mr. Wardrope: I have some stuff on them.

Mr. Newman: Is the hon. Minister of Mines all through with his interjections, Mr. Chairman? Do I have his permission to continue?

Hon. Mr. Wardrope: I have been trying to get a word in since 6 o'clock.

Mr. Newman: If the hon. Minister had been in the House he would have had a chance to get a word in since 6 o'clock. May I continue, Mr. Chairman?

The cost, as I have mentioned, to the city of Windsor was \$119,000. The other municipalities that made representation to the Ontario municipal board spent more than this amount. Here we have a total of more than \$250,000 involving eight municipalities. The original intent of the Ontario municipal board was that there would be very little or a minimal expenditure of funds, the case was going to be dealt with on its merits, we were going to just use ordinary commonsense.

Hon. J. R. Simonett (Minister of Energy and Resources Management): Who hired the lawyer?

Mr. Newman: Mr. Chairman, the problem is getting extremely acute today. The municipal board continues to hold hearings. After it completes one, it always finds some reason to have a second. After the second hearing, it finds a reason for a third or fourth. This leaves the residents of the area with one thought in mind only, and that is a stall on the part of this government.

The residents do come along and request that the hon. Minister or the Ontario municipal board come down with a report for or against annexation. They are solely interested in a final report. The \$119,000 spent by the city, and at least a similar amount spent by the surrounding areas, is a luxury that the area cannot afford at all. We are now in the stage of a real upswing. Windsor is now on the go. Windsor is now on the grow. Windsor is limited in the extent to which it can grow. The surrounding areas have a shortage of service area. There is need for planning for services, for streets, for schools, for transportation. We quite often talk about the Iron Curtain, the Bamboo Curtain, and other curtains similar to that. We in the province of Ontario have found a third curtain, and that is the municipal board curtain.

Hon. Mr. Wardrope: You certainly made a forward step when you got a new member.

Mr. Newman: Would the hon. Minister of Mines care to repeat the last remark? It might be a substantial contribution.

Hon. Mr. Wardrope: Yes. Look what happened since you got the new member. You have really gone ahead.

Interjections by hon. members.

Mr. Newman: I am pleased to see the new hon. member in here. He won on a fair and square election. Surely he is entitled to his seat in the House?

Mr. MacDonald: Mr. Chairman, on a point of order, if the hon. Minister of Mines has rested all day so that he comes in here refreshed, some of the rest of us would like to get these estimates over so we could go home and have a rest too.

Hon. Mr. Wardrope: Well, I am hoping that you will. I will go any time.

Mr. MacDonald: Well, I would suggest, if I may put it bluntly, that if you would just be quiet we might just do so.

Hon. Mr. Wardrope: I will try it.

Mr. J. F. Edwards (Perth): You are working together now, are you?

Mr. MacDonald: I am not working together with anyone other than to get the business done.

Mr. Newman: Mr. Chairman, there is need for planning in the area, for services, streets, schools, transportation. The suburban municipalities will find it most difficult to cope with this problem as the present situation exists. There is need for an answer, one way or another. It is common talk back home that the board's mind has already been made up. It was made up long ago. It is made up to recommend the fact that the town of Riverside and the town of Ojibway will be the only two municipalities allowed to be taken over by the city of Windsor. The reason is that the comments back home are strictly political.

Years ago the city of Windsor had an opportunity to annex Ojibway but it was thought it was better to wait and have the whole problem solved; that is why at the time it refused to take over—I should not say refused—it delayed in its request to annex the town of Ojibway. Mr. Minister, it is the desire of the area that you cut this red tape, that you ask the municipal board to get down to action, to get this report submitted as quickly as possible, so that the areas will not remain in the dark. They are interested in action today, action now, action as soon as possible, so that the problem of the Windsor and suburban areas can be settled one way or the other, once and for all.

Hon. Mr. Spooner: Mr. Chairman, in answer to the hon. member's question, and the request in his statement that he wanted

action, I am assured that the Ontario municipal board has completed its hearings. It has asked that written submissions be provided for the board by April 1; and I would presume that as soon as the board has the opportunity to examine the written material that is presented to it, it will make a decision. I would hope that will settle the matters in Windsor once and for all.

Vote 1302 agreed to.

On vote 1303:

Mr. Young: On 1303, Mr. Chairman, there is a question I would like to ask the hon. Minister. I suppose it may be a little early for him to answer it, but he may have some indication. At the time when The Municipal Works Assistance Act was passed, I expressed the fear that this might be an alternative source of capital funds rather than a source of funds which would result in further employment. In other words, the intention was that the municipality should carry on its usual borrowing, carry on its usual programme of work, and that this should be a source of funds whereby it could advance work by several years and thereby increase its indebtedness and add to the employment roster. I wonder if the hon. Minister has any comments or whether it is too soon for him to give us any results in this regard?

Hon. Mr. Spooner: Well, now, it was very clearly understood, I think, by everyone in Canada generally, that the funds were provided by the federal government with the distinct purpose in mind of creating employment; and in our information, which we sent to the municipalities and the boards and commissions in the province, we indicated that very clearly. Applications for loans had to be supported by resolutions passed by the council in which these facts were set out in the resolution. Then our own staff people have checked the projects themselves; and, in the ordinary course of events, the accounts are audited. I am quite convinced—because actually we had difficulty in putting out the money because it had to go on programmes which were not going to be constructed in the ordinary course of events—that projects were accelerated in order to provide employment.

The last report I have here, and this is as of the business on March 18, says we had received and processed a total of 661 applications, involving projects to a total value of 122 million dollars in round figures; and we have, under consideration, a number of projects which will take up pretty well the

rest of our \$137 million-some-odd-hundred-thousand which was allocated to Ontario.

I think that I can safely answer the hon. member's question by saying that these funds were used for the purpose of providing employment and were in accordance with the federal Act and our provincial Act.

Mr. Young: Then the Ontario municipal board, in this case, was a bit lenient in allowing the debenture debt to rise more than normally would be the case?

Hon. Mr. Spooner: I cannot answer that question, because I do not know; but the board has the authority to deal with this in the same way as any other borrowing. That was set out very clearly, also, in our instructions to the municipalities and the boards.

Mr. Troy: I just have a short question I want to ask the hon. Minister of Mines—he has been waiting for it since eight o'clock, so I will not be very long.

An hon. member: Is he under the desk?

Mr. Troy: Oh, he has gone.

But, sir, is this number one the department or the branch under which you investigate, for example, the townsite of Temagami?

Hon. Mr. Spooner: Well, no; that has already been approved; the matter of funds for the investigation of the township of Temagami was approved two or three hours ago.

Mr. Troy: But, I mean, it is under this?

Hon. Mr. Spooner: No, it is not in this vote. It is not in the capital disbursements, 1303-item 1. This is a different vote and different funds.

Mr. Troy: Fine, thank you.

Mr. Newman: Mr. Chairman, the city of Windsor put in a request for \$540,000 to assist in the construction of a storm sewer in the west end and I understand that they were only allowed to loan \$100,000. Is there a reason?

Hon. Mr. Spooner: Was that recently?

Mr. Newman: Yes.

Hon. Mr. Spooner: Well, to begin with, we allocated the funds at the rate of 20 per

cent of the amount of the 1962 tax levy for municipal purposes or school purposes. We then found that we had sufficient funds available that we could approve a loan of up to two-thirds of the cost of an approved project where the amount of our original allocation had not been sufficient to meet two-thirds of the cost of the project. After that, we had about \$6 million or \$8 million left, so we sent out a circular letter to all those who had presented projects advising them that if they had another project that could qualify we would have a loan of \$100,000. So Windsor had a project of \$500,000-some-odd and we allocated \$100,000 for them on the second project.

Mr. Newman: This was their share of the—

Hon. Mr. Spooner: This was their share of it and everybody else got their share.

Mr. Newman: Thank you.

Vote 1303 agreed to.

Mr. Chairman: That concludes the estimates of The Department of Municipal Affairs.

Hon. Mr. Rowntree moves that the committee of supply rise and report it has come to certain resolutions and ask for leave to sit again.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of supply begs to report it has come to certain resolutions and asks for leave to sit again.

Report agreed to.

Hon. H. L. Rowntree (Minister of Labour): Mr. Speaker, tomorrow we will proceed with the estimates of The Department of Labour and I do not think we would need to announce any other items for the agenda tomorrow. But I would remind the hon. members of the House of tomorrow evening, which will be the press gallery dinner.

Hon. Mr. Rowntree moves the adjournment of the House.

Motion agreed to.

The House adjourned at 11.10 o'clock, p.m.



ONTARIO

Legislature of Ontario

Debates

OFFICIAL REPORT—DAILY EDITION

Third Session of the Twenty-Seventh Legislature

Thursday, March 25, 1965

Speaker: Honourable Donald H. Morrow
Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, MARCH 25, 1965

The House met at 3 o'clock, p.m.

Prayers.

Mr. Speaker: We are always pleased to have visitors to the Legislature, and today we welcome as guests students from the following schools: In the west gallery, Riverside high school, Riverside; in the east gallery, Silverthorn public school, Toronto; Cold Springs camp, Bowmanville, and Bobcaygeon public school, Bobcaygeon.

Also, I would like to introduce on the floor of the House to my right, Mr. Jerome Liu of Formosa, section-chief, Department of Civil Affairs, Ministry of Interior, Nationalist China.

Presenting petitions.

Presenting reports by committees.

Motions.

Introduction of bills.

Hon. S. J. Randall (Minister of Economics and Development) begs leave to present to the House the Ontario research foundation annual report for 1963.

Hon. J. Yaremko (Provincial Secretary and Minister of Citizenship) begs leave to present to the House the report of the Minister, Ontario Department of Transport, 1963-1964.

Mr. J. P. Spence (Kent East): **Mr. Speaker,** I should like to direct a question to the hon. Minister of Energy and Resources Management (Mr. Simonett), notice of which has been given.

The question is as follows: Would the hon. Minister inform the House as to how much water had been released from the Fanshawe dam into the Thames River during and immediately prior to the flooding in Kent and Essex counties?

Hon. J. R. Simonett (Minister of Energy and Resources Management): **Mr. Speaker,** in reply to the question of the hon. member, may I say that the flood in March of this year in the basin of the lower Thames River was

caused by a large ice jam deposited on the sand bar in Lake St. Clair across the mouth of the Thames River. This deposit occurred at the time of severe rain and resulting runoff in February.

The flooding that occurred during the early days of March was caused by a second severe rainstorm, which started in the midwestern United States and crossed the counties of Kent and Essex. Therefore, rainfall and the resulting runoff in the valley of the lower Thames occurred some hours preceding rainfall and runoff above the Fanshawe dam at London in the reaches of the upper Thames.

Hydraulic engineers indicate that the flooding in the lower Thames regions was not occasioned by the release of water at the Fanshawe dam, since the time required for water to travel from Fanshawe to the mouth of the lower Thames is three days. I might also point out that only a very small portion of the county of Essex lies within the drainage basin of the lower Thames River.

For the information of the hon. member, I am sending him specific data giving the mean flow of water in cubic feet per second and the volume in acre feet discharged from the Fanshawe dam for each day between March 4 and March 14 this year. For comparative purposes, I am providing similar information for nine days during the spring runoff in 1963.

Mr. Spence: **Mr. Speaker,** the hon. Minister has not actually answered my question. I wondered how much water had been released from the Fanshawe dam into the River Thames during and immediately prior to the flooding in Kent and Essex counties.

Hon. Mr. Simonett: **Mr. Speaker,** I am just sending the hon. member that information. It is in cubic feet, and until it is compared with figures of other years, it would not mean much. I think that after the hon. member looks at that data, he will have the answer he is seeking.

Mr. A. J. Reaume (Essex North): **Mr. Speaker,** I wonder whether, if it were not for

the ice at the mouth of the Thames, this flood actually would have happened. Can the hon. Minister inform me?

Hon. Mr. Simonett: Yes, Mr. Speaker. I was told by the engineers that it was caused by the ice at the mouth of the river, but it must be remembered that at the same time we had a very heavy rainfall, then four inches of snow and freezing weather, which might have helped the flooding situation.

Mr. Reaume: I wonder, then, if we might not have a look at the matter of the upper Thames and the lower Thames valley authorities, so I think it would be well—and I am getting the information, I understand—to know the duties and the obligations and the terms of reference of both, because if these things occur again there is going to be more harm done and more damage. I just want to make this one statement if I could—it is in the form of a question, yet it is a statement. It appears, sir, that if the lower Thames and the upper Thames valley authorities were on their toes and watched these things, these floods probably would not occur.

Mr. Spence: I wonder if the hon. Minister would answer a supplementary question: What is the water capacity of the Fanshawe dam?

Hon. Mr. Simonett: Mr. Speaker, I am sorry that I do not have that information with me, but I will be very happy to get it for the hon. member.

Mr. F. R. Oliver (Grey South): Mr. Speaker, the hon. Minister should surely be in a position to say how close to being full the Fanshawe dam was, just prior to or after the flooding of Essex and Kent counties. Was the dam full; how many feet was it below being full, or what was the situation? That is what we ask.

Hon. Mr. Simonett: I am sorry, as I said before, that I have not that information with me. That was not the question which was asked. But I would be very happy to get it for any of the hon. members, if this is the information they require.

Mr. D. C. MacDonald (York South): I have a question to ask the hon. Minister of Transport (Mr. Haskett) and it is not a statement with a question mark at the end of it.

Does the hon. Minister's department still issue garage owners' licences that entitle the licensee to buy, sell and restore cars, and if so, what obligation is there on the person receiving this licence to secure the other

licence required under The Used Car Dealers Act?

Hon. I. Haskett (Minister of Transport): Mr. Speaker, under section 31 of The Highway Traffic Act, The Department of Transport issues licences to a person who (a) stores motor vehicles, (b) deals in new motor vehicles, (c) conducts a garage business, (d) conducts a parking station or lot, (e) conducts a used car lot, or (f) wrecks or dismantles vehicles. Such a person requires a separate licence for each separate premises used by him for the purpose of any such business.

In regard to the second part of the question, The Used Car Dealers Act is under the purview of The Department of the Attorney General. Section 3 (1) of The Used Car Dealers Act reads as follows:

No person shall carry on business as a used car dealer unless he is registered under this Act. No person shall act as a salesman of or on behalf of a used car dealer unless he is registered as a salesman of such dealer and such dealer is registered as a used car dealer under this Act.

Mr. MacDonald: There are two departments in the picture.

Mr. E. G. Freeman (Fort William): Mr. Speaker, I have a question for the hon. Minister of Lands and Forests (Mr. Roberts).

Would the hon. Minister explain to the House the reason for his department's refusal to grant timber limits to existing and prospective new woods industry in the Sioux Lookout area?

Hon. A. K. Roberts (Minister of Lands and Forests): Mr. Speaker, I know of no refusal to grant timber licences or timber supplies to existing Sioux Lookout industries. As a matter of fact, within the immediate past, Lac Seul Land and Lumber Company has obtained considerable areas to meet the requirements of its expanding modern sawmill at Hudson, ten miles from Sioux Lookout, at which plant a number of people who live in the town of Sioux Lookout are employed; I believe as many as 60. In the past, there has been expectation, not only locally, but in our department, that a pulp and paper mill would be established in the vicinity of Sioux Lookout. However, after most exhaustive feasibility and economic studies by the entities contemplating the mill, this has not been the case. There has, however, been considerable expansion at the Lakehead in the pulp and paper industry, and supplies to meet such expansion have, in part, been provided for in the Sioux Lookout area. This, in turn, has

resulted in, and should continue to result in, considerable opportunity for local employment. Curiously enough, there seems to be a shortage of labour right across northwestern Ontario at the present time, which I am sure the hon. member for Fort William is pleased about in that it means full employment. With regard to prospective new industry, the department is always ready and willing to do business with bona fide customers to the extent of the availability of wood.

Mr. Freeman: Mr. Speaker, may I ask the hon. Minister of Lands and Forests if he has in his possession a copy of the *Daily Bulletin*, of Sioux Lookout, dated Monday, March 22. Does he have a copy of the paper?

Hon. Mr. Roberts: I have not got it with me, but I have seen it.

Mr. Freeman: He is in possession of a copy?

Hon. Mr. Roberts: Yes.

Mr. Freeman: I would hope that it is well read by him.

Hon. Mr. Roberts: Well, I know what the local desire is and we would be glad to help if we can, but I think what is going on is probably in the best interests of everybody concerned.

Mr. Speaker: Orders of the day.

Clerk of the House: The eighteenth order, House in committee of supply; Mr. W. E. Sandercock in the chair.

Hon. H. L. Rowntree (Minister of Labour): Mr. Chairman, before proceeding with the estimates of The Department of Labour, the hon. members of the House will understand the importance of certain supplementary estimates which should be dealt with by the House at this time. Therefore, the hon. Provincial Treasurer (Mr. Allan) will proceed with the supplementary estimates first.

Clerk of the House: Supplementary estimates of ordinary expenditure of the province for the fiscal year ending March 31, 1965.

SUPPLEMENTARY ESTIMATES, DEPARTMENT OF ECONOMICS AND DEVELOPMENT

On vote 413:

Mr. D. C. MacDonald (York South): Mr. Chairman, can we have an explanation? I am a bit curious as to why, in as progressive a department as this, we have such a large

supplementary estimate. Why would this expenditure not have been anticipated?

Hon. S. J. Randall (Minister of Economics and Development): The Chairman is right on his toes this afternoon and he beat me to it.

Mr. MacDonald: I just did not want to lose out.

Hon. Mr. Randall: No, I did not want the hon. member to miss it, either.

Mr. Chairman, the Ontario research foundation, as most of the hon. members know, plans to relocate on a 100-acre site at Sheridan Park, outside of Toronto, and it is anticipated that the old premises will be vacated by September 1, 1966. The architects and engineers who have been retained have prepared all the drawings and will be supervising the construction. The drawings, we hope, will be completed by April 1, 1965 and contractors will be invited to submit tenders.

The Ontario research foundation has acquired this 100-acre site for its new location in Sheridan Park in the township of Toronto at a cost of \$540,000 for the land. The building programme will be carried out at a cost not exceeding \$5,595,000.

Mr. E. Sargent (Grey North): Why Toronto?

Hon. W. G. Davis (Minister of Education): It is in Peel.

Hon. Mr. Randall: The total cost will, therefore, be \$6,135,000 for the land and the building. The funds for this development will be provided as follows: \$5,135,000 by the province of Ontario, and \$1 million to be raised by industry. The province has agreed to provide the money in the following manner: \$1.5 million will be payable from capital account of The Department of Public Works in exchange for deeds to the property now occupied on Queen's Park Crescent and at 121 St. Joseph Street. An amount of \$750,000 has already been paid over to the foundation by The Department of Public Works and an amount of \$115,000 was granted by The Department of Economics and Development during the fiscal year 1963-64 for the express purpose of carrying out the design work. The balance therefore owing to the foundation is as follows: The total amount approved by the Treasury board is \$5,135,000; the amount paid by Public Works on account of the Queen's Park site was \$750,000; the amount paid by The Department of Economics and Development for design was \$115,000. That is a total of \$865,000 and the balance owing is \$4,270,000. The amount of \$4,270,000 is

to be paid over to the foundation as follows: The Department of Public Works, \$750,000, and the remainder, in the supplementary estimates of 1964-65, of \$3,520,000, totalling the \$4,270,000 we spoke of. I might add that a pilot survey to determine the ability to raise \$1 million from industry was carried out by Brakely and Company Limited. They advise that only \$800,000 could be raised for this purpose, and representation is now being made to the federal government to extend The Income Tax Act provision of 150 per cent reduction for research facilities to industry, making a capital grant for research purposes. It is believed that if this concession is made, industry will certainly contribute to a greater extent.

Now if there are any further questions on that, Mr. Chairman, I would be glad to answer them, I think that covers the amount of money required in supplementary estimates.

Mr. V. M. Singer (Downsview): Mr. Chairman, is the province going ahead with this whether it gets the \$1 million from industry or not?

Hon. Mr. Randall: Yes, we are going ahead because, as I have mentioned, they do not believe there will be any difficulty in raising \$800,000. But their target is \$1 million and, as the earnings of the corporation have proven over the years, if they have a few hundred thousand dollars' indebtedness we feel quite sure they can handle that.

Mr. Singer: That is \$200,000. Is that the idea?

Hon. Mr. Randall: Well, it will be a \$100 million project when we get finished. We expect it will employ 6,000 scientists and engineers. It will have an annual payroll of \$40 million and I think what it will do is provide a service to small industry which is not available from any other organization in Canada of this type.

Mr. Singer: Do we have any assurance that this is all the money that this hon. Minister is going to want for this project? He is asking for \$3.5 million in supplementary estimates. The province's contribution is much more than that. There is probably another \$200,000, and maybe there is going to be some more.

Hon. J. N. Allan (Provincial Treasurer): Mr. Chairman, I might point out to the hon. member that the board of the research foundation has given us a firm commitment that this is the extent of our participation in the

project, and that the board will raise the money or borrow it. It has some resources it can use as security, so that the research foundation will be run as an absolutely independent organization once it has the buildings provided as set out.

Mr. Singer: Is this the end of the province's commitment—this and perhaps \$200,000 more?

Hon. Mr. Allan: No, not perhaps \$200,000. This is the end.

Mr. Singer: Then the hon. Provincial Treasurer's statements do not tie in with the statements of the hon. Minister, because the hon. Minister said that another \$1 million is needed and that the Brakely people advise that only \$800,000 can be raised, so \$200,000 has to come from somewhere.

Hon. Mr. Allan: That is the responsibility of the foundation, which it has accepted.

Mr. Singer: Which it has accepted? The government is not going to be concerned with this \$200,000?

Hon. Mr. Allan: This is our part of the—

Mr. Singer: And there will be no additional requests a year from now, either in the formal estimates or in the supplementary estimates? I just wanted to get that on the record, sir.

Vote 413 agreed to.

SUPPLEMENTARY ESTIMATES, DEPARTMENT OF ENERGY AND RESOURCES MANAGEMENT

On vote 610:

Mr. A. Johnston (Parry Sound): Mr. Chairman, I have an explanation of the amount in the supplementary estimates. There is an item of approximately \$345,000 covering a wage increase that was granted to all non-operating employees this year. The balance of the item covers the deficit on the Moosonee line of approximately \$500,000. This is the first time that the ONR has had any subsidy from the Ontario government for this development branch.

Vote 610 agreed to.

SUPPLEMENTARY ESTIMATES, DEPARTMENT OF HEALTH

On vote 715:

Hon. M. B. Dymond (Minister of Health): Mr. Chairman, there are several items on this vote that call for some explanation.

Item 1: The Ontario heart foundation has a grant. This money is used by the foundation entirely and explicitly for research. It was hoped that this would have been included in our regular estimates but the application did not come in on time, therefore it is appearing here in the supplementary estimates.

Item 2: The special grant to public hospitals, under the authority of The Public Hospitals Act, is \$3,615,000, to cover the \$75 per bed grant which has been given to hospitals in past years, and which we keep on hoping one day will be possible for us to bring to an end. For this reason it is still in supplementary estimates.

Items 3, 4, and 5, must remain in supplementary estimates because they are liable to change from year to year and may not be necessary. They are given in some measure on a basis of need and use, and they represent a grant of \$150 per bed. It may be remembered by those who were in the House before 1959 that these institutions then were included under The Public Hospitals Act, but with the coming into operation of the cost-sharing programme between the federal government and our own, these were not recognized as hospitals. However, because of the good work being done by them, this government decided to continue the support and it is in the amount of \$150 per bed.

Items 6 and 7 are of rather unusual interest this year, because they are appearing for the first time. They bring into operation the plan announced by the hon. Prime Minister (Mr. Robarts) last October 29, that this government would support, with special grants of moneys, areas of hospitals which are used especially, and required particularly and peculiarly, for the teaching function of medical schools. Wellesley hospital, which gets a grant of \$2.5 million is well underway. Construction is going on and it will be the first hospital to receive a grant under this Act.

The other grants involve six hospitals, three of which are almost ready to receive their grants: Hotel Dieu in Kingston, \$565,000; St. Joseph's hospital in London, \$560,000; Toronto general hospital, Toronto, \$335,000. The next three projects are not as far advanced, but they will be ready for their grants very shortly. Women's College hospital, Toronto, will get \$600,000. I may point out that this is only the first part of a total grant that will be coming to this hospital, when its large expansion programme is completed. Kingston general hospital, Kingston, will get \$500,000; the same applies to this

hospital. A large programme of rebuilding is going to take place in this hospital. The Ontario cancer institute will get \$500,000. This accounts for the \$3,050,000, Mr. Chairman.

Mr. A. E. Thompson (Leader of the Opposition): Mr. Chairman, may I ask something about the Ontario heart foundation? I understand a number of large foundations in the United States were giving money or grants for medical research in Canada, and they stopped doing this last year. Is this in any way connected with why the hon. Minister is giving \$150 per bed under these estimates now?

Hon. Mr. Dymond: No, Mr. Chairman, I would advise the hon. leader of the Opposition that this is a grant that has been given annually for, I believe, the last ten years. Last year I gave an undertaking to the House that I would expect that this was now established and would go into my regular estimates. As I said, the application for it did not come in time for this. This is no different than it has been for some time—although we did cut it by \$50,000 for two years; the hon. member's friends made so much noise about it, we put it back up again.

Mr. Thompson: I appreciate the characteristic generosity of the hon. Minister, but I am wondering just how characteristically generous he is in research. Do you get grants from the United States for heart research?

Hon. Mr. Dymond: Mr. Chairman, I could not answer that question off the top of my head. I believe the heart foundations do get grants. The heart foundation of Canada is an independent organization. They make application for grants from various organizations and various foundations. I believe that, at least heretofore, some of them have come from the United States and I also believe that certain of our people here in Ontario have been commissioned, as it were, to do research projects for U.S. bodies, because of the quality and character of the research being undertaken here, just as may happen in many other centres. Apparently there is no expectation of any great damage to their work, because this is the grant for which they made application this year and it is the same, I repeat, as in former years.

Mr. Thompson: Mr. Chairman, while we are on this item, may I say to the hon. Minister that one of the things that will be

of particular interest to us, is knowing how many grants there are, and how much is given for research in medical science, in comparison with what we did get from the United States. We would like to know the proportion of money we put in, because my impression from talking with individual research people is that it sounds like a large amount, but it is in many ways a rather picayune amount.

Mr. K. Bryden (Woodbine): Mr. Chairman, may I ask the hon. Minister whether the moneys voted to him in the regular estimates last year were sufficient to cover hospital construction grants made during the course of the year? I believe the hon. Minister did change the basis of payment of hospital grants. I am not exactly sure what the date was—it may have been in time for his estimates—but did he receive enough money for all the grants that were requested and found to be legitimate during the course of the year?

Hon. Mr. Dymond: Mr. Chairman, I think this question would more properly come under the estimates but, just from memory, I suggest to the hon. member that we did have enough for the provincial grant. There is a deficit of the federal money, but we had enough money. If he will recall, our changed system of grants came in before the fiscal year change. I just cannot remember the details at the present; I will have them when my estimates come up but, as far as I can think at the present time, we did have enough money for provincial grants under the moneys allocated to us last year; but there was a deficit, I repeat, in the federal moneys.

Mr. MacDonald: Mr. Chairman, I heard the hon. Minister's explanation with regard to repetition of items 3, 4 and 5 in the supplementary estimates each year, but I did not quite understand. May I ask the hon. Minister a question?

Did these various institutions—the lodge and the convalescent camps, and so on—operate on a calendar year; and if, at the end of the year it was found that they had a deficit, is some of that deficit met in the supplementary estimates?

Hon. Mr. Dymond: No, Mr. Chairman. They are all on a seasonal basis—they are all summer camps. If they operate, we allow them \$160 per bed to meet capital needs. If they want to repair, or remodel, or add to, or change equipment, this money can be used for those purposes. Some of them do not operate to full capacity; some of them do

not operate at all. For instance, one has been cut off; and if we find that they are building up fairly substantial reserve funds we can cut our grant because we do not think that they should be making money on this.

One of them—I forget its name—that was on regularly until last year, has been dropped for a time because they have a fairly substantial reserve on hand now. When that comes down then they will come back into the field.

Mr. MacDonald: Mr. Chairman, I do not want to belabour this point but surely, if this is the kind of thing that is being done, this can be included in regular estimates rather than on supplementary estimates. It is not a case of an emergency situation; it is not a case of a deficit; it is a case of taking a look at their reserves and, if they are getting too large, not granting them for this year. There is no emergency element in that at all. It seems to me it can be done more appropriately, at the regular estimates.

Hon. Mr. Dymond: It is quite possible, Mr. Chairman, that this could have been; but once again we do not always have the financial statements at the times when our regular estimates are being prepared. But I agree with the hon. member that there is really no reason why this could not be included in our regular estimates, if we had the information.

Vote 715 agreed to.

SUPPLEMENTARY ESTIMATES, DEPARTMENT OF PUBLIC WELFARE

On vote 1811:

Hon. Mr. Allan: Mr. Chairman, this vote has nothing to do with the operation of The Department of Public Welfare. It is a matter that has been considered with a view to assisting the municipalities in their financial arrangements.

You will remember that, either last year or two years ago, we began paying a portion of the school grant for which the various boards had qualified for the following year to assist the municipalities in their finances. This is exactly what we are doing here. This amount of \$1,640,000 is approximately one-third of the amount of the grant due the municipalities for their operations during the year 1964; and it is with the hope of assisting them in their financing arrangements that this has been included this year in the supplementary estimates.

Vote 1811 agreed to.

Mr. Chairman: This completes these supplementary estimates for the fiscal year ending March 31, 1965.

ESTIMATES, DEPARTMENT OF LABOUR

Hon. H. L. Rowntree (Minister of Labour): Mr. Chairman, to put my total proposal today into proper historical perspective, I would have to tell you that if I had come forward with it in this House 100 years ago, I would have caused quite an upheaval. In other words, what I am asking for on behalf of The Department of Labour is an increase in its appropriation which comes fairly close to equalling the total annual budget of the provincial government in the period right after Confederation.

In spite of this rather awesome comparison, I do not tremble today, Mr. Chairman, because of two reassuring facts: The first is that even the hon. members of the Opposition have come along to the point where they recognize that today is a different age with different problems and different solutions; the second is that I have every confidence in you, Mr. Chairman, as a quiet and competent keeper of the peace in this august assembly.

It might be interesting to look at the development of the department's total spending over the past few years. In the fiscal year which ended on March 31, 1962, the total expenditure of the department was \$3.3 million. In succeeding years it has been: 1962-63, \$3.8 million; 1963-64, \$4.4 million; 1964-65, \$5.1 million.

For the coming year, we are planning a total outlay of \$6.7 million, almost one-third more than the expenditure in the fiscal year now closing. In sum, the budget of The Department of Labour will have more than doubled within four years.

Because of its particular functions, The Department of Labour deals with and for people through people. Thus, its personnel will have been expanded on a similar basis by the end of the next fiscal year. The striking growth in both the budget and staff of the department is one measure of this government's recognition of, and response to, the challenges and problems of the 1960s. It is an external measure of the department's rapidly expanding capacity to deal speedily and knowledgeably with matters affecting the safety, training, rights and economic well-being of Ontario's work force. How the department is channelling and directing its own resources, its programmes, funds and staff, to reap a maximum advantage for the

people of Ontario is, of course, the purpose of my remarks today.

Now, with respect to economic background, it would undoubtedly be helpful to the House if I set out briefly the background against which my department's activities have been carried out during the past year and are being planned for the coming year and beyond.

As every hon. member recognizes, this province is in the midst of a period of economic expansion, the longest growth period since World War II, which has been underway for four years. Ontario's own output in 1964 rose by some \$1.5 billion over 1963, or by 8.5 per cent in current dollars, and close to 6.7 per cent in constant dollars. Such factors as major growth in export trade, significantly increased capital investment and strong consumer demand, particularly for durable goods, have played the major role in this expansion. They supported high levels of production in manufacturing and other industries which generated a most favourable climate for placing new entrants in the labour market.

Employment in Ontario increased by approximately 90,000, while the labour force itself increased by 80,000 workers and stood at more than 2.5 million at the end of the year. Unemployment in Ontario in 1964 as a whole was pushed downward to 3.3 per cent of the labour force, the lowest figure since 1956, while the unemployment ratio for all Canada was 4.8 per cent. In the month of February, 1964, unemployment stood at 4.7 per cent of the labour force. In January of 1965, it was 3.9 per cent and then it fell to 3.7 per cent in February. The unemployment rate in other economic regions across Canada, in February, ranged from four per cent on the prairies to 13 per cent in the Atlantic region. For Canada as a whole it was 5.8 per cent.

It is inevitable, under these circumstances, that some shortages of skilled workers should appear. Problem areas occurred in metalworking, automobile repair, clothing manufacturing, forest operations, and highly skilled construction trades.

Present indications are almost overwhelming that the expansion of the economy will continue through and during 1965, sustained by increasing income, a high rate of family formation, replacement demand and capital investment—particularly with respect to primary iron and steel, chemicals, pulp and paper, mining, motor vehicles, power generators and construction generally. Government expenditures will provide a stabilizing influence.

During 1965, the labour force will increase at a greater rate than in 1964, although it seems probable now that we will continue to have a favourable balance between employment supply and demand throughout the year. If unemployment is to be held to a minimum of three per cent of the labour force, the Economic Council of Canada estimates that there must be a net addition of 1.5 million jobs in Canada between 1963 and 1970. This is twice the actual rate of employment increase from 1956 to 1963. We can conclude from this that growth frustrations in the next few years will not be caused by an overall shortage of workers but rather by a lack of required skills and labour force mobility.

On the subject of technological and economic change, Mr. Chairman, may I consider first the concept of change in our present society. The idea of change has penetrated our collective psychology to the extent that, whether or not we actually perceive it happening, we are all convinced that we live in a world of constant change. Obviously this can be both good and bad.

History suggests that a change from one political, social or economic era to another is often quite undramatic and, in fact, may be barely perceptible at the time. We look back in black and white and label the 1920s an age of high and wide prosperity, shattered overnight by a drop into the "great depression." This is a somewhat exaggerated picture, for the late 1920s were a period of very high unemployment which rose quickly, but gradually, to unprecedented levels in the early 1930s.

Today, it would be foolish to underrate the possible speed or quality of technological change. But it would be equally unwise to overrate the extent to which it is now affecting our economy. In other words, we are dealing to a great degree with possibilities and we cannot be certain about the actual outcome of current trends. What we must do is keep very close track of what is happening today and try to project the perspective of what may happen in the future. Erected on this foundation, our programmes must provide basics which will be valid under a variety of alternative possibilities and must also be open-ended so that specifics can be added quickly and easily when the direction of economic or technological development becomes clearer.

In any discussion of technological change, the term "automation" comes to the fore. Mr. Chairman, no word, in my opinion, is subject to such flagrant abuse as "automation."

This is largely because there is no generally acceptable definition for it. As one university professor has said, "Few words have been so twisted to suit a multitude of purposes and phobias." There are some who use it as a vehicle to spread mistrust and fear—the haunting fear of the unknown.

Let me read you several recent headlines which will serve to illustrate my point: "Automation warning—4,000 a week to lose jobs in two years"; "Machines could kill Canada"; "800,000 jobs lost to automation in last 15 years"; "Automation—the terrible beast." I have yet to be shown any sound factual basis for any of these blind forecasts of doom and economic chaos. This game of one-upmanship can only serve to seriously mislead the layman and the public generally. The danger is that fear may so overbalance thoughtful action that we leave ourselves no time for seeking solutions.

I believe that we must take a more enlightened approach to automation, as the word is used, and technological change in an atmosphere free of generalizations and emotional outbursts. We must build and maintain a climate of confidence and co-operation within which solutions to problems can be achieved.

The government is giving leadership to this end. But our leadership alone is not enough. The people of the province, through their industries, trade unions, social agencies, churches and so forth, must participate in this effort.

There are many things government is doing and will do. There are many things only the trade unions themselves or industry can do. Built-in institutional rigidities or rigidities of outlook can make adjustment difficult or impossible. They must be eliminated and this calls for self-examination.

As far as one can see now, how will the problems of adjustment be met? First of all, sir, through clear vision of what is happening now and what may develop in the future—through research designed to show how, why, when and where our society may be affected. Much can and will be done at the bargaining table, of course. Education and training will play a major role. And finally, the stimulation and maintenance of a high level of economic activity and development will continue to create employment.

My department's role in assisting both employers and employees to adjust to technological change falls into three principal categories. 1. Fostering and sponsoring the development of labour force skills that match current and future job requirements. 2. Pro-

protecting employees against potential economic hazards stemming from changes in technology and in employment patterns. 3. Facilitating the efforts of employers, unions and employees to adjust to changed conditions through collective bargaining and other means of employer-employee communication.

Naturally, the challenges and problems associated with technological change are not restricted by geographical boundaries; effective solutions will require a concerted effort by every level of government. More than 12 months ago the federal Department of Labour unveiled plans for the establishment of a manpower consultative service aimed at helping management and labour adjust to the introduction of new methods, materials and techniques. We are looking forward with interest to a report on the progress of this particular programme.

Mr. Chairman, for nearly 40 years The Department of Labour has sponsored and assisted formal apprenticeship training programmes in some 15 trades in the construction, motor vehicle and service fields.

Under these programmes, a person has been indentured to an employer for a period ranging from two to five years, depending on the trade. The apprentice has learned the various elements of the trade on the job while earning a regular wage. During the period of his on-the-job training, the apprentice has attended either one or two sessions of classroom instruction, relating directly to the theoretical basis of his trade, at a provincial trade school operated by The Department of Education. The costs of such trade school training have been defrayed by The Department of Labour, which has also paid the apprentice a weekly subsistence allowance during his term away from employment.

In some of the trades in which formalized apprenticeship programmes have long been carried on—motor vehicle, electrical, refrigeration, watch repair, hairdressing, barbering—a person has not been eligible to practise the trade unless he has possessed a certificate of qualification. This has normally been earned through training under the apprenticeship system. On a limited scale, the department has, for many years, registered apprentices for general industry without offering formal programmes or curricula.

Until recently, the contribution of the apprenticeship system to the development of skills was small in relation to the labour force as a whole. Nevertheless, at the present time the system is registering apprentices at a rate 50 per cent higher than in the previous year.

Not until recent years has there been a

public expectation or, indeed, demand, that government at all levels should be responsible in a direct way for anything more than maximizing the educational attainment, in academic terms, of young persons entering the labour market. The operation of the apprenticeship system, with its attempt to train some of the specialized workers required by Ontario's trades and industries, has been the exception to this general pattern, but an exception which, as I have already noted, has been confined to relatively narrow limits.

From the standpoint of The Department of Labour, the breakthrough to a more comprehensive governmental approach followed the increasing concern shared by the public over the implications of technological change. In 1963, the select committee on manpower training reported on measures that could be taken by governments, industry and labour, not only to improve existing worker training programmes but also to undertake new training, retraining and upgrading programmes.

One of the results of the work of this select committee was the adoption of a new Apprenticeship and Tradesmen's Qualification Act by the 1964 session of the Legislature. Under this authority, and with a large-scale expansion of staff and funds, The Department of Labour will be in a position not only to eliminate the bottlenecks of the past, but also to launch an extensive and aggressive new programme covering the whole field of on-the-job industrial training.

As I have indicated, the department's apprenticeship programme will be carried on under the authority of the Act and the new federal-provincial apprenticeship agreement. Other industrial training programmes will fall under the authority of programme 4 of the technical and vocational training agreement. In future, therefore, my department, as well as The Department of Education, will operate under programme 4. In a sense, my department's activities will constitute an extension of the apprenticeship principle into short-term training, with the same kind of division of responsibilities as exists under the apprenticeship system.

My department will be responsible for all aspects of the implementation and operation of training programmes undertaken on the job and designed to develop specific skills related to specific employment. The Department of Education will be responsible for all other forms of training.

An interdepartmental committee consisting of senior representatives of both departments has been established and will sit at regular and frequent intervals to act as a constant

channel of communication and liaison between both departments as to what each is considering and doing under programme 4 and apprenticeship training; to determine, in respect of training needs involving both on-the-job and "classroom" training, the appropriate allocation of responsibilities, methods to be followed and assistance to be provided; and to co-ordinate the promotional, assessment, development and operational activities of both departments so that training and education programmes tie in with each other at all levels.

I am confident, Mr. Chairman, that the logic of this arrangement will commend itself to the hon. members of the House. As I have indicated, this extends to the whole field of employment-orientated industrial training and should serve as a very practical division of responsibility. Moreover, training in employment, as a labour department responsibility, is a logical extension of our present participation in the whole field of employment—safety, labour standards and labour relations. These arrangements will also facilitate the planning and operation of short-term programmes as initial credit units in longer and broader apprenticeship programmes.

The estimates before you today provide for the establishment of the new industrial training branch, replacing the present apprenticeship branch. Its total staff will be 133, an increase of 43 over the apprenticeship branch staff.

Organization of the new branch will be in three major sections. The role of the administrative services section needs no elaboration. The field services section will handle inspections and maintain close contact with the progress of trainees. It will perform counseling and advisory functions in the field for both individual apprentices and trainees and for industries. The field staff will be expanded from 35 to 48 officers and representatives of the branch will be stationed in all parts of Ontario.

The programme development and promotion section is entirely new. It will be staffed by some 21 specialists who will work closely with all interested parties to establish training programmes, provide assistance to industry in developing special projects to meet special situations, plan and execute vigorous promotion and information campaigns to enhance the status of trade and occupational training, create opportunities for persons to engage in such training and to encourage persons to take advantage of the opportunities presented.

The new research branch of the department,

about which I shall say more later, will assign economists and research personnel to work in co-operation with other agencies, in the field of forecasting our changing manpower requirements. Labour market trends and skill shortage projections will be used to guide the development of new and existing training programmes to avoid training in obsolete skills. Through specialized research, the branch's activities will be more closely geared to the needs of specific industries and geographic areas as well as the economy as a whole.

The current plans for the industrial training branch, as embodied in these estimates, were themselves developed on the basis of studies carried out in 1964. A survey of some 6,500 Ontario manufacturing firms confirmed that apprenticeship is one of the most acceptable and effective methods of developing high-level skills. The survey suggested that priority attention should be given to the development of new programmes in such trade fields as tool and die, mechanical, electrical and electronic, foundry and steel fabrication.

You will note in the estimates the item of \$950,000 for "industrial training." This covers the cost of supplementary classroom instruction, subsistence allowances and so forth. Before I am asked the question, I should like to emphasize that this is an estimate, and in the circumstances can be nothing more than an estimate of the possible expenditure required. As the year proceeds, it may be that additional funds will be needed. In any case, it should be noted that this item represents a total potential expenditure of \$1,850,000 since the cost here is normally shared 50-50 by the federal and provincial governments.

I want to say a word about credits on apprenticeship training periods for time spent in secondary school or other technical courses. While some might try to make it seem otherwise, the policy of my department is that such courses should be credited to apprenticeship training. This policy has been implemented, for example, in the new regulations covering the motor vehicle and electrical trades, where the apprenticeship period is reduced by as much as 40 per cent in recognition of successful completion of grade 12. Mention has been made of hairdressing courses given in the two-year occupational programme in secondary schools. As you are aware, this programme is designed for pupils to up-grade themselves to the entrance level for the trade. They are able to enter apprenticeship or trade school training in the trade on individual merit, on the recommendation of their school principal.

May I return for a moment to the second role my department has in facilitating adjustment to technological change. This relates to protective measures designed to shield the work force against possible economic hazards of advancing technology.

Since 1949, employment opportunities have increased more than three times as fast in service industries as in non-service industries. The service industries have absorbed large numbers of both unskilled and semi-skilled labour. In the unskilled category, lower wage rates tend to prevail. In those instances where such protective measures as collective bargaining do not operate, the establishment of minimum standards guards employees against unduly low wages and poor working conditions.

Within the past year and a half, The Department of Labour has established the new labour standards branch with responsibility for administering and enforcing programmes designed to protect the worker against exploitation, including the economic hazards of displacement based on rapid technological change.

During the past year, the first comprehensive minimum wage programme in the province's history, providing for a floor rate of \$1 an hour to be attained in stages, was introduced throughout Ontario. At the same time, The Industrial Standards Act was revitalized, setting up streamlined machinery for the negotiation of schedules of hours, work, wages and working conditions, binding on all employers and employees in a particular trade or industry within a designated zone. A system of fair wage schedules on government building contracts was introduced to provide leadership to industry in the maintenance of fair working standards.

The operation of the labour standards branch will cost some \$688,000 in the next fiscal year, as against an estimated \$486,000 in the current year. This \$200,000 increase is due to the expansion of administrative and field staff to provide for complete and comprehensive inspection and enforcement of the new standards. At present, enforcement personnel number 35. During the coming year, the enforcement staff, including supervising inspectors, will be raised to 54.

Steps will be taken through the labour standards branch in the coming year to provide incentives for the employment of handicapped persons through special permits under The Minimum Wage Act and other labour standards programmes. Provision will be made for the negotiation and establishment of mutually acceptable wage minima and

other standards which take account, in special circumstances, of productivity differences between handicapped and other employees. Employers will be encouraged to employ handicapped persons, and the existence of the special permit system will be publicized.

Mr. Chairman, in order to facilitate employer-employee communication and thereby foster adjustment to technological change, the department will develop and provide research information. Many of the problems associated with technological change are being, and will continue to be, resolved by management and labour at the bargaining table on a case-by-case basis. The conciliation officers of the department can be more effective and helpful to management and labour in these situations if they are equipped with current information on adjustment problems and on the means utilized elsewhere to solve them. This involves a continuing programme of collective bargaining analysis and research which will be undertaken by the new research branch. In addition, the research branch will publish information on technological change that can be useful to employers, employees, and the general public, in formulating their approaches to the subject.

Mr. Chairman, during 1964 and the early part of 1965, labour relations developments in Ontario have reflected the high level of employment and economic activity that has prevailed. In most collective bargaining, attention has focused on the questions of wages, vacations and insured benefits. Some unions and employers have sought to deal with the labour relations implications of technological change, but there has apparently been little current economic pressure on either party to concentrate heavily on this matter. The need to provide avenues for the upgrading of employees' skills was recognized in negotiations between the Steel Company of Canada and the united steelworkers. Ontario Hydro and the Canadian union of public employees have agreed to set up a union-management committee for discussion of technological change outside the normal context of collective bargaining.

In addition to providing regular labour relations services designed to effect agreement between the parties in connection with collective agreements, The Department of Labour will be prepared to work actively in assisting the parties, as in the Stelco agreement, to implement appropriate training and up-grading plans.

Control of the pace at which employees are required to work was the subject of much

union discussion during 1964 and, from the union standpoint, the adequacy of grievance and arbitration procedures to deal with the matter was questioned. At **General Motors** and the Ford Motor Company, the problem was resolved by the parties through agreement that the union would review changes in production standards through its own time-study man in the plant.

While alternative proposals have been put forward, it would obviously be unwise to write a hasty prescription without a full diagnosis of the problem. Thus I have arranged for the department to provide a research grant of \$5,000 to Queen's University to assist Professor C. H. Curtis of the industrial relations centre to carry out a complete analysis and study of labour grievance and arbitration procedures in Ontario.

During 1964, Ontario experienced fewer strikes and lockouts than in any of the three preceding years. In 1961, there were 166 strikes or lockouts; in 1962, 172; in 1963, 181; and, in 1964, less than 160. These figures by themselves, of course, might be misleading, for more workers were involved in the 1964 strikes than in each of the three preceding years. Similarly, time lost in the 1964 strikes totalled some 700,000 man-days, as against 363,000 man-days in 1963, 460,000 in 1962, and 644,000 man-days in 1961. On the other hand, almost half of the 1964 total of man-days lost occurred during December when many auto industry workers were away from their jobs.

During 1964, conciliation officers of the department assisted in efforts to reach agreement in 1,206 disputes involving 1,478 employers and 213,000 employees. They were influential in the final settlement of 488 disputes. A further 381 were referred on to conciliation boards. The remainder were either still in process at the year's end or required no further assistance.

Conciliation boards had a total of 471 disputes before them during 1964. Some 379 were disposed of, the remainder still being in process at the end of the year. Settlement was achieved either prior to or during the conciliation boards' hearings in 299 cases. Hon. members will see, from this perspective, that the vast bulk of all disputes are settled with the help of the department's conciliation and mediation machinery and the number that go on to strike or lockout action constitute a very small proportion of the total case load.

This is not to suggest, of course, that The Department of Labour withdraws from the scene once a dispute has passed through all

stages of the formal conciliation machinery. Far from it. It is our practice to make available to both parties, at any stage of a dispute, our full facilities to assist them in reaching an agreement. In addition, we are constantly seeking solutions to problems, which cannot be resolved through negotiation alone, by working in concert with labour and management.

However, both labour and management share a common philosophy with regard to the intervention of government in collective bargaining. Both agree that government intervention in any phase of labour-management relations should be held to the irreducible minimum. As a result, in Ontario, under our system of free collective bargaining, labour and management enjoy certain rights and privileges, confirmed by law, including the right to bargain freely and take economic action. It is also recognized that these rights and privileges carry with them certain obligations, including the responsibility for the actions taken by each of the parties.

Through deliberate choice, we in this province decided many years ago to follow and foster free collective bargaining as an appropriate method of achieving a just relationship between labour and management. We established, through The Labour Relations Act, a balanced set of rules within which collective bargaining could operate. Moreover, through the labour relations board, the administration of these rules has long been in the hands of the parties directly involved in the collective bargaining system.

Down through the years, Mr. Chairman, various details of the rules have been modified, adjusted and improved, but the basic structure has remained valid. And experience has proved that collective bargaining, carried out within this context, satisfies the reasonable requirements of both labour and management in the vast majority of situations.

In other provinces, from time to time, labour and management have declared moratoria on the public discussion of questions relating mainly to the rules under which the two parties bargain collectively. These mutually-agreed-upon silences may have validity elsewhere, but in a province like Ontario, with a complex and expanding economy, discussion and debate are the vital catalysts of progress. Elsewhere, declared moratoria on discussion and suggestion may well be a measure of labour-management co-operation, but in Ontario they could well be a measure of something entirely different.

In my opinion, there is too great a tendency in labour-management relations to place co-

operation, in any form, in the category of "good" and consider conflict to be entirely "evil." Conflict can be healthy and can, in fact, lead to co-operation. Our economy can afford conflict based on principles, but not conflict based on personalities and a desire for retribution on the part of either labour or management.

I have referred to labour-management co-operation, the achievement of which, in a broad sense, is obviously most desirable. Co-operation does not occur in a vacuum. It must always have a purpose. There must be agreed-upon objectives, and in a free society government does not dictate objectives to labour and management. Similarly, the creation of institutions and forums for co-operation cannot precede agreement upon objectives.

There is general agreement in Ontario on the part of labour and management, as well as by the public, that more industrial training, whether on an apprenticeship or a short-term in-plant basis, is required to meet the needs of both the economy and the individual. Recognizing this agreement on objectives, The Department of Labour is establishing advisory committees to help plan training programmes. These committees are made up of representatives of both labour and management. Here is practical co-operation in the best sense, leading to the joint solution of problems. The labour relations board, to which I have already referred, is another example of practical co-operation; so is the labour safety council; so are the industrial standards advisory committees; at the broad government level, so is the Ontario economic council. I have no doubt that the list will continue to expand.

A little more than a year ago, I asked the labour safety council of Ontario to undertake a study of safety education in Ontario and to recommend ways and means of dealing more effectively with accident prevention through the medium of education. The council, which, as you realize, is a body representative of both employer and employee interests, has reported to me and its report has been made available to the members of the House.

Mr. Chairman, may I express at this time, my gratitude to the chairman and members of the council for their painstaking and exceedingly valuable work. The report and its recommendations are receiving careful consideration and I shall have more to say on this subject later in the session.

The House has before it at the present time, amendments to the construction safety and trench excavators protection Acts which will further strengthen the legislative tools

required to safeguard workmen in these fields. You will note that the estimates for the construction safety branch are \$250,000, as against slightly more than \$150,000 in the previous fiscal year. This 66 per cent increase will permit the branch to carry out an expanded programme of training for the municipal inspectors who enforce the construction safety and trench excavators protection Acts. It will enable the branch to organize rescue units for underground tunneling and the compressed-air work. Research will be carried out to determine appropriate procedures, equipment and training in rescue methods, and steps will be taken to enlist the active co-operation of both management and labour in the construction industry. While Ontario's new underground work regulations are the most modern in existence and were drafted on the basis of the best world-wide experience available, knowledge of the effects of elevated air pressures on air-testing instruments, on air-supply masks used in rescue operations, and on the combustibility of flammable materials is still incomplete. The branch will therefore sponsor extensive research into these matters.

In November of last year a therapeutic decompression chamber was installed in the Toronto general hospital for the treatment of acute caisson disease. This chamber, which was financed by the Ontario workmen's compensation board, will also be used for general research in the field of compressed-air illness.

The department's operations in the industrial safety field are undergoing significant and comprehensive reorganization in an effort to provide better inspection coverage and services and direct consulting assistance to industry in the development and use of safer practices and equipment.

The former factory inspection and engineering services branches have been combined in the new industrial safety branch. The total budget of the new branch will be \$942,000, roughly 35 per cent more than the combined budgets of its two predecessor branches. Total staff of the new branch will be 145, a 45 per cent increase.

The major concentration of new staff will occur in the safety division. The province has been divided into regions for inspection purposes with a regional safety manager and supervising inspectors overseeing the activities of field inspectors in each region. The inspection staff will rise from 53 officers to 77. This will enable the branch to step up the frequency of plant inspections by almost 50 per cent and greatly improve call-back procedures.

Mr. Chairman, the engineering division of the branch, which examines the plans for commercial and industrial structures, equipment and machinery to ensure their safe design and construction or installation, has been breaking records in every month of this current fiscal year in direct relationship to the expansion of the province. The total value of approvals in the first ten months of the current fiscal year is 54 per cent higher than in the same period last year.

During the coming year, the branch will begin offering to industry detailed and formal advice as to appropriate machine-guarding techniques and devices. Information and advice as to minimum safe practices on various subjects of concern to industry will be developed and distributed in the form of data sheets. These estimates provide for the addition of ten to the existing staff of 23.

Ontario's safety record is second to none in the areas of elevating devices, and boilers and pressure vessels. In line, however, with the policy of assuming responsibility for the inspection of elevators now under the purview of insurance companies, we shall be adding seven inspectors to the staff of the elevators branch. In order to provide more intensive and extensive inspection of boilers and pressure vessels, nine inspectors will be added to the staff of this branch.

One must admit that safety rests, in the final analysis, in the hands of employers and employees. Accident reports indicate, in the vast majority of cases, that injuries or fatalities were caused by carelessness on the part of the victim or a combination of circumstances over which nobody had any direct and immediate control. But regular inspection and enforcement of safety laws and rules by an outside agency does play a more than significant role in awakening both employers and employees to hazards and unsafe practices. I am proud to be able to report to the House that my department's capability to do this job has more than doubled in the past four years. During the past few months, the salary ranges for safety inspectors have been reviewed and up-graded and competitive rates have been established. I feel confident that with such rates, and with a vigorous training programme for new and existing staff and with that intangible but nevertheless vital ingredient of staff morale—top-grade direction and supervision—we will be fielding an inspection team in the coming year that will attack the safety problem with vigour and success.

The estimates provide for the establishment of a distinct research branch for the depart-

ment, with a total staff of 23. The branch will service four main areas of the department—labour relations; industrial training; labour standards and industrial and construction safety. Initial research projects will concentrate on labour force trends and manpower requirements. I shall not repeat what I have already stated in regard to the objectives of the branch in the labour relations and industrial training fields. However, extensive research is also planned to support the activities of the labour standards branch through the assessment of the impact and effectiveness of such legislation as minimum wages and hours of work. In the safety field, the branch will probe the nature of industrial and construction accidents, their frequency and association with a variety of factors.

To support the activities of the research branch and of other sections of the department, a comprehensive labour library is being developed under the direction of a professional librarian. The library will also be available for the use of outside organizations and individuals.

These estimates will enable the department to carry forward vigorously its information programme which is designed to provide the public with a fuller understanding of their rights and responsibilities and of the opportunities provided by The Department of Labour. During the past year, pamphlets outlining the various programmes of the department have been established and given wide circulation. Mass media have been employed to keep the public fully informed about the department's minimum wage programme. In the coming year, these programmes will continue, with special emphasis on the promotion of industrial training programmes. Steps will be taken to develop appropriate information programmes to assist immigrants to integrate more readily into the life and work of the province.

I am sure, sir, that the members of the House are familiar with the balanced, yet effective, approach of the Ontario human rights commission to problems of human relations through its education, research and enforcement programmes. The commission has been very active in the educational field. In the area of research, the commission is sponsoring studies in Hamilton, Windsor and Toronto in an effort to determine the extent to which minority groups are affected by employment and housing discrimination in those centres.

While the principles of the human rights code have been brought forcibly to the attention of the public across Ontario in recent years, and have won wide acceptance and

support, the case load of the commission is continuing to increase. This is undoubtedly due to the fact that the educational programme of the commission has made the victims of discrimination aware that there is an agency to which they can turn for protection. In the coming year, the professional staff of the commission will be increased by two persons. One will be stationed in Windsor to serve southwestern Ontario through education and conciliation work, and the second will have his headquarters in northwestern Ontario where he will seek to assist in connection with the problems of discrimination involving Indians and immigrant minority groups.

Sir, in years past, the main emphasis within The Department of Labour fell on the services it provided in the general area of labour or industrial relations.

This was always the aspect of the department's responsibilities that elicited the major share of discussion and attention, both in this House and outside, in the press and elsewhere. And to match this attention, the labour relations side of the department was fully and professionally staffed, highly developed and, indeed, led all other jurisdictions in Canada in the legislative tools at its disposal and in the way it handled those tools.

My concern, since becoming Minister of Labour, has been to support and maintain my department's high reputation and record of performance in industrial relations and, at the same time, increase the stature and the capability of the other vital aspects of the department's total programme to a level which would truly meet the rapidly developing, present and future needs of the people of Ontario. These estimates, Mr. Chairman, providing for expansion of existing services, the launching of new services and restructuring of activities throughout the department are designed to accomplish this objective.

Some hon. members: Hear, hear!

On vote 901:

Mr. L. A. Braithwaite (Etobicoke): Mr. Chairman, in commenting on the estimates of The Department of Labour, I would first of all like to say that we in the Liberal Party would hope that with the advent of automation and the mixed bag of benefits and problems which it is bringing with it, as evidenced by the Toronto newspaper strike—I want to digress here for just a moment, Mr. Chairman. In relation to the Toronto newspaper strike, I want to bring to the attention of this House that there always has been federal legislation in existence to prevent this type

of strike by having planned, in-plant training. In the future, labour tragedies such as this strike can be prevented.

Now this legislation has been in existence for at least two years. However, it seems that the legislation has, until very recently, been largely ignored by labour, by management and by the Ontario government. In essence, the legislation, known as Schedule 4, offers to pay half the cost of any training programme that labour and management can devise in any job situation. Thus the simple solution of early training, or sending the worker back to school in an in-plant training programme, is available and has always been available to labour and management.

This federal legislation has always been available to owners of small businesses and one wonders why the Ontario government, through The Department of Labour and The Department of Education, has not, until lately, seen fit to make broader use of the fact that the programme is available. With the federal government paying half of the cost, management and the employees usually make up the other half. It would be a fair question to ask the hon. Minister how many Ontario firms will be taking advantage of this federal legislation in the current year.

Reference was made in the hon. Minister's comments to a new interdepartmental committee and it will be interesting to see how the plan works out.

As I was saying, we on this side of the House, Mr. Chairman, would have hoped that the hon. Minister of Labour would have given this House notice of exciting, visionary and altogether new concepts for his department. Above all, we would have hoped that he would have expanded on this blueprint of his to give this House some indication that he realizes that the time has come for his department—The Department of Labour—to give up its old passive role, especially in the field of labour relations.

With the changes in technology which are now occurring with increasing rapidity, it is apparent, at least to this party, that the role of The Department of Labour should be changed; in fact, it will be quite fair to say that the importance of the whole field of labour relations is increasing at a phenomenal rate. This being so, we in the Liberal Party feel that the resources available to the hon. Minister of Labour in his department and in the government of this province should be made use of in a more active manner so that the destructions which automation may bring to the whole labour picture can be efficiently and beneficially dealt with.

Early in this session, the hon. Prime Minister (Mr. Robarts) gave us notice of an Ontario foundation on automation and employment. Subsequently, the whole question of automation was taken away from the proposed foundation and given to the Ontario Economic Council, which has representatives from organized labour, agriculture, industry and commerce, universities, government and similar organizations. Whether this has but postponed the ultimate requirement of getting down to brass tacks with the problem, only time will tell. However, we in the Liberal Party feel that the hon. Minister of Labour could well afford to gear the planning for his department to meet some of the problems which may arise in the short run. Over the longer haul, the research, planning, and forward thinking of a progressive labour ministry could be tied in neatly with the possible long-run findings of the Ontario Economic Council.

There is absolutely no reason why the hon. Minister could not move forward in his thinking and planning for the future of The Department of Labour while, at the same time, maintaining a high degree of co-ordination with various other agencies such as the Economic Council of Canada, the Ontario Economic Council and the federal Department of Labour.

The hon. Minister has told us of the major reorganization which his department is undergoing. We have heard of the vastly expanded apprenticeship programme and the hope which his department has for using this programme to ameliorate the impact of automation. We have also read and heard much of the expanded research division of The Department of Labour and the plans which the department has for laying more emphasis on retraining and the upgrading of workers.

All of this is commendable. However, we feel that these steps, indicative though they may be of the desire for progress, do not show a basic appreciation and desire on the part of the hon. Minister and his department to take a new hard look at the whole field of labour relations and the need for change in the role of The Department of Labour, which we envisage.

In that regard there are many areas which the hon. Minister and his research department could investigate thoroughly. In the field of employment, generally, The Department of Labour, in conjunction with other departments of the government, could do a great deal of economic planning. For unionized labour, I suggest that The Department of Labour could become much more active in the search for labour peace by investigating thoroughly the whole question of continuous

consultations between management and labour, and also perhaps the feasibility of industry-wide bargaining. This latter factor could become very important as automation grows in importance within a particular industry.

For unorganized labour, the government, through the hon. Minister of Labour, could look into the whole question of improving the grievance machinery so that the ordinary worker might find it easier to lay a personal complaint. It might even consider setting up local bureaus. In any event, there are many areas where the increased research staff of the department could come up with suggestions which I submit would prove, and could prove, to be very useful in the short run in meeting the oncoming challenge of automation.

During the debate on the Speech from the Throne, my hon. leader (Mr. Thompson), in discussing the broad question of labour-management relations, made mention of the fact that in the last decade or so the aims of labour leaders and the labour movement in general have shifted from welfare demands to job protection demands.

It is common knowledge, Mr. Chairman, that increased production through refined techniques must be correlated with an increase in jobs available through expanded production facilities. Without a close interrelation of these two factors, labour-management peace in the future will be impossible. Without adequate provision for the maintenance of labour peace, the true benefits of automation will be lost to Ontario.

In view of the increasing importance of satisfactory labour-management relations, I felt at this point, Mr. Chairman, that I might make a few comments on the progress that Sweden and other countries have made in collective bargaining. The hon. Minister of Labour could well make use of some of the ideas that this Scandinavian country and, indeed, our own province of Nova Scotia, has tried in this regard. My first comment, Mr. Chairman, is that due to the wide scope for self-government in Swedish labour relations, collective bargaining is singularly free from compulsory arbitration. In Ontario, on the other hand, instead of the government making full use of all the resources at its command, to ensure that both labour and management are strong enough that each has a healthy respect for the other, it has taken a regrettable step towards compulsory arbitration.

True, "the hospital-labour disputes arbitration Act" covers an area where this party feels that the public good transcends the rights of both management and labour. How-

ever, the people of Ontario would have hoped that the government, through The Department of Labour and The Department of Health, might have taken more progressive steps towards improving the position of hospital employees so that they need not have to resort to strikes.

The short-lived strike at the Ontario hospital is regrettable. The present strike at the Wellesley hospital is even more regrettable. However, it is the considered opinion of this party that if the government is truly interested in improving the lot of hospital employees in general, it would give more latitude to the Ontario hospital services commission, so that a larger share of grants and of other moneys would be available for wages and for improved working conditions for hospital employees. And on behalf of the employees, in all fairness, it should also be pointed out that essential services have never been withheld by labour in any such situation, although this may have been threatened.

Returning to the Swedish picture, Mr. Chairman, legislation in that country enters only at four points: First, it protects the rights of association and negotiation on each side against certain measures on the other that violate these rights. Second, it makes existing collective contracts enforceable and compels adjudication on disputes over their interpretation or application. Third, it makes the intervention of a government mediator obligatory if the parties cannot reach agreement in negotiations for new contracts. Fourth, it requires one week's notice of strikes or walk-outs if mediation fails.

This means, Mr. Chairman, that compulsion is limited to the interpretation and enforcement of existing contract terms. Although a mediator is required before negotiations on a new contract are abandoned, he cannot force an agreement. He can only try to help the negotiating parties to find common ground. The right to resort, by strike and walk-out, to open conflict as a final argument in disputes over new contract terms is considered an essential part of the system and plays an important role in bargaining.

Mr. Chairman, I could go on and on and give further procedural details in connection with the Swedish system of collective bargaining, but I would suggest that it suffices here to say that, in that country, compulsion is limited to the interpretation and enforcement of existing contract terms. In Sweden, an important and interesting position which reflects the joint respect achieved between labour and management is one which deals with industrial democracy. Although labour

has recognized management's traditional right to run its business as it sees fit, this does not mean that the workers have dropped their demands to be allowed some voice in production matters and other questions.

In this area, labour-management agreements have encouraged the formation of labour-management committees. These committees are without decisive powers but they do exist for mutual discussions and the exchange of information. These committees do not encroach upon normal trade union activities, but within individual plants they discuss production issues, techniques, organization, development and planning. Management is under obligation to make known its investment and marketing plans but not to disclose any contents that might jeopardize the company's competitive position. Workers are encouraged to submit suggestions, and in fact in 1961, 13,000 suggestions were concerned with production and more than half of them were used.

Finally, Mr. Chairman, in respect to the Swedish system, the system of basic agreements has already proved itself as a working scheme for industrial peace. Under these agreements, the responsibility for wage negotiations rests on labour and management with the tacit understanding that if they cannot agree, then the government can act. The prime interest that management and labour have in common is to keep the negotiations unhampered by government regulations.

During a period of time, agreements between labour and management have come to cover such things as plant safety, vocational training, application of time and motion study, the problem of women workers, a joint labour-management life insurance company, and so forth. Both labour and management agree that one of the most valuable results of their system of agreements and freedom from compulsory arbitration, has been the growing trust and respect produced by the experience of getting to know each other on a more personal footing.

As understanding has grown, wider and wider areas of agreement have come into view and the whole field of conflict has correspondingly dwindled.

Mr. Chairman, Ontario could well borrow some of the ideas which seem to work so well in Sweden. Automation can bring untold benefits if we are ready for it. Ontario cannot be ready for automation if it is not prepared to take steps to plan for labour peace. If it is not ready, it will be guilty of another lost opportunity. Sweden is meeting this challenge. Nova Scotia has tried to meet

it and is in the process of doing so. Ontario must meet its challenge in the months that lie ahead.

Continuing with my theme of the need for peace and harmony in the whole area of labour relations, I want now to say a few words about negotiation rights for professional staff and in particular for the registered nurse. The importance of this area is centred in the following words, which are taken from the preamble of a brief recently presented to the government by several professional groups. In part, the preamble says, and I quote:

The large corporation or institution has a dominant hold in the economic life of our citizens. Most professional people—and the proportion is steadily increasing—are employed by such corporate bodies. Our civilization is becoming increasingly dependent upon the advice of professional people, but the voices of professional staffs are seldom heard in public, either with respect to their professional work or with respect to the determination of the conditions under which they work.

Mr. Chairman, the thoughts set out in these words apply equally to the nursing profession. For some time now there has been talk of an Act which the government has ready and which it is said the government proposes to put forward for first reading at a time when it considers it to be most appropriate. Since our party feels that such an Act might possibly be the forerunner of other legislation in connection with other professional groups, we have a distinct and abiding interest in what may be put forward by the government and what the effect of such legislation might be.

It is well known that wonder drugs, machines such as the artificial kidney, and other changes within the nursing profession, have changed the whole profession and have possibly outmoded the prewar type of nurse, who was long on warmth and long on understanding. It has been said that such changes and requirements have the nurse in such confusion about her role that it is difficult to say whether a nurse now performs as a nurse, a medical assistant, a clerical worker, a part-time dietician, a housekeeper or a pharmacist. Because of the evolution occurring in the nursing profession, the present-day nurse in many hospitals finds that the conditions that were once considered acceptable, are now thought of as intolerable. Today we see that although a strike, in the usual sense of the word, rarely if ever occurs in the nursing profession, one finds quite often a type of silent individual strike in which nurses drift away from a particular hospital or institution,

away from the country and even away from the profession itself because they have found their wages and working conditions to be unacceptable.

It is this silent strike in a massive form that threatens Ontario's hospitals and their patients and it is in this light that the proposed legislation should be considered. The profession is interested in the prospects of increased pay and better working conditions, as well as the professionalism of nurses and their future role as part of the hospital team. As for the man on the street, his major interest is that competent nursing care be available wherever and whenever he is in need of it.

According to newspaper reports, the nursing profession itself is divided into two basic parts. The largest group by far is represented by the registered nurses association of Ontario. A smaller group is represented by a relatively new body known as the committee for the advancement of professional nurses. This body claims that the registered nurses association of Ontario is not truly representative of the nursing profession in that its guiding body is made up chiefly of nurses at the management level. Inasmuch as this body was chiefly responsible for the proposed legislation, there is some thought that it cannot fairly represent the rank and file of the nursing profession.

According to the committee for the advancement of professional nurses, a general duty nurse does not feel that she will be fairly represented at the bargaining table by senior nurses who have the power to hire, fire, promote and demote her. Her interests and theirs are different and are in open conflict. Therefore, Mr. Chairman, there are certain areas that the government, including the hon. Minister of Labour and the hon. Minister of Health (Mr. Dymond), should thoroughly investigate before this proposed legislation is proceeded with.

First, as stated previously, there should be sufficient investigation made to determine whether the registered nurses association of Ontario truly represents the rank and file in the profession. If it does not, then provision might be made in the Act for the association to be split or treated as two separate entities for bargaining purposes. Perhaps one entity could bargain on behalf of the supervisory or managerial nurse, and the other for the general duty nurse.

Second, I submit that the Act should be put under the control of The Department of Labour with the chairman of the Ontario labour relations board authorized to name arbitrators. This would prevent any actual

or apparent conflict of interests on the part of the Minister of Health. He would not then be in the conflict position of being the same person who names arbitrators in nurses' disputes, while, at the same time, being responsible for hospitals and other institutions that hire nurses, and for the Ontario hospital services commission, which has the ultimate control over the budget of hospitals.

Mr. Chairman, the Liberal Party is in favour of any legislation that will improve the working conditions and bargaining rights of any professional group, including nurses. However, certain flaws in the proposed legislation have been pointed out to the government and it is our hope that the legislation will be re-examined in the light of these suggestions before it is implemented.

In considering various areas where The Department of Labour and the government as a whole might take some action to facilitate the advent of automation, I next propose, Mr. Chairman, to make some general observations on our arbitration procedure.

I note that the hon. Minister has said that Professor C. H. Curtis of the industrial relations centre of Queen's University will be making a study. While this is commendable, there is a feeling in the ranks of labour that if the compulsory feature of arbitration procedures as contained in The Labour Relations Act was dispensed with, the parties to an agreement would arrive at a settlement without bringing in the government through the Minister of Labour. In fact, some trade unions have established voluntary final settlement procedures without involving the government in any way. However, if the government insists that a final settlement clause must be contained in collective bargaining agreements, then the whole question of arbitration must, I submit, be re-examined. Under the conciliation procedure, which is also compulsory in Ontario, the government has made provision for the cost of the chairman and of the nominees. In the field of arbitration, I submit that the responsibility for the cost of arbitration should be provided for and that our arrangements for the supplying of qualified, impartial chairmen be improved. At the present time there is a distinct shortage of qualified people to act as chairmen of arbitration boards. Such work is done in Ontario by a handful of county court judges, some magistrates, some professors and, on some occasions, laymen. Still there is no provision for training new people in this important field.

Our submission is that if The Ontario Labour Relations Act is to continue to make

it mandatory that provision be made for final and binding settlement of disputes arising during the life of the agreement, then the government should seriously consider recommendations, which have been made time and again by organized labour, that new people be found to be available as trained arbitrators and as qualified, impartial chairmen of arbitration boards.

Basic to this problem is the establishment of some kind of an organization that will be responsible for securing and training necessary personnel to work in this field. There are a number of trained persons available, but if their number proves inadequate, there are various sources from which suitable persons could be recruited; with a minimum of training, Ontario's arbitration needs could be supplied. The number of persons, it should be noted, who have endeavoured to and have succeeded in making a full-time occupation of conciliation or arbitration is very limited. It follows, therefore, that in order to procure the highest calibre of person required for this work, provision must be made by the government for a satisfactory guaranteed minimum income.

Having given consideration to securing a preliminary source of trained arbitrators, the next step would be the establishment of a group of trained personnel made up of an equal number of representatives of labour and management, with a neutral chairman for the development stages. Any name, such as the Ontario Arbitration Association, could be given to such a group. The group would initially go through the usual motions that provide for bylaws, requirements for membership and so forth, so that it might function.

The activities of the association would, in the main, be subsidized by the government. Management and union would pay membership fees for belonging to the association, and other incidental fees could be charged by the arbitrators who would be working out of the association for the provision of services, including research. In essence, the arbitration association would be responsible for securing suitable people who could be trained for arbitration-chairmanship jobs. It would bill the parties and be responsible for collecting the accounts. In time, the association would build up a file of all arbitration board reports, since the individual arbitrator would be required to file his report through the association, thus a complete library of case histories would be developed which, in itself, would be invaluable as a research tool for the securing of labour peace. The primary object of the association would be to aid in the

development of a pool of people prepared to work in arbitration on a full-time basis. By having a number of permanent people in this field, it is felt that the long delays that now take place between the time a case is referred to arbitration, the hearing by the board and the actual receiving of the board's report would be minimized.

As for the actual training of competent arbitrators, it would seem that The Department of Labour could sponsor short, crash courses in evidence, court procedure, the understanding of The Arbitration Act and similar matters, so that the neophyte arbitrator would have a good basic training in the required areas. Subsequently, there could be set up an on-the-job or apprenticeship training programme where he would be assigned to an already established arbitrator, and would act as secretary to the board or assistant chairman in order to gain some practical experience before starting out on his own.

In this period of training the government could make provision for bursaries or scholarships as may be necessary, so that no qualified person who is interested in becoming a full-time arbitrator would be denied the right to achieve his wish. Once the arbitrator is able to go out on his own as a trained impartial chairman, it is proposed that he would be remunerated through a fee-for-service basis and, as a result, would have the opportunity of achieving earnings beyond the income guaranteed by the association. By this method, Mr. Chairman, it would be possible that a high calibre of person would be attracted to the profession of arbitration.

In concluding this portion of my remarks, Mr. Chairman, I would say that I have but briefly given this House some of the views of organized labour on the provision of a trained pool of arbitrators for industrial disputes.

Since it is most important that The Department of Labour and government of Ontario take all steps necessary to see that industrial disputes are kept to a minimum, in order that the benefits of automation might be maximized, we would urge the government to give consideration to this proposal.

Mr. Chairman, I would like now to move to several areas of legislation where the hon. Minister of Labour could use his influence on other departments of the government in an effort to see that labour strife is kept at a minimum in the months ahead.

First of all, I would like to say a few words about ex parte injunctions. With the coming of technological change it is almost

certain that there will be periods of strife; in spite of the best efforts of the government, there are bound to be strikes and the threat of strikes during the period of adjustment. Aside from the fact that it is only fair that both sides to a dispute should be heard before a decision is arrived at, I would remind the government that labour has complained many times that the ex parte injunction has been used to limit picketing and, at times, to prohibit it.

Assuming that the role of the picket remains that of a person whose job it is to provide information to the public about the strike in progress, I would submit, and submit strongly, that for management to use the courts and the police force to maintain its position is most unfair.

Theoretically, the interim injunction was designed solely to maintain conditions in the same balance until the dispute between the parties could be settled. It was designed to avoid giving one of the parties to a dispute a chance of changing the situation. Many times, organized labour has complained that the use of the injunction in labour disputes, whether it prohibits all picketing or merely limits it, usually places the employer in a position to break the strike. Thus the balance is tipped in favour of management against the striking workers.

In an attempt, Mr. Chairman, to rectify this situation, it is suggested that question 17 of The Adjudicature Act be examined by the government and an amendment made so that an ex parte injunction would not be granted by the courts unless there was just cause for same. By this I mean that damage of some consequence must be proved, or a serious breach of the peace must be imminent.

On labour's side, the role of picketing should be limited so that entrances and exits from the premises are not blocked and that responsibility to keep the peace is recognized. I would suggest, therefore, that the government thoroughly examine the whole field of injunctions to see if a more equitable manner of granting injunctions could not be arrived at, so that the right to strike is not reduced to a sham and a farce.

Next, I would like to turn to runaway plants. Mr. Chairman, the cases are legion where a strike has been broken by a company merely selling out or moving, or sometimes moving without even taking the time to sell out. The Liberal Party, Mr. Chairman, feels that once a union is certified, such certification should cover its bargaining agency under all circumstances, including the period when operations are discontinued and resumed in

another location in another part of the province.

We realize that there may be difficulties associated with proving that the new company is the same as the one which moved from the old location. However, the matter is such a vital one that certification should be extended as suggested.

Mr. Chairman, I would like to turn next to section 89 of The Labour Relations Act. It empowers any municipality to remove its employees from the protection of the Act. In 1958 the select committee on labour relations of the Ontario Legislature recommended that this section be repealed. This report was signed by the present hon. Minister of Labour, among others. Not only did the 1958 select committee on labour relations recommend that section 89 be repealed but more recently, in 1964, the Royal commission report on compulsory arbitration and disputes affecting hospitals and their employees made a similar recommendation.

The government has received numerous annual briefs from trades union bodies urging the repeal of this discriminatory law.

In the January, 1965, issue of the *Ontario Hydro Employees' Union News* mention is made of certain employees of the Perth public utilities commission, as follows:

Fourteen employees of the Perth public utilities commission decided they needed a union. Consequently, they joined the Canadian union of public employees.

I quote, Mr. Chairman, from the third page of the *Ontario Hydro Employees' Union News* where it says as follows:

No one wanted a strike. The men simply asked their employers to recognize their union and bargain for a collective agreement. Not wages, not hours or any of the usual demands were the issue in this fight. The issue was whether Perth PUC would have a union at all. "Over my dead body," was one commissioner's blunt reply to the first person the union asked.

From what I understand, the strike began in early July of 1962. As far as the union is concerned, the employees left the water tanks full of water and even left the floors clean. Above all, the public never suffered during the strike. Water and hydro services were never interrupted. The public utilities commission of Perth broke the strike by using every means possible.

Mr. Chairman, it is a sad state of affairs when men who have worked for 12, 15 and 17 years, who have given faithful and loyal service to their employers, should be in the

position where they could not even buy a job now.

What is their crime, Mr. Chairman? Merely that they joined the union and tried to get some of the lowest of fringe benefits that go with an honest day's toil.

Section 89 is one of the most discriminatory and arbitrary pieces of legislation on the books. This party has always been opposed to section 89 and I would ask the hon. Minister of Labour if he would turn this research group of his on the problem. Any government that claims to be interested in the affairs of the public in general should be interested in the adverse effect of legislation such as in section 89 of The Ontario Labour Relations Act.

An hon. member: Good work!

Mr. Braithwaite: Mr. Chairman, I would like now to say a few words about industrial safety and health in the province of Ontario. First, Mr. Chairman, our party firmly believes that The Factory, Shop and Office Building Act should apply to all factories. There should be no exclusions. It may be said that this would require an unnecessary number of inspectors. This may be true, but our submission is that the health and safety of every worker in the province of Ontario is of paramount importance.

In connection with safety, Mr. Chairman, and in view of the fact that ordinarily a complaining union or worker has no recourse but to strike if The Industrial Safety Act is contravened, it is our submission that the hon. Minister of Labour should consider legislation containing minimum standards and provisions for government inspection to regulate things in connection with the following:

1. There should be a maximum set out for the amount of weight that an employee is required to lift.
2. Proper and adequate ventilation should be mandatory in all factories.
3. Provision should be made for the regulation of temperatures—particularly the heat—under which an employee may be required to work.
4. An efficient system of inspection should be set up to regulate dust and noise control in factories throughout the province. This is especially important in situations where large presses and heavy machinery are being operated and men may be growing progressively deaf.
5. Provision should be made for the furnishing of proper lunch rooms for employees to have their daily break and meals.

6. Materials such as epoxy which cause skin infections and irritations and the handling of said materials should be controlled by legislation so that the danger of injury to an employee is minimized.

7. Inspection should be frequent enough so that defective machinery and equipment are not permitted to operate and thereby endanger the safety of employees.

8. Shower facilities, particularly in hot, dirty factory jobs, should be required under law.

Mr. Chairman, here are some general comments on labour safety. In September, 1960, the Ontario federation of labour submitted a brief to the Royal commission on industrial safety in which the federation stated, and I quote:

The actual organization of government inspection and enforcing in the field of safety, and to some extent the content of existing statutes and regulations, prove that the need for government intervention is far from being effected. In fact, the bulk of the accident prevention function seems to be organized in such a way as to forestall effective public action in this area.

Mr. Chairman, in spite of improvements in legislation since 1960, the above fact still obtains, by and large. A study of the legislation and the administration of it in Ontario in connection with safety shows a lack of any single conscious approach to safety and health problems. Rules applying to some areas of safety originate in the Legislature, others in the Cabinet, and still others at the administrative level. The workmen's compensation board has another set of rules. The employers' accident prevention association may have still another set of rules and regulations.

The complaint, really, is not that there are too many rules, but that the rules that exist are not properly enforced. Interweaving of responsibilities among the various agencies of government, and the duplication of responsibility, in some cases makes it possible for one department to neglect certain problems merely by stating that they are not its responsibility. Even where inspections are carried out and enforcement orders are provided for, there is still need for better designed safety rules, more co-ordination of inspection services and better training and supervision of inspection.

Mr. Chairman, in connection with the construction safety branch, apparently the safety officers are supposed to be the liaison between the branch and the councils of all municipalities. They should be constantly

engaged in the education and training of responsible officials at the municipal level, and they should always be available to advise and assist with the interpretation of the Act and regulations.

However, our main contention is that the whole field of construction safety should be taken out of the hands of the municipality and put into the control of the Ontario government—The Department of Labour.

The hon. Minister's recent blueprint, under the category of safety, calls for a reorganization of operations in the industrial safety field to increase efficiency and to help industry to reduce accidents through closer observance of the new Industrial Safety Act, which was assented to on March 25, 1964. The old statutes for factory inspection and engineering services were combined into a new organization, designated as the industrial safety branch, a high-sounding name indeed. A professional engineer with experience would direct the new branch.

Further, the blueprint recommends that the province is to be divided into three regions for safety inspection purposes, with a regional safety manager overseeing the activities of the field staff in each region. Lastly, it is apparent that supervising officers are to operate in the field in each region, to assist in training the industrial safety officers.

This sounds fine, Mr. Chairman, but we now come to what we consider to be one of the major defects in the government's whole approach to the idea of industrial safety. Organized labour has been complaining for years in the field of safety, to obtain better standards, more stringent penalties and stricter enforcement at the government level, and more authority for labour at the working level, especially where they hold bargaining rights. The problem has been examined from time to time in Ontario and the same old remedies seem to be popping up.

The promotion of industrial safety by the Ontario government is a typical example of the manner in which the Ontario Conservative government has succeeded in appearing to do an aggressive, first-rate job and at the same time managing to succeed in not interfering with the best interests of the employer, which it strives to uphold. Above all, the status quo must be maintained. This is the true criterion of any action which The Department of Labour and any other department bears in mind when changes are contemplated.

The labour safety council of Ontario, reporting in January of this year, recommended plant safety committees through

which management and labour would jointly direct their efforts for the promotion of safety. There is no question but that labour has a vested interest in plant safety in addition to management; it is the workman who suffers most in an industrial accident.

If the hon. Minister of Labour was truly interested in improving the standard of safety legislation in this province, then it would seem that he would long ago have taken into account this recommendation and provided a vehicle whereby, in any particular plant, both management and labour would have an opportunity to direct requests or complaints to the inspectors involved.

However, Mr. Chairman, our submission is that if the hon. Minister is truly worried about the safety of the citizens of Ontario, one would think that the fines and penalties levied would be so severe that an offending employer would be dealt with as sternly as the drinking driver is in the criminal court.

I pose the question, Mr. Chairman: How often has the hon. Minister of Labour called for jail terms for offences under the safety laws? In that regard, Mr. Chairman, there are many who feel that those who are charged with the enforcement of safety regulations and laws, as well as many magistrates, look for reasons not to prosecute. And, further, these people give one the impression that they think, once the accident has happened, the matter is just left to die, often along with the victim.

If the hon. Minister wished to do something really constructive, he might have given some thought to making safety a more vital factor in Ontario. In this small way he could contribute to generating a better relationship between labour and management, which in itself can only be beneficial.

Hon. Mr. Rowntree: Well, Mr. Chairman, I wonder if this would be an appropriate time to move the adjournment of the debate?

Mr. Braithwaite: I have only four pages; I will be finished in a moment.

Hon. Mr. Rowntree: Well, there is a request from one of the hon. member's front bench members that the matter be accelerated.

Mr. A. E. Thompson (Leader of the Opposition): Give him another five minutes.

Hon. Mr. Rowntree: That will be fine. Proceed.

Mr. Braithwaite: In the area of The Workmen's Compensation Act, Mr. Chairman, if the hon. Minister of Labour wishes to make an active contribution towards labour-management stability in the months to come, then we would strongly urge him to give some thoughts to the whole method of operation of the workmen's compensation board. Too often one hears comments such as, "the board gives too little and it gives it too late."

Mr. Chairman, it looks as if I may be longer than five minutes.

Hon. Mr. Rowntree moves that the committee of supply rise and report progress and ask for leave to sit again.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of supply begs to report progress and asks for leave to sit again.

Motion agreed to.

Hon. H. L. Rowntree (Minister of Labour): Mr. Speaker, before asking you to recognize a motion to adjourn, may I say that tomorrow morning we will go to the order paper with the House in committee of the whole. We will deal with details of various bills, which are available for that purpose.

Mr. K. Bryden (Woodbine): No Budget debate?

Hon. Mr. Rowntree: No, we will go to the committee of the whole House and, if necessary, we will then go to estimates, but I think that will be enough to occupy our entire morning in the committee of the whole House.

Hon. Mr. Rowntree moves the adjournment of the House.

Motion agreed to.

The House adjourned at 5.35 o'clock, p.m.



ONTARIO

Legislature of Ontario

Debates

OFFICIAL REPORT—DAILY EDITION

Third Session of the Twenty-Seventh Legislature

Friday, March 26, 1965

Speaker: Honourable Donald H. Morrow
Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

FRIDAY, MARCH 26, 1965

The House met at 10:30 o'clock, a.m.

Prayers.

Mr. Speaker: We are pleased to welcome to the Legislature today as guests, students from the following schools: In the west gallery, Barrie district north collegiate institute, Barrie; and King George public school, Peterborough. In the east gallery, Highland Creek public school, Highland Creek.

Petitions.

Presenting reports by committees.

Motions.

Introduction of bills.

THE MUNICIPAL FRANCHISES ACT

Hon. J. W. Spooner (Minister of Municipal Affairs) moves first reading of bill intituled, An Act to amend The Municipal Franchises Act.

Motion agreed to; first reading of the bill.

Hon. J. W. Spooner (Minister of Municipal Affairs): **Mr. Speaker,** this is just a very minor amendment to this Act to repeal a clause which provides that the Act does not apply to a bylaw of a county or township that is approved by the Lieutenant-Governor in Council.

Hon. J. P. Robarts (Prime Minister): **Mr. Speaker,** could we revert to motions? I move, seconded by the hon. Provincial Treasurer (Mr. Allan), that the provincial auditor be authorized to pay the salaries of the civil service and other necessary payments, pending the voting of supplies for the fiscal year commencing April 1, 1965, such payments to be charged to the proper appropriations following the voting of supplies.

Motion agreed to.

Hon. A. A. Wishart (Attorney General): **Mr. Speaker,** before the orders of the day, it is

my purpose to table the report of the Attorney General's committee on securities legislation. This committee was constituted in October, 1963, with the following terms of reference:

To review and report upon, in the light of modern business conditions and practices, the provisions and working of securities legislation in Ontario, and in particular to consider the problems of take-over bids and of "insider" trading, the degree of disclosure of information to shareholders, the requirements as to proxy solicitation, procedures as to primary distribution of securities to the public and like matters, and generally to recommend what, if any, changes in the law are desirable.

The members of the committee who made this report consist of J. R. Kimber, QC, as chairman; W. B. Common, QC; R. A. Davies, QC; C. W. Goldring; T. A. M. Hutchison, FCA; Professor H. I. Macdonald; H. C. F. Mockridge, QC; and J. S. Yoerger, QC. The committee was assisted by Mr. H. L. Beck and Mr. H. P. Crawford as secretaries and Professor M. L. Friedland as legal associate.

The report, **Mr. Speaker,** which consists of 101 pages, deals in a very comprehensive, and at the same time concise, manner with all items in the terms of reference. The report recommends extensive changes in the law and we are now considering the recommendations.

I have appointed a committee to advise me on how legislation could be brought forward, and when I receive the report of the committee I shall report further to this House. The committee at present is composed of the deputy Provincial Secretary as changes will be required in The Corporations Act; the deputy Attorney General; the legislative counsel and the chairman of the securities commission. It has been set up to advise on how the report could be implemented, and what time would be required to bring forth legislation.

I might say that I have not placed a copy of the report on the desk of every hon. member, but additional copies are available,

and if any hon. member wishes a copy of the report, he may have same if he will indicate he would like to have one.

Mr. V. M. Singer (Downsview): Mr. Speaker, I wonder if the hon. Attorney General would permit a question? Does he believe that the report will be followed by changes in legislation in this session?

Hon. Mr. Wishart: I have only had the report for a very brief time myself. There are, as I have mentioned in this presentation, extensive changes recommended. Since it will involve also The Corporations Act, I think it would be a mistake, perhaps, to attempt to do something suddenly which would deserve time and study. It is my thinking at this moment that possibly some recommendations might be implemented, but I would not think it possible, unless this session were to last longer than I think it may, to do properly the complete carrying out of the recommendations. I have the idea that it may be possible to bring about some changes in The Securities Act and possibly in The Corporations Act, but the matter is being studied immediately, and if it is possible to achieve a result of bringing forward legislation, we shall do so.

I would think that the hon. members of this House, and persons engaged in this activity in securities, would want to study the recommendations of the report and that this might take some little time.

Mr. Singer: Mr. Speaker, that being so, I wonder if the government would consider putting this on the order paper, so that we could debate the report. I can appreciate what the hon. Attorney General said, and I think it would be a mistake to rush into legislation. It is perhaps unlikely that we will see too much major legislation in regard to it, but I think this report, although I have just glanced at it, will be well worthy of discussion, and certainly I would suggest that perhaps it be put on the order paper to give us an opportunity to discuss the report at some length.

Hon. Mr. Robarts: Mr. Speaker, we will see how this matter develops. We have not had a chance to study it either, but I understand the request and it will be given consideration.

Mr. Speaker: Orders of the day.

Clerk of the House: The second order; committee of the whole House. **Mr. W. E. Sanderoock** in the chair.

OWEN SOUND GENERAL AND MARINE HOSPITAL

House in committee on Bill No. Pr2, An Act respecting Owen Sound general and marine hospital.

Sections 1 to 3, inclusive, agreed to.

Preamble agreed to.

Bill No. Pr2 reported.

ROYAL CANADIAN LEGION

House in committee on Bill No. Pr3, An Act respecting the Royal Canadian Legion.

Sections 1 to 8, inclusive, agreed to.

Preamble agreed to.

Bill No. Pr3 reported.

COMMUNITY CHEST OF ST. CATHARINES AND DISTRICT, INC.

House in committee on Bill No. Pr5, An Act respecting the Community Chest of St. Catharines and District, Inc.

Sections 1 to 4, inclusive, agreed to.

Preamble agreed to.

Bill No. Pr5 reported.

ONTARIO SPEECH AND HEARING ASSOCIATION

House in committee on Bill No. Pr6, An Act to incorporate the Ontario speech and hearing association.

Sections 1 to 13, inclusive, agreed to.

Preamble agreed to.

Bill No. Pr6 reported.

TOWNSHIP OF LONDON

House in committee on Bill No. Pr8, An Act respecting the township of London.

Sections 1 to 5, inclusive, agreed to.

Schedule agreed to.

Preamble agreed to.

Bill No. Pr8 reported.

CITY OF WINDSOR

House in committee on Bill No. Pr9, An Act respecting the city of Windsor.

Sections 1 to 6, inclusive, agreed to.

Schedule agreed to.

Preamble agreed to.

Bill No. Pr9 reported.

PENTECOSTAL ASSEMBLIES OF CANADA

House in committee on Bill No. Pr10, An Act respecting the Pentecostal Assemblies of Canada.

Sections 1 to 4, inclusive, agreed to.

Preamble agreed to.

Bill No. Pr10 reported.

FRONTENAC DISTRICT HIGH SCHOOL BOARD

House in committee on Bill No. Pr11, An Act respecting the Frontenac district high school board.

Sections 1 to 6, inclusive, agreed to.

Preamble agreed to.

Bill No. Pr11 reported.

UNITED CHURCH OF CANADA

House in committee on Bill No. Pr13, An Act respecting the United Church of Canada.

Sections 1 to 5, inclusive, agreed to.

Preamble agreed to.

Bill No. Pr13 reported.

TOWN OF BURLINGTON

House in committee on Bill No. Pr14, An Act respecting the town of Burlington.

Sections 1 to 13, inclusive, agreed to.

Preamble agreed to.

Bill No. Pr14 reported.

CITY OF BELLEVILLE

House in committee on Bill No. Pr16, An Act respecting the city of Belleville.

Sections 1 to 6, inclusive, agreed to.

Preamble agreed to.

Bill No. Pr16 reported.

CITY OF CORNWALL

House in committee on Bill No. Pr17, An Act respecting the city of Cornwall.

Sections 1 to 3, inclusive, agreed to.

Schedule agreed to.

Preamble agreed to.

Bill No. Pr17 reported.

UNITED CO-OPERATIVES OF ONTARIO

House in committee on Bill No. Pr18, An Act respecting United Co-operatives of Ontario.

Sections 1 to 13, inclusive, agreed to.

Preamble agreed to.

Bill No. Pr18 reported.

CITY OF TORONTO

House in committee on Bill No. Pr19, An Act respecting the city of Toronto.

Sections 1 to 5, inclusive, agreed to.

On section 6:

Mr. T. L. Wells (Scarborough North): I would like to say a few words on section 6, Mr. Chairman, to register my disapproval of one of the principles which is initiated in this section. I understand that under this section, the new city hall in Toronto would become one of the only municipal headquarters in Ontario in which liquor licences could be obtained and liquor could be sold.

I emphasize the words "could be sold" because this does not guarantee that it would. They would still have to comply with all the ramifications of applying to the liquor licence board for a licence, but as I understand it at the present time there is only a cafeteria planned in this city hall, and this cafeteria is primarily for the use of the employees. I think to give the city of Toronto the right now to apply for a liquor licence for an employees' cafeteria is a principle with which I do not agree. And I would like to register my disapproval of this section.

Mr. L. M. Reilly (Eglinton): Mr. Chairman, on Section No. 6, I would also like to join with my colleague, the hon. member for Scarborough North in registering my objection to this.

In committee, it was suggested that in order to make excellent arrangements with the concessionaire it was necessary to have the right to serve liquor and alcoholic beverages. It seems to me that in ward three, where the city hall is located, there are more liquor outlets than anywhere else in the city of Toronto. We have no objection to liquor being sold in ward three. It seems too bad, Mr. Chairman, that it is necessary for the city hall to have a liquor licence in order that the employees, who are working in the city hall, should have the privilege of consuming liquor during working hours.

An hon. member: They can go out.

Mr. Reilly: Yes, they can go out from the city hall and there is no endorsement then from the standpoint of the city hall, there is nothing to prevent them from going across the road, to going north, to going east, or going west, if they wish to do so. But what happens in a case like this is that I think perhaps we are encouraging the city hall to sell alcoholic beverages during working hours. Personally, Mr. Chairman, and hon. members, I would have no objection if they wanted to have an exclusive restaurant on the top floor, say, and to serve liquor under those circumstances. I think it is a mistake for us to endorse a policy which permits alcoholic beverages to be consumed in the public cafeteria, and this is the request under this particular bill. If the bill was restricted to consuming alcoholic beverages after hours, or if it was restricted to an exclusive restaurant, it would be a different situation entirely.

I agree with the hon. member for Scarborough North, and would like at this particular time to register my opposition to it.

Mr. A. H. Cowling (High Park): Mr. Chairman, I think in connection with this section it should be pointed out that the city is asking permission to lease the restaurant facilities and reads something like this:

The corporation may sell or let the right to sell from year to year, or for any time not exceeding ten years, food, confectionery, tobacco and refreshments and, if licenced by the liquor licence board, liquor as defined in The Liquor Control Act, within the city hall and the Nathan Phillips Square under such conditions as the council may prescribe and provide facilities therefor providing that nothing herein shall be deemed to preclude the corporation, or any other person, from compliance with any law of the province of Ontario in effect in the area in which the city hall and Nathan Phillips Square are located relating to the sale, keeping, serving or consumption of liquor, and without limiting the foregoing from compliance with the provisions of The Liquor Licence Act respecting the issues of licences or permits for such sale, keeping, serving or consumption of liquor.

Now, Mr. Chairman, the city will be leasing this property, and it will be up to the people who do the leasing to apply in the usual way, I suppose, for a licence. There is no guarantee of that, of course.

I think that in order to encourage people—that is, the public—to use the facilities that may be in the city hall, I think this is a very reasonable request. It certainly was not my understanding that employees of the city

hall are going to be spending time in some place where drinks are provided. I think that is out of the question. But from time to time we know, and we do it here, we have visitors, we have deputations, we have committee meetings, we have other people coming to visit the city hall from time to time, and it is very convenient and it is very handy, and in some cases very hospitable, to be able to serve this kind of refreshment.

I think it must also be pointed out, Mr. Chairman, that this city hall in Toronto is a most unusual one. I suppose it is the only one of its kind in the world and it is certainly a little different from most other city halls in the province of Ontario. The public seem to demand this kind of service, and I think to be in line with the modern thinking insofar as this building is concerned, and the fact that the person who makes arrangements for the provision of food and refreshment will be leasing the property from the city—from the council—I cannot see that there is any conflict here at all. Although, as you know, I have some reservations about my own local situation—and it might seem odd for me as the member representing High Park in the city of Toronto, which is a dry area, to be speaking in this way about the city hall—I think it is quite justified because the two situations are not related in any way.

The council voted to have this section in the bill, they voted unanimously for it, I understand, and I would urge all hon. members to support it.

Mr. Reilly: There is just a point there that perhaps should be corrected. As I recall, the report which was submitted to the committee, did not receive a unanimous decision of council, it was something like about 13 against 9. It was very close amongst the members of city council.

The thought expressed by the hon. member for High Park is that perhaps it would not be used by the employees in the city hall. I do not know how he can read that into this, if a licence is granted, and it is a public cafeteria, and those people are there, and you grant them permission to drink, how you are going to deny them the right. So we either have to accept or reject the proposition. This is the only place, to my knowledge, operated by a government, federally or provincially or municipally, where they are going to permit the consumption of alcoholic beverages.

If this is going to be the trend, if we are going to allow all municipalities—and there is no reason why we should not—if we are going to permit the city of Toronto municipal

building to sell alcoholic beverages, there is no reason under those circumstances why every municipality should not be granted the same licence privilege, if they want it.

I am suggesting that it is a type of legislation that the hon. members of this government at this particular time should be cautious about adopting. I think it is a dangerous piece of legislation to enact at this particular time.

Mr. Cowling: Mr. Chairman, I have a little more confidence in the staff at the city hall. I do not think they are in the habit of frequenting drinking places at noon hour. Even though the stuff might be available, I certainly do not feel that it would be overdone, because they have work to do every afternoon. Another thing, too, is that we must keep in mind that no other municipalities have applied for this, and if they do, it can be considered at that time.

Mr. D. C. MacDonald (York South): Mr. Chairman, I would like to make one brief comment: I am not going to enter into debate as to the merits or demerits of drinking at the city hall. I am not interested in that. But I have listened to spokesmen of this government for years, from the front benches to the back benches, talking about the desirability of leaving as great a measure of autonomy as possible at the local level. Suddenly there emerges from this same area this contradictory voice that we are going to regulate the decision that the city council has debated at considerable length and come to its own conclusion. This is Big Brother; this is 1984 carried pretty far. I think it is about time that some of the people on the government benches became a little more consistent in their logic and their thinking on issues of this nature.

Mr. Reilly: Mr. Chairman, if there is somebody who is going to be consistent, it should be the hon. member for York South.

Mr. MacDonald: I am.

Mr. Reilly: Just a short time ago, perhaps within this last year, the same thing happened with the city of Toronto when it brought a bill before this Legislature to amend the Maple Leaf Gardens, to make an extension and an encroachment onto Carlton Street. He was one who at that particular time felt that he should interject and vote against it and oppose it. In one case he says we should leave it to the municipality itself to offer whatever solution is necessary, in the other case, he says we should interfere.

So if it is a question of being consistent, I think perhaps the hon. member for York South should be consistent.

Mr. MacDonald: This could go on and on, but I would hate to see this little revolt in the Tory back benches remain there. This is a pity, but just let me draw attention to the fact that in the instance of the other case, the issue was quite different. What we were asked to do, was to put our approval on a decision to violate the law after pressure from influential people in the community. I do not think we should approve the violation of the law. That is a completely different kind of situation to the one we are debating this morning.

Mr. Reilly: What the hon. member for York South is saying is that if we have a private bill that comes in from the city of Toronto, it does not concern us and we should be rubber stamps in connection with it. I am a member of the committee that deals with this matter. I think I will have to deal with it as it comes forward.

Mr. MacDonald: I did not say that at all.

Mr. Chairman: Is section 6 carried?

Mr. A. J. Reaume (Essex North): Mr. Chairman, I want to say only one thing, that if the mayor and the board of control and the aldermen want it and have voted for it, then I am for the bill. We have it at the airports. Those buildings are operated by governmental agencies and I was thoroughly impressed while I was in England, of all places, that you would find a bar in a police station.

Hon. W. A. Stewart (Minister of Agriculture): What were you doing in a police station?

Mr. Reaume: I just want to say again that in all my experience, and this has covered a vast area, I really have never found anybody, and that includes a lot of my hon. friends on both sides of the House and in other places as well; you do not really have to hold anybody down on the floor to pour drinks into them. I feel like my hon. friend from High Park: I have faith and confidence in people who are employed there and I do not think they are going to spend all their time sitting around a bar, drinking at noon, getting overloaded; so I am for the bill.

Mr. Reilly: Mr. Chairman, surely the hon. member for Essex North is not suggesting that there is any comparison between the airport and a public building and a public cafeteria.

Mr. Reaume: I certainly am.

Mr. Reilly: Certainly it is no comparison whatsoever.

Mr. Reaume: I do not know if my hon. friend was ever at an airport or not.

Mr. Reilly: Many of them.

Mr. Reaume: Were you? Well then, if you were, you would find people who are working for governmental agencies, many of them.

Mr. Reilly: Operating a business!

Mr. Reaume: Operating a what?

Mr. Reilly: A business, a commercial venture; no comparison at all.

Mr. Reaume: We do not agree.

Sections 6 to 11, inclusive, agreed to.

Preamble agreed to.

Bill No. Pr19 reported.

CITY OF LONDON

House in committee on Bill No. Pr20, An Act respecting the city of London.

Sections 1 to 4, inclusive, agreed to.

Preamble agreed to.

Bill No. Pr20 reported.

VILLAGE OF NEW HAMBURG

House in committee on Bill No. Pr21, An Act respecting the village of New Hamburg.

Sections 1 to 5, inclusive, agreed to.

Preamble agreed to.

Bill No. Pr21 reported.

MUNICIPALITY OF SHUNIAH

House in committee on Bill No. Pr22, An Act respecting the municipality of Shuniah.

Sections 1 to 3, inclusive, agreed to.

Preamble agreed to.

Bill No. Pr22 reported.

TOWN OF GANANOQUE

House in committee on Bill No. Pr24, An Act respecting the town of Gananoque.

Sections 1 to 5, inclusive, agreed to.

Preamble agreed to.

Bill No. Pr24 reported.

COUNTY OF PEEL

House in committee on Bill No. Pr25, An Act respecting the county of Peel.

Hon. J. W. Spooner (Minister of Municipal Affairs): Mr. Chairman, I would ask you to set over this bill until the next meeting of the committee, because upon examining it I think there is one slight amendment that should be made to it. I would like to have it studied by my legal officers.

Bill No. Pr25 held over.

CITY OF ST. THOMAS

House in committee on Bill No. Pr26, An Act respecting the city of St. Thomas.

Sections 1 to 7, inclusive, agreed to.

Schedule agreed to.

Preamble agreed to.

Bill No. Pr26 reported.

TOWNSHIP OF YORK

House in committee on Bill No. Pr29, An Act respecting the township of York.

Sections 1 to 5, inclusive, agreed to.

Preamble agreed to.

Bill No. Pr29 reported.

TOWNSHIP OF MOSA

House in committee on Bill No. Pr30, An Act respecting the township of Mosa.

Sections 1 to 5, inclusive, agreed to.

Schedule agreed to.

Preamble agreed to.

Bill No. Pr30 reported.

CITY OF OSHAWA

House in committee on Bill No. Pr31, An Act respecting the city of Oshawa.

Sections 1 to 3, inclusive, agreed to.

Preamble agreed to.

Bill No. Pr31 reported.

TOWN OF HAWKESBURY

House in committee on Bill No. Pr32, An Act respecting the town of Hawkesbury.

Sections 1 to 9, inclusive, agreed to.

Schedule agreed to.

Preamble agreed to.

Bill No. Pr32 reported.

TOWNSHIP OF EAST YORK

House in committee on Bill No. Pr33, An Act respecting the township of East York.

Sections 1 to 4, inclusive, agreed to.

Preamble agreed to.

Bill No. Pr33 reported.

CITY OF HAMILTON

House in committee on Bill No. Pr34, An Act respecting the city of Hamilton.

Sections 1 to 4, inclusive, agreed to.

Preamble agreed to.

Bill No. Pr34 reported.

CITY OF OTTAWA

House in committee on Bill No. Pr36, An Act respecting the city of Ottawa.

Sections 1 to 3, inclusive, agreed to.

Preamble agreed to.

Bill No. Pr36 reported.

CANADIAN NATIONAL EXHIBITION ASSOCIATION

House in committee on Bill No. Pr37, An Act respecting the Canadian National Exhibition Association.

Sections 1 to 3, inclusive, agreed to.

Preamble agreed to.

Bill No. Pr37 reported.

EAST YORK FOUNDATION

House in committee on Bill No. Pr38, An Act to incorporate the East York foundation.

Sections 1 to 13, inclusive, agreed to.

Preamble agreed to.

Bill No. Pr38 reported.

TOWNSHIP OF SCARBOROUGH

House in committee on Bill No. Pr39, An Act respecting the township of Scarborough.

Sections 1 to 3, inclusive, agreed to.

Preamble agreed to.

Bill No. Pr39 reported.

CITY OF KITCHENER

House in committee on Bill No. Pr40, An Act respecting the city of Kitchener.

Sections 1 to 7, inclusive, agreed to.

Preamble agreed to.

Bill No. Pr40 reported.

TOWNSHIP OF NORTH YORK

House in committee on Bill No. Pr42, An Act respecting the township of North York.

Sections 1 to 3, inclusive, agreed to.

Schedule agreed to.

Preamble agreed to.

Bill No. Pr42 reported.

CITY OF CHATHAM

House in committee on Bill No. Pr43, An Act respecting the city of Chatham.

Sections 1 to 7, inclusive, agreed to.

Preamble agreed to.

Bill No. Pr43 reported.

THE DEVOLUTION OF ESTATES ACT

House in committee on Bill No. 1, An Act to amend The Devolution of Estates Act.

Sections 1 and 2 agreed to.

Bill No. 1 reported.

THE CERTIFICATION OF TITLES ACT

House in committee on Bill No. 2, An Act to amend The Certification of Titles Act.

Sections 1 to 4, inclusive, agreed to.

Bill No. 2 reported.

THE COUNTY JUDGES ACT

House in committee on Bill No. 3, An Act to amend The County Judges Act.

Sections 1 to 3, inclusive, agreed to.

Bill No. 3 reported.

THE PROBATION ACT

House in committee on Bill No. 4, An Act to amend The Probation Act.

Sections 1 to 3, inclusive, agreed to.

Bill No. 4 reported.

THE MORTGAGES ACT

House in committee on Bill No. 5, An Act to amend The Mortgages Act.

Sections 1 to 3, inclusive, agreed to.

Bill No. 5 reported.

THE USED CAR DEALERS ACT, 1964

House in committee on Bill No. 6, An Act to amend The Used Car Dealers Act, 1964.

On section 1:

Mr. V. M. Singer (Downsview): Mr. Chairman, when the hon. Attorney General (Mr. Wishart) introduced this bill for first reading I asked him whether or not the appeal procedures as established in the other sections of The Used Car Dealers Act would in fact apply to this control over advertising. His reply was that he thought it would.

When we got the bill into committee, a careful examination of the Act made it quite clear that there was no such appeal procedure. In answer to questions posed to the hon. Attorney General and to his officials at that time, they in fact confirmed this conclusion that was advanced to them.

Now, Mr. Chairman, we had quite a fuss in this chamber a year ago in connection with the whole problem of putting power in the hands of nameless and faceless civil servants who could make arbitrary decisions which could affect the businesses and lives and freedom of individuals who reside in the province of Ontario. As a result of that, the provisions of several statutes that had been introduced by the government were very substantially changed. But in a year's time the government is reverting back to this arbitrary type of legislation and is suggesting that a person called the registrar, who no one really knows and no one can identify, can immediately order the cessation of material in an advertisement that he, in his opinion—and his opinion may be all wrong—that he in his opinion concludes is misleading or deceptive.

Mr. Chairman, it may well be, and I think it should be, that along with control of used car dealers there should be control vested in someone concerning advertising. But in those controls that this House approved of a year ago, there were ample appeal procedures written into the Act to eliminate all suggestion of governmental officials acting in an arbitrary manner without giving the person who was accused an opportunity to appear and argue his case, an opportunity to be represented by counsel, an opportunity to take his case from one authority to a higher authority. All those safeguards were written into those Acts and into The Used Car Dealers Act.

As I say, Mr. Chairman, hardly a year has passed when we see the same sort of mentality in the writing of whoever was responsible for the drafting of this Act bringing back an amendment to be inserted into one of these Acts. If this one goes through, we will hear in a year's time: Will you approve—we have got it in The Used Car Dealers Act, the registrar and his opinion can do it—why not put it in The Mortgage Brokers Act and why not

put it in The Police Act and why not put it in this other Act?

Once this precedent is created and we have a nameless, faceless civil servant who in his opinion comes to some conclusion and can make these arbitrary orders, then, I suggest, Mr. Chairman, you have taken a serious step in abridging the rights of citizens of this province. There is a way that this can be done, and the hon. Attorney General knows how it can be done, and we are not objecting to controlling advertising. But we are objecting to giving this inordinate control to a civil servant who, once this statute passes, if it does, can exercise just his opinion and can be as arbitrary as he wants to and from his decisions there are no appeals, no method of dealing with it at all.

For those reasons, Mr. Chairman, I do not think that section one should pass, and if section one does not pass, then I do not think there is any purpose in the bill. Certainly we are going to oppose the passing of section one unless there are the appeal procedures written into this section.

Mr. MacDonald: May I ask the hon. Attorney General a question? I am not a member of the committee to which this was referred and, therefore, I did not have the benefit of the discussion there.

My question is this: Is the hon. member for Downsview correct—that there are no appeal procedures at all, or do the general appeal procedures from the rest of the Act apply to this section when it becomes incorporated into the statute?

Hon. Mr. Wishart: Mr. Chairman, I was about to rise, in any event, to clear this point. I think the hon. member for Downsview is well aware that the procedures for appeal and review of the acts of the registrar in The Used Car Dealers Act are all there, the same or very similar on all fours, let us say, with those in The Mortgage Brokers Act and those other supervisory types of Acts. They are all there.

With respect to this specific power which is given in section one of Bill No. 6, that is the control of advertising—the right to say that such advertising shall not be published—there is not a specific section saying that this action of the registrar shall be appealed, but all the appeal procedures, as in all the other similar Acts reviewing the acts of the registrar, run through The Used Car Dealers Act as I recall it. I actually have not got The Used Car Dealers Act in front of me.

Mr. Singer: I have just sent for it.

Hon. Mr. Wishart: I think we have those there and I feel certain I am correct—I will have my copy of the Act in a moment, too—that any action of the registrar which affects the licence—the issuing or the cancellation of a licence—of a dealer is subject to review.

So in my opinion, speaking at the moment, if the instructions from the registrar “Do not publish this particular advertisement,” are disobeyed, I presume this would call into question the right to have a licence and to carry on business. The whole matter then would be subject to review.

Mr. Singer: It might, but it might not. It might not have any relation to it.

Hon. Mr. Wishart: I will check now that I have the Act in front of me. I believe that all the powers of review are in that Act.

Mr. Singer: This was argued very extensively before the committee. The Act was there and the hon. Attorney General's deputy admitted quite definitely that there were no appeal procedures. For the hon. Attorney General to say that if this order of the registrar was disobeyed, there probably would be a licence cancellation for which there is an appeal, just evades the issue.

If your registrar wants to be arbitrary and comes to the conclusion that he wants to pick on X, he can say that every one of his advertisements are no good. He can effectively put him out of business in that way, as well as taking any one of the other actions which are appealable.

But on this one there is absolutely no appeal unless the hon. Attorney General is prepared to disagree with the legal argument I put forward at the committee, and with the opinion of his deputy. He is begging the question, because here you are giving to this man absolute power, if in his opinion the advertisement does the things that are cited.

Hon. Mr. Wishart: Mr. Chairman, I now have the Act before me. The Used Car Dealers Act, which is chapter 121.

Mr. Singer: I am sorry, I have not got it and there does not seem to be a copy there.

Hon. Mr. Wishart: Chapter 121, 1964. This is the Act on which we spent a very great deal of time last year. It was proclaimed early this year to come into effect in the first part of the year with section three—the one which prohibited anyone carrying on without a licence—coming into effect, I believe, on the 31st day of this month. Section 16 of The

Used Car Dealers Act, the marginal note is Review. The section reads:

Any person whose registration, or right to register, is affected by a decision of the registrar may, by notice in writing served upon the registrar within 30 days after delivery of the notice, request a hearing and review of the matter by the director.

Mr. Singer: This is not registration, this is advertising.

Hon. Mr. Wishart: Let me continue for a moment. Then it goes on in that same section with procedures on that review by the director. Then in section 17, where the director has reviewed a decision and given his decision upon the review, the person who requested the review may appeal to a justice of appeal of the court of appeal, and then it provides the way that appeal shall be carried forward.

Mr. Singer: But again, that is in relation to registration.

Hon. Mr. Wishart: I am quite aware of that, but I do say this, the procedures which we provided in The Used Car Dealers Act and with which I think many hon. members—certainly the hon. member for Downsview and the hon. member for York South—discussed in committee and in this House last year, provided all those procedures of appeal and review. What the hon. member is saying is that on the simple direct matter of advertising as provided in this proposed amendment, that the decision of the registrar when he forbids a particular piece of advertising to be published, that that particular item as such, is not subject to appeal and I admit that. But I say that any action of the registrar which affects the licensing or the registration of a dealer, is subject to all the procedures of review and appeal, and I submit that at some point you must have, as this amendment provides, an authority in the registrar or in some official under the Act—in this case it is the registrar—to say “No, that is false, and it must not be published.” That is first of all.

Now on the appeal, if, as I say, the dealer proceeded in the face of that, he could call in question, through the procedures now in the Act, the actions of the registrar. That is my view.

Mr. Singer: Mr. Chairman, I pose the very simple case that a registrar, who again I say is a nameless and faceless civil servant, who comes to the conclusion that he just does not like used car dealer X, is not going to put himself in the position where he is going to

make a decision that is going to be appealable. So the best way of getting used car dealer X out of business is to refuse every one of his advertisements. Should the dealer contravene the order of the registrar, then he subjects himself to all the penalties that are in the Act in section 19:

Every person who fails to comply with any order or direction or other requirement made under this Act—

and one of them now would be this order as to advertising:

is guilty of an offence on a summary conviction, is liable to a fine of not more than \$2,000 or a year in gaol or both.

If it is a corporation, it is \$25,000.

I am not disagreeing with the hon. Attorney General that advertising should be controlled. If he is concerned about the wording of this, the advertising could be controlled and not be allowed until the appeal has taken place. But since we fought this thing out a year ago and determined, that to be reasonable and fair to the people who were going to be affected, to exercise this sort of control and there had to be appeal procedures built into each one of these Acts. Surely the government, just a year later, is not going to abandon this principle and give to this nameless, faceless civil servant the power to make these arbitrary opinions when in his opinion—and that is all it is—when in his opinion something is wrong. If this is what the government believes—that the government wants to go back to this type of legislation—mark my words, if they do, it will only be a question of time till we have amendments to another statute and another statute. The government members will stand up and say: “Well you approved of it in The Used Car Dealers Act, why not have it in this Act?”

You erode civil rights, you erode the opportunity of persons to defend themselves, to be dealt with in a fair and reasonable manner; and you really are destroying civil rights. The whole principle of Bill No. 99 is back before us now. The government is threatening again to take this sort of action.

Mr. MacDonald: Mr. Chairman, I am not going to argue the case in what may be the exaggerated terms of the hon. member for Downsview at the moment. Quite frankly, I am trying to think my way through this, because I agree the rights of the individual have to be protected. On the other hand, this involves not so much the right of the individual as it does the means to get at the people who are really “con” men and who

are engaged in advertising for the purpose of bilking the public. They have been getting away with it for years. I am anxious to make certain that we come to grips with this.

Mr. Chairman, I think I am correct—and I should have taken a look at the federal food and drug statute—but I believe I am correct that this is essentially the situation in the federal food and drug legislation. This, nameless and faceless, if you will, civil servant comes to the conclusion that certain advertising is not in the public interest, as spelled out in the Act or in its regulations and the guillotine falls, there is just no advertising.

Now the other interesting argument—

Mr. Singer: No, the hon. member is not quite correct there.

Mr. MacDonald: Why not?

Mr. Singer: There can be an order but then there has to be, in The Food and Drug Act, there has to be a prosecution. If X has contravened the provisions of The Food and Drug Act a charge is laid against him about the contravention. In this case, the charge would be laid against the person who offends by publishing. It is a very substantial difference.

Mr. MacDonald: Well, I am not a lawyer and I am not familiar with that Act, but my understanding was that in The Food and Drug Act if in effect an instruction is given in the first instance from that department, then if they want to proceed—

Mr. Singer: They can argue the merits of the advertising before the judge. But here they cannot.

Mr. MacDonald: Let me give another example to illustrate the point that was in my mind.

I was interested in the argument of those who are opposed to this bill altogether, and if the hon. member for Sudbury (Mr. Sopha) were here we would have a divided voice from the Liberal benches on this issue, because there is no doubt that he is opposed to it.

I was interested in the argument of The Toronto *Daily Star* editorially in this connection. Their argument was that this was not something that the government should get into, at all. Indeed, they tried to make their point by contending that their regulations were even tougher than what the government was proposing because they quoted—I believe on a CKEY interview—the hon. Attorney Gen-

eral as saying that they were not going to make it necessary in advertising to say that the used car had formerly been a taxi so that the prospective used car buyer would be aware of the fact that he was getting a former taxi. In the Toronto *Daily Star* apparently they do make it necessary that if former taxis are being sold this must be specified in the ad.

Now, the interesting thing is that the Toronto *Daily Star* in the case of certain used car dealers in this city, are in effect saying, "We will take none of your ads." Now here is censorship. Here is really a guillotine censorship—"We just will not touch it."

The problem for us at the legislative level is that down the street there is another paper that will take the same ad. I invite people to take a look at the ads. In fact, Ron Haggart, in the same Toronto *Daily Star*, has been doing a magnificent job, showing just why you must have legislation with teeth in it. The very advertising that the Toronto *Daily Star* will not take, the *Telegram* is printing. It is certainly the kind of advertising which, in my view should not be tolerated.

I am apprehensive if there is any genuine infringement on the rights of the individual, but there comes a very delicate point when you are seeking to regulate those people who are skating on thin ice all the time, and deliberately so. When you have to catch the people who are deliberately trying to bilk the public, you try not to let them hide behind their so-called civil liberties, because their so-called civil liberties, in their view, are to be able to go out and bilk the public.

This is the case as far as some of these used car dealers are concerned. I know from my investigations in some depth on this issue a year or so ago in talking to the people in the Better Business Bureau, that they have a committee which has worked with the newspapers. Some of the people, such as Ted Williamson, have been repeatedly brought before this committee. But this did not make any difference. He just came up with another gimmick, as imaginative in its capacity to hoodwink the public as the one which he may or may not have been persuaded to jettison when he came before this particular committee.

In other words, what you have is a small—not a large—group, but you have a group that is deliberately trying to mislead the public. This group should not be permitted to hide behind the argument that it is their civil right to continue to do this kind of thing.

I am still persuaded that this bill is a

satisfactory bill. If we find that somebody is being unfairly treated, or his right is being unfairly encroached upon, I will be the first one a year from now to come in here and say that experience is proving that we have not adequately protected; but at the moment I am interested in catching these people who have been operating too long in this fashion.

Mr. A. F. Lawrence (St. George): Mr. Chairman, I am in the rather unusual position this morning where I want to agree with all three speakers.

First of all, I agree with the hon. member for Downsview when he says at the moment there is no appeal procedure definitely written into the Act to deal with the decision of the registrar in such a case where he forbids certain advertising, or certain advertising material.

Second, I agree with the hon. Attorney General when he says that it was the intention of the framers of this Act that any major decision of the registrar should be reviewable by the director, and the director's reviews are even appealable then to the court. As I understand the situation, the administrative procedure at the moment is actually that the decisions are reviewable, and this falls into the general intention and the way the Act is administered at the moment.

I also agree with the hon. member for York South when he says there is a definite need for this type of legislation. I know we have had several instances brought before us on the select committee on consumer credit, which definitely cry out for the need of this type of legislation.

I wonder, Mr. Chairman, if I could suggest to the hon. Attorney General therefore that this bill should be amended so that there is no doubt at all that the present intent of the framers of the bill as a whole, and the present administrative procedure in the department at the moment, is actually safeguarded by some legislative enactment which will guarantee that these decisions of the registrar are appealable—are reviewed—by the director. Then these in turn would follow the general appeal procedures actually followed at this time.

If we already do it at the moment administratively, I do not see why these rights are not guaranteed in the actual bill itself. Therefore, if I may, I would suggest to the hon. Attorney General that we adjourn this particular consideration of the bill so that we can all take another look at it.

Hon. A. A. Wishart (Attorney General): Mr. Chairman, I have in my hand at the moment

the Statutes of Ontario, 1962-63. I am referring to The Mortgage Brokers' Registration Act, chapter 85.

If the hon. members would observe the language of section 1 of the bill before them, I would like them to compare it with this language which is lifted, I may say, word for word from the same context exactly as in The Mortgage Brokers' Registration Act.

Section 5 of The Mortgage Brokers' Registration Act, chapter 85 of the Statutes of Ontario, 1962-63—here is the language:

Where in the opinion of the registrar any person registered under this Act is making false, misleading or deceptive statements in any advertisement, circular, pamphlet or similar material, the registrar may order the immediate cessation of the use of such material.

That is exactly the same language, in every word, as now.

Let me say this: The Mortgage Brokers Act has worked well. This was an amendment added to it in 1962-63 and I am proposing now to add an amendment to The Used Car Dealers Act. Let me say further that I do not agree with the hon. member for Downsview that section 16 is not in this language, describing an act of the registrar which does not affect or may affect, the licence of the dealer. The language is:

Any person whose registration, or whose right to register is affected by a decision of the registrar.

I believe that the preventing of an advertisement or the order of prohibition from advertising can certainly be said to affect the rights of that dealer to carry on business.

In any event, it is exactly the same as the hon. members of this House have adopted in the past and what we have tried out in experience, and I suggest that nobody's rights have been unduly affected or taken away by giving to the registrar the right to say—somebody must have this right—"This advertisement is false and misleading; do not publish it."

We have used it. It has worked well and all the provisions of review, and appeal of The Mortgage Brokers Registration Act are to be found in The Used Car Dealers Act; they are all there and they have all worked well. I would suggest to this House that it pass this bill.

Mr. Singer: Mr. Chairman, the hon. Attorney General confirms one of the arguments that I was making. Once a section like this is cut away from a statute and is brought

forward again in a different statute, it is always going to be argued, as the hon. Attorney General argued just a few minutes ago: It is in The Mortgage Brokers Act, therefore what is wrong with putting it in The Used Car Dealers Act and within this Act and that Act?

The fact that it got through in 1962 and 1963, and, I would suggest, wrongly then, as it is wrongly now, does not now make it right.

I want to clear up one more thing. I am sure the hon. member for York South did not want it implied in the objections that we are making, that we do not believe there should be any control of advertising. Let me make it abundantly clear; there should be control of advertising in this field. We think it is reasonable and we think it is logical, but the thing that concerns me is the appeal procedure.

It may be that there has been no problem in The Mortgage Brokers Act, but there is the possibility that there could be a problem. We do not know whether, this year or next year or five years from now, there will be some registrar of mortgage brokers or used car dealers who is going to be arbitrary and unfair, and I think that the public are entitled to be protected against arbitrary and unfair actions of any civil servant.

The suggestion of the hon. member for St. George is eminently fair and eminently reasonable and I cannot see any possible basis on which the hon. Attorney General should say that there should not be an appeal procedure. His curious, and I emphasize this, his curious argument is around the wording of section 16 saying that this involves appeal procedure—I am surprised, I am really surprised that the hon. Attorney General would attempt to take one word and argue in this way. He knows, as well as any legal member of the House certainly, that this is an argument that would not stand up in court for two seconds. If he sent his officials into court to argue this, they would be thrown out before they opened their books.

It is a ridiculous argument. The hon. Attorney General knows it. His deputy agreed in committee with the argument that I am presenting now. The hon. member for St. George made the same argument in committee; this is a very simple matter but the important point is that it is a matter of principle.

Control the advertising, yes, but if it is going to be put in the hands of a civil servant, allow appeal procedures which will protect the public against the arbitrary use of those powers. It is simple; it is clear cut; it is fair

and it is reasonable, and I do not see any reason why the government should not accept it.

Mr. J. B. Trotter (Parkdale): Mr. Chairman, I just want to say that I did not get into this argument in the committee; unfortunately I was unable to be there.

Mr. Wells: Mr. Chairman, I am not a lawyer, and perhaps it is a little more difficult for me to weave my way through some of the legal technicalities here, but it seems to me that the case the hon. Attorney General has presented, in this situation, is the one that is right.

I would agree fully with what the hon. leader of the New Democratic Party (Mr. MacDonald) said, and with what others have said; we all agree that there is a need for control of this type of advertising.

Mr. Chairman, We have brought up the name of a used car dealer who operates in the township of Scarborough, some of whose advertising Ron Haggart, I think, has very excellently exposed. This advertising is accepted by some papers in the city of Toronto, and yet refused by others because of a voluntary code of standards to which all the newspapers give lip service without adhering to it.

I looked the other day at a few advertisements in last Saturday's *Telegram* and here is one, for instance:

We sell government inspected cars. All our cars are inspected by The Department of Transport and bear the seal of approval clearly displayed on the windshield.

And this is only part of the advertising that is inserted in some newspapers every week, and when this is looked at, I think you will agree that there needs to be some type of regulation of advertising.

As the hon. member for York South has said, we always want to insert things in here that help the people who are really out to try to fleece the public, and they are just looking for all these little ways that can make it easier for them to continue to carry on this type of advertising.

As I see it, what the hon. Attorney General said is that if any one of these dealers feels that he has been wronged by the registrar—if the registrar calls him up or writes him and says: "This advertising that you have inserted does not meet with out approval. We are asking you to withdraw it"—if that person feels that he has been wronged, he can say: "I disagree with you." He can leave that

advertising in and then the whole question of his licence comes into question—

Mr. Singer: No, sir, it does not at all.

Mr. Wells: That is what the hon. Attorney General said—

Mr. Singer: He did not say that. If he has committed an offence under the Act he can be fined \$5,000 or a year in jail; they are both for disobeying the order.

Mr. Wells: There is an appeal procedure in there then; his licence comes into question and there is an appeal procedure. This is a very important matter then and it means that if someone has been wronged, he can then carry out this procedure; but it is a type of procedure that he is not going to take lightly. In other words these fellows that know they have made a mistake are not going to try to skirt around it. They are going to have to think very carefully if they are going to contravene this order. If they do think they have been wronged, they can contravene it but their licence then comes into question and then all appeal procedures apply. This is the way that I understand it and I think it is eminently right in this situation.

Mr. Reilly: Before the hon. member leaves that point, Mr. Chairman, would the hon. Attorney General clarify that point, because this is of concern to many of us in committee.

Hon. Mr. Wishart: The hon. member who has just spoken stated my opinion quite correctly.

Mr. A. F. Lawrence: Mr. Chairman, on that particular point—unless the hon. member is going to speak on that particular point—let us take an example. Say an urban morning newspaper hits the streets at 9.30 or 10 o'clock in the evening, with an extremely misleading newspaper advertisement from a used car dealer. I am just using this as an example. This advertisement could then immediately be brought to the attention of the registrar, and the registrar then would, presumably, immediately communicate with two people; first, the newspaper itself and, second, the person who placed the advertisement, in an attempt to have the dealer immediately issue instructions to prevent that advertisement from appearing in the morning editions of that newspaper.

Let us say it is a matter of such urgency, and I would suggest to you that it would have to be, otherwise the registrar should not act in this way—but let us say that it is a matter of such urgency that it should not

appear in those morning editions, and supposing the dealer himself is unavailable, as some of these people have made themselves so to be in previous circumstances such as this, the only outfit that can prevent that newspaper advertisement from appearing then is, presumably, the newspaper itself.

We are not talking here about the cancellation of any licence, or anything affecting the licence of the dealer himself. The only way it could possibly be done is to have that advertisement yanked out, and the dealer may not know anything about it because it may be impossible to reach him. Therefore, how can this possibly affect that dealer's registration or his licence? Yet he should have the right of appealing this. I would suggest—I do not want to make the amendment at all—I would suggest that section 1 could be amended by adding to 18A, some wording such as this at the end of it:

And any such orders shall be reviewable under the appeal provision of section 16, and subsequent sections hereof.

I do not want to make that amendment myself, but I would hope that if such an amendment in those terms would be acceptable to the government and to the hon. Attorney-General, it would clear up the whole situation. As I understand it at the moment, the intent is that any of these decisions by the registrar are reviewable in any event, and there can be circumstances where it is quite urgent that these advertisements be yanked and be yanked immediately. We have seen some of them in the last two months here, some from the Danforth Avenue used car lots. I would think that in such an urgent matter as that—it would presumably only be in such an urgent matter—the registrar should act, in any event. But if he should act, it certainly should be appealable and this would not necessarily affect the registration or the licence of the used car dealer himself.

Mr. F. Young (Yorkview): Mr. Chairman, may I ask a question—

Mr. Chairman: This gentleman has been up.

Mr. Young: Sorry.

Mr. Trotter: Mr. Chairman, the fact that there has been so much argument over this section, whether there is a right in appeal or not, is to me evidence that there is going to be a great deal of argument after a few years have gone by, or a case arising from this particular section comes before the courts.

It is all well and good for the hon. Attorney-General to say what his intention is, or what he thinks, but the real intent must appear on the face of the bill. If you appear in magistrate's court, you have no opportunity to quote *Hansard*. There are rare occasions where you are allowed to use *Hansard*, maybe in a constitutional case before the Supreme Court of Canada. But very, very rarely are you allowed by a judge or a magistrate to read *Hansard* into the court record to try to show what the intent was at the time the bill was passed.

I am surprised that the hon. Attorney General, who to date has always appeared such a reasonable man, is so stubborn on this point. I have been one who has believed that something should be done to protect the consumer, and certainly something should be done to bring about protection of the consumer from the used car dealers. At the same time, we must not go whole hog and not allow the private businessman, the used car dealer, or anybody else, protection from government.

This is our one great objection, that there is a great question of whether there is a right of an appeal. And why can not the hon. Attorney General accept the suggestion of the hon. member for St. George? I, for one, know that there is a great deal of disagreement among lawyers as to whether there is a right of appeal or not.

The hon. Attorney General's argument might be right. The argument of the hon. member for Downsview might be right. Why can not we in this Legislature be certain that there is a right of appeal, because there is no certainty. If we are going to get into this type of argument before the legislation is even passed, what in the world is going to happen when a few thousand lawyers start to argue over the section when we get to the various courts?

Hon. Mr. Wishart: Would the hon. member permit me to say something at this stage?

Mr. Trotter: Yes, certainly.

Hon. Mr. Wishart: I admit to some stubbornness, particularly when I feel that I am right. I think there is no question but what this decision of the registrar would, in the proceedings of the Act as I have stated, be subject to review, and be subject further to appeal.

But since there seems to be such doubt on the point among some hon. members of the House, I certainly have no objection to section 1, as proposed in the bill, having

words added to it which would amend it; something to the effect that such decision shall be subject to review and appeal as set forth in sections 16 and 17—something like that.

Some hon. members: Hear, hear.

Mr. Young: Mr. Chairman, could I ask the hon. Attorney General a question? The matter we want to get at here is the protection of the public; this is fundamental. We want the public to be protected against this kind of advertising and protected quickly, by action of the official concerned. Now, does this amendment mean that the advertisement can run until the appeal procedure is carried through? If it does, then of course the whole intent of the legislation is frustrated. It would seem to me that if the registrar can act, the advertisement can be yanked, and then the appeal go forward, it would make some sense. Otherwise, it is frustrating the whole intent.

Hon. Mr. Wishart: Such language as is here proposed, with the suggested amendment providing for review of this decision, I would say would not, of itself, make it absolutely essential that the advertising must stop while the review and the appeal were going forward. I think a dealer could assert his right to carry on.

We could put language in which would say, "and while such review is being taken, the advertisement shall not be published." But I think we need not go to the point of spelling out details to this extent in the Act.

I offer an example: A dealer publishes an advertisement. The registrar says, "That is false, that is misleading, cancel it, do not publish it again." Or perhaps as the hon. member indicated, he might not immediately get the dealer, but I think he would suggest to the newspaper—we have found the newspapers very co-operative, very anxious to assist in the other similar Acts—that the advertisement should not be published.

Now if the dealer was notified and he continued to put it in, he would jeopardize himself under the sections of this Act to the point of having his licence taken away, having disobeyed the decision of the registrar. If it were upheld on review and on appeal, he would be subject to a substantial fine, with the cancellation of his licence and all the penalties which are in The Used Car Dealers Act.

I think we need not concern ourselves with carrying the Act out to that very detail as to

whether the ad may run or may not run. I think any dealer who would run that risk, would be such a man that he would not be in business. And I think if he did run that risk, and the registrar's decision was upheld, he would certainly be out of business.

Clerk of the House: The amendment proposed by the hon. Attorney General is as follows:

That to 18A as printed in section one, the words be added after the word material:

And any such order shall be reviewable under the appeal provisions of section 16 and subsequent sections hereof.

Mr. Chairman: Shall the amendment carry?

Hon. J. P. Robarts (Prime Minister): Mr. Chairman, just before it does!

There are many ramifications to this. I did not attend the legal bills committee and I have not had the benefit of their arguments, but I have some very firm ideas about the protection of individual rights. I also agree with the statements made by the hon. members of the New Democratic Party that, as always, we have to balance two items, one against the other. Both are in the public domain and both concern the rights of individuals.

What, I wonder, is this: If we introduce an appeal—and perhaps the hon. Attorney General has the answer to this, or perhaps some of you who have gone into this and are recommending this right of appeal, is the man who publishes what in the opinion of the registrar is false and misleading advertising and is then told to stop; he refuses and he can appeal against the form of the advertisement; would that appeal prevent the registrar from attacking his licence when he is continuing to do what the registrar says is false and misleading? Could we then get into a series of appeals where his licence could not be affected until the appeal on the actual wording of the advertisement was disposed of? In this event, you are going to institute a course of legalistic actions which might have the effect, in my opinion, of nullifying what we are trying to attempt in the legislation.

Mr. Singer: In the meantime, he has accomplished his purpose.

Hon. Mr. Robarts: Perhaps the hon. Attorney General could satisfy me on this point before the motion is put.

Maybe I should repeat the point. It is simply this.

We have introduced a new area of appeal. The appeal is from the actual form of the advertisement as put in the newspaper. One man says it is false and misleading, the man who puts it in the paper says it is not. This must go to some third party to decide.

Now, my point is this. Once that appeal is taken on the form of the advertisement would this prevent the registrar from then moving against the licence of the man? That is, the ultimate control we have, if he is doing things badly. Does the whole course of action have to wait upon the settlement of the appeal on the form of the advertisement, or can we trust to the position taken by the hon. Attorney General?

And that would be this: If I were a used car dealer and put an ad in the paper and the registrar said, "Stop, it is false and misleading"; and I said "No, it is not"; we are then in dispute. This affects my licence, because if I do not obey him he is going to cancel it. I then would be able to appeal directly to the director, if that is the person concerned, saying if the registrar is right and I am wrong then he is in a position to cancel my licence because I am doing what he has told me not to do.

I just wonder if the introduction of another step of appeal will weaken the control that we are seeking to exercise over this type of behaviour.

Hon. Mr. Wishart: Mr. Chairman, I think we can resolve this matter. The proposed amendment to section 1 would provide the review and appeal which are now in the Act. But it would be—with respect to the advertisement—it would be an appeal, I think, in the wording of the amendment as suggested that the order of the registrar may be subject to review and appeal.

Now that might be with respect to that particular advertising situation. But the Act itself provides—in the duties of the registrar, section 5, and this would not hinder or delay his action if he wanted to deal with a dealer—for the suspension and cancellation of the licence. The registrar may, after giving the registrant an opportunity to be heard, suspend or cancel the registration for the breach of a term or condition upon which the registration was granted or where—this is significant—in his opinion to do so is in the public interest.

So I would think that the registrar would say: I am satisfied this man is doing some false advertising and it is in the public interest that his licence be cancelled, putting him out of business; subject again to review and appeal.

Mr. Chairman: Shall the amendment carry?
Amendment agreed to.

Mr. MacDonald: Mr. Chairman, may I make just one brief comment on the bill generally? I suppose it may be a bit unfair at this point to specifically ask the hon. Attorney General what is going to be the attitude of the registrar with regard to certain kinds of gimmicks in advertising. But I want to suggest to him that there are two which should be considered immediately, and they are ones for which I am not claiming any originality; but if anybody has been reading Ron Haggart's columns, he will have noted them.

One is the practice of posing as a private individual in an effort to sell the car. The hon. Attorney General looks as though he had a spontaneous reply to that.

The second one is the proposition of making it obligatory that the licence number of the used car be put in the ad. Now, hon. members may not be aware of this, but I happen to know of the experience that a number of people have had and they were provoked to the point where they tested this.

A certain dealer will advertise a very attractive car. This is a come-on. When you get there, invariably the car is sold and then they proceed to try to pawn off some other pile of junk that they have sitting around the yard.

In this particular instance they actually went to a telephone booth, literally 50 yards from the used car dealers, and called up, and said "Have you got that car," and he said yes. They walked right over and it was gone. So clearly, it was a gimmick.

Now it seems to me that the way you get at this effort to lead people on with one attractive car—not even on the lot, but just in the ad—and then sell them the others, is to put the licence number in the ad and then the prospective buyer is in a position to protect himself.

Hon. Mr. Wishart: I am not, frankly, Mr. Chairman, prepared to answer in detail the question of the hon. member for York South; but I would say this: I think our registrar and our administrative people will be aware of these things and will be active in making the necessary arrangements to take care of this sort of situation. If we need to make further provision, I believe the regulations are wide enough to insist that this Act provides the form of advertising, it governs the contracts for sale, and I think we can reach these situations.

Section 1, as amended, agreed to.
 Sections 2 to 4, inclusive, agreed to.
 Bill No. 6 reported.

THE ARCHAEOLOGICAL AND HISTORIC SITES PROTECTION ACT

House in committee on Bill No. 7, An Act
 to amend The Archaeological and Historic
 Sites Protection Act.

Sections 1 to 3, inclusive, agreed to.
 Bill No. 7 reported.

THE HIGHWAY IMPROVEMENT ACT

House in committee on Bill No. 8, An Act
 to amend The Highway Improvement Act.

Sections 1 to 6, inclusive, agreed to.
 Bill No. 8 reported.

THE DEAD ANIMAL DISPOSAL ACT

House in committee on Bill No. 12, An Act
 to amend The Dead Animal Disposal Act.

Sections 1 to 5, inclusive, agreed to.
 Bill No. 12 reported.

THE ANATOMY ACT

House in committee on Bill No. 13, An Act
 to amend The Anatomy Act.

Sections 1 to 7, inclusive, agreed to.
 Bill No. 13 reported.

THE ARBITRATIONS ACT

House in committee on Bill No. 14, An Act
 to amend The Arbitrations Act.

Sections 1 to 3, inclusive, agreed to.
 Bill No. 14 reported.

THE TRENCH EXCAVATORS' PROTECTION ACT

House in committee on Bill No. 17, An Act
 to amend The Trench Excavators' Protection
 Act.

Sections 1 to 20, inclusive, agreed to.
 Bill No. 17 reported.

THE ELEVATORS AND LIFTS ACT

House in committee on Bill No. 18, An Act
 to amend The Elevators and Lifts Act.

Sections 1 to 13, inclusive, agreed to.
 Bill No. 18 reported.

THE CONSTRUCTION SAFETY ACT, 1961-1962

House in committee on Bill No. 19, An Act
 to amend The Construction Safety Act,
 1961-1962.

Sections 1 to 4, inclusive, agreed to.

On section 5:

Hon. H. L. Rowntree (Minister of Labour):
 In connection with section 5, when the bill
 was before the committee on labour, there
 was some discussion with respect to the effect
 of enforcement of the provisions of the Act.
 An undertaking was given that this matter
 would be reviewed, and in order to give voice
 to the suggestion made in the committee
 by one of the municipalities I now move that
 section 5 of the bill be amended by adding
 thereto, as subsection 1, the following:

(1) subsection 1 of section 13 of The
 Construction Safety Act, 1961-1962 is
 amended by striking out "the same" in the
 fifth line and inserting in lieu thereof "any
 matter related to a project."

Mr. Chairman: Shall the amendment carry?
 Amendment agreed to.

Section 5, as amended, agreed to.

Sections 6 to 18, inclusive, agreed to.

Bill No. 19 reported.

THE DOG TAX AND CATTLE, SHEEP AND POULTRY PROTECTION ACT

House in committee on Bill No. 20, An Act
 to amend The Dog Tax and Cattle, Sheep and
 Poultry Act.

Sections 1 to 13, inclusive, agreed to.

Bill No. 20 reported.

THE WEED CONTROL ACT

House in committee on Bill No. 21, An Act
 to amend The Weed Control Act.

Sections 1 to 5, inclusive, agreed to.

Bill No. 21 reported.

THE BEES ACT

House in committee on Bill No. 26, An Act
 to amend The Bees Act.

Sections 1 to 3, inclusive, agreed to.

Bill No. 26 reported.

THE WORKMEN'S COMPENSATION ACT

House in committee on Bill No. 31, An Act
 to amend The Workmen's Compensation Act.

Sections 1 to 7, inclusive, agreed to.

On section 8:

Mr. R. F. Nixon (Brant): Mr. Chairman, on section 8, I wonder if I might ask the hon. Minister for a comment. This section is the one that deals, I believe, with the application of The Workmen's Compensation Act to the agricultural industry.

In committee the other day, the gentleman representing the compensation board said that notwithstanding the provisions here in section 8, it would still take a special regulation to apply the provisions of the Act to the agricultural industry. He was not prepared to say at that time that the regulation would be brought in. I believe that is the intent of the thing, and I wondered if the hon. Minister would just make a comment on it.

Hon. Mr. Rowntree: Mr. Chairman, it is the intention of the government that the application of the compensation Act be made to the work force in agriculture at the earliest possible moment. In the meantime, I would add this. There are many details to be worked out leading to the formal adoption of this new participation, and active negotiations and discussions in depth and in detail are being carried on between the officials of the compensation board and representatives of various agricultural associations.

Mr. Nixon: The suggestion was made, Mr. Chairman, that it might come into force as of July 1 this year. Has any specific date been mentioned in these negotiations?

Hon. Mr. Rowntree: In the operation of the compensation board it is legislation. Some time is usually required to notify all interested parties and instruct them with respect to the application of the Act. I would say that I think the date they have in mind for making effective the other provisions of the Act is July 1, and I would assume that that is the target date for this matter to which the hon. member makes reference.

Mr. R. M. Whicher (Bruce): Mr. Chairman, I wonder if I might ask the hon. Minister a question. Does this mean that all farmers would have to make out forms in connection with workmen's compensation, whether they had employees or not? I believe in other small businesses the law now is that the compensation forms must be sent in yearly, whether they have employees or not. I was wondering if there was any way we could get round this so that farmers who did not have employees would not have to fill out these forms, because it is quite a problem.

Hon. Mr. Rowntree: I understand the point that the hon. member raises. While I cannot speak in detail to it, I can speak to the policy of the government, and it is not to make any additional work or to involve any additional work than is absolutely required.

Mr. Nixon: Further to that, Mr. Chairman, the hon. Minister mentioned that the compensation board would be conferring with a number of farm organizations. I wonder if he would mind telling us what those organizations would be.

Hon. Mr. Rowntree: My understanding is that the agriculture federation of Ontario and, I cannot say absolutely but it was my understanding, the farmers union group as well had been in touch with the board.

Hon. Mr. Stewart: I should like to add to that, if I might, Mr. Chairman. In addition to what the hon. Minister has said, contact has been made with the fruit and vegetable growers association, and with various producer commodity groups as well. There seems to have been very good liaison, with the general agreement that this matter should be worked out as satisfactorily as possible.

Mr. Nixon: In case it has not come to the hon. Minister's attention, I believe the Ontario flue-cured tobacco growers marketing board has gone on record as opposing the implementation of this legislation, and I would hope that you would give them an opportunity to express their feelings before it was taken much further.

Hon. Mr. Rowntree: I do not think I could accept that proposition at this stage of the bill in the Legislature. The bill has received approval of this House at second reading in principle, therefore the matter is going forward. The bill has been before the committee on labour and has been passed by that committee. Opportunities, ample opportunities, have been presented for the group to which the hon. member makes reference, to make their views known, and their views have been taken into account with respect to the broad application of the bill. But it is the government's intention to proceed with the implementation of this legislation. I have to put it to you in that fashion because the principle of the bill and its implementation have been advanced by the government and approved by this House.

Mr. Nixon: That is so, and I agree with the hon. Minister in that connection; but surely a group like this, which has expressed

publicly that they have definite reservations, must have good reasons for this. I presume they were informed well in advance and had an opportunity to appear before these committees, but I do not believe they did appear.

Hon. Mr. Rowntree: I can understand the hon. member's desire to record—

Mr. Nixon: No, it is more than that.

Hon. Mr. Rowntree: Just a moment—to record that position in the House and at this point. I would simply say this about it, that I will check this out myself with the board to make certain that the flue-cured tobacco marketing board group have ample opportunity of being informed at least of the details of the implementation, and a consideration given to any special problems that they think apply to their situation.

Mr. Nixon: I do not want to take up too much time of the House in this connection, but the very fact that they did oppose it in general would, I presume, mean that they have some specific difficulties that have to be taken into consideration when the regulations are brought down.

Sections 8 to 11, inclusive, agreed to.

Bill No. 31 reported.

THE JUDICATURE ACT

House in committee on Bill No. 36, An Act to amend The Judicature Act.

Sections 1 to 7, inclusive, agreed to.

Bill No. 36 reported.

THE LORD'S DAY (ONTARIO) ACT, 1960-1961

House in committee on Bill No. 37, An Act to amend the Lord's Day (Ontario) Act, 1960-1961.

Sections 1 to 3, inclusive, agreed to.

Bill No. 37 reported.

THE BOUNDARIES ACT

House in committee on Bill No. 38, An Act to amend The Boundaries Act.

Sections 1 to 8, inclusive, agreed to.

Bill No. 38 reported.

THE SHERIFFS ACT

House in committee on Bill No. 39, An Act to amend The Sheriffs Act.

Hon. Mr. Wishart: Mr. Chairman, with respect to section 1, subsection 2, the word "registrar" in the last line of subsection 2 should read, "sheriff". I therefore move that section 1, subsection 2 be amended by striking out the word, "registrar" in the last line of the subsection, and inserting in lieu thereof, the word, "sheriff".

Section 1, as amended, agreed to.

Sections 2 and 3 agreed to.

Bill No. 39 reported.

THE COUNTY COURTS ACT

House in committee on Bill No. 40, An Act to amend The County Courts Act.

Sections 1 to 3, inclusive, agreed to.

Bill No. 40 reported.

THE EXPROPRIATION PROCEDURES ACT, 1962-1963

House in committee on Bill No. 45, An Act to amend The Expropriation Procedures Act, 1962-1963.

Clerk of the House: The Honourable the Lieutenant-Governor recommends the following:

That the cost of the board of negotiations established under section 9-a of The Expropriation Procedures Amendment Act 1965, shall be paid in the fiscal year 1965-66 out of the consolidated revenue fund as provided in Bill No. 45, An Act to amend The Expropriation Procedures Act, 1962-1963.

Recommendation concurred in.

Section 1 agreed to.

On section 2:

Mr. Singer: Mr. Chairman, I cannot see anything in section 2 that allows the board of negotiations to have any advisers. Is it the government's intention that these people who make up the board of negotiations operate solely on their own, or are they going to be allowed to retain evaluators?

Hon. Mr. Wishart: The thought is that the persons who make up the board of negotiations would be people with general knowledge of the area, of the land, or the property being expropriated, or the situation, that they could advise themselves. I do not know that the Act spells out that they would get appraisers, but I would think they would get such information. I think nothing further is necessary than that the Act provides we have a board of negotiation which will be made up of

knowledgeable people in the area, who have the power to do such things as are necessary to try to reach a settlement.

Mr. Singer: They have no power to have a staff of their own, or to bring in independent advice if they believe there is not enough information before them, if the parties to the dispute are not able to provide them with the technical language. You are relying on their personal knowledge, is that it?

Hon. Mr. Wishart: I think it would be implicit in the Act that they would have power to get such information, and seek such evaluations as they might wish. These would be different boards on almost each case, different groups.

Mr. Singer: I would like to see written into this section broader powers to these persons to enable them to have such staff as they deem proper.

Hon. Mr. Robarts: That is the intent.

Mr. Singer: It may be the intent, but I do not seem to find it here.

Hon. Mr. Stewart: Mr. Chairman, may I say just a word on this?

I feel very keenly about this piece of legislation. To me it is one of the most important pieces of legislation to come before the House this year.

Having lived in an area that has been crossed with pipelines on innumerable occasions in the last few years, I have come to know the problems that are associated with expropriation procedures in a very intimate way.

We have had the operation of a similar committee to this under The Pipelines Act that was set up when my friend, the hon. Minister of Municipal Affairs (Mr. Spooner), was then Minister of Mines, who established a committee, such as this, that was comprised of local people with a chairman who understood and had good command of the situation from a legal standpoint, to go out and hold meetings in the various areas of this province where there were problems in the settlement of property that had been expropriated for pipeline purposes.

This has worked so well in our area that I felt that this should work well in almost every area. Now this committee—and I have known many of the members, I have talked to them personally and asked them of their experiences. They have found that where they sit down around—I like to refer to them as the kitchen table committee. This is about

what happens, because these men can go right out to the farmer's home, if it is a farmer that is having the problem, they sit down in his home and they discuss the problem with him. The expropriating authority may be there and they discuss the matters of concern to all of them.

Now, in this case I see no difference between the committee my friend, the hon. Attorney General is proposing and the actions of this other committee. Where they feel that additional advice is required and they want additional information they have every right to go and get it, and they do. They have the right and they do go out and see the actual property that has been expropriated and what has happened—the damages, if it is damages that are under discussion—and they come back and they discuss these things with the concerned people again, if necessary.

They say: Well, in our opinion, this is what should be done as a matter of settlement here.

It is working in almost 100 per cent of the cases. I virtually know of none that have gone from that committee of negotiation to an arbitration settlement. To me it takes out of the settlement on expropriation the necessity for appearing before a formal arbitration board. We recognize the fact that there must be expropriation procedures, painful and unhappy as some of them sometimes may be; but nevertheless we have to have this right if we are going to live in this modern age in which we find ourselves.

I think we should do everything we can, and I think our friend, the hon. Attorney General has done this, in protecting the rights of the individual and saying to the individual you are not required to go before a formal court of arbitration until these other steps of negotiation have been proceeded with. I think sometimes we can find settlements reached by negotiation with a committee such as this that is a bit removed from the scene and yet has a good general knowledge of the land values and of the problems of concern.

Now this to me is the real strength of this piece of legislation. I think it is a forward step. I am satisfied, because I know that farm organizations of this province have begged that this kind of legislation be established. It has worked well in the case of my friend, the hon. Minister of Municipal Affairs in his former department.

I feel it is a great step forward. I think, to reassure my hon. friend who has raised this point of saying it should be spelled out, that they have the right to go and get this information, that they should have it spelled out in the Act. The intent, as the hon. Prime

Minister has said, is certainly there and in effect this is actually what has happened.

Mr. Singer: Mr. Chairman, I have already expressed my opinion about the principle of this Act when it came up for second reading, so I do not intend to go back to that argument. The majority of the House did not choose to agree with my hon. colleagues and me and with the NDP in connection with our views on this. So we must accept the fact that the principle of the bill has been approved.

But if the bill is going to become law, while I can appreciate what the intent would be, I would be happier if the intent was spelled out a little more. There are people other than farmers who have lands expropriated from them. Now what may be of common knowledge in a rural community as to value of lands perhaps would not pertain in the cities, or in the urban communities. It may well be necessary that to get the sort of advice that the board of conciliation would have to get in an urban community would require the services of some very highly skilled people; people who are able to evaluate assessment records, people who are able to go to the registry office and get a list of comparable sales and that sort of thing.

The rural community is quite different. If farm A is worth so much an acre, it would not seem illogical to take that value and put it on farm B. There is sort of a community idea of values, and that is a pretty good basis on which to make offers for rural land. But you come into the cities and you have an entirely different kind of a problem—

Hon. Mr. Stewart: There is an entirely different committee working in the city.

Mr. Singer: There may be; but I suggest a lot more technical advice may be needed, a lot more highly trained technical advice in the city.

I am quite prepared to accept the government's suggestion that the intent is there, but where they are setting up a new procedure I can see no reason why they do not allow these people—

Hon. Mr. Robarts: It does not have to be spelled out. If they require assistance, then they would have the right to obtain it. The hon. Attorney General has assured us of this.

Mr. Singer: With great respect, I think that a Minister embarked upon the expenditure of public money should be able to find authority to do it in the statutes. Here you are passing a new statute, setting up a

new procedure, and I think it would be only the course of proper caution to see that you have in your statute what you want to do.

To say that it is the intent perhaps invites at a later day some complicated legal argument before the courts. This is the time to fix it up and I am surprised that the government does not see some logic in this.

The other thing that I wondered about: Is it the intent to just set up these boards of negotiation from time to time as disputes arise, or is this going to be a continuing body? Is a new office going to be established from which this will function? I can conceive, for instance, this being a very busy thing if it catches on and wherever there is a dispute about expropriation. Does the government contemplate that sort of thing as a big involved office, or just the appointment of two or three men from time to time?

Hon. Mr. Wishart: It is not contemplated to set up a permanent board of negotiation, but in a situation—there might be six of them going on at one time in different areas of the province, or there might be two or three—you would pick from the area, two or more persons, knowledgeable, capable, who would go into the situation, meet the owners on behalf of the expropriating authority, sit down, as my hon. friend has said, around the kitchen table and say, "Can we settle this in dollars and cents? What are all the circumstances?"

There might be one going on in Renfrew as I mentioned the other day, or Essex county, or Thunder Bay or the Ottawa area or the city of Toronto, and so on, and they would be separate boards, not to last beyond the time that their particular function in a certain area had been performed.

That is the experience out of which we have brought this Act; that is how it works; that is what we would like to bring about here.

Mr. MacDonald: Mr. Chairman, the hon. Minister of Agriculture's account of how successful this kind of committee has been in the instance of pipeline expropriations is obviously an impressive one. On second reading my reaction to the proposed negotiating committee was that it was a new creature, a new kind of body—maybe it is not as new as the hon. Minister informs us—and we ought to wait to see how it works out.

I was rather impressed with the comments of somebody who has had fairly extensive and intimate association with the conservation authority and the problems of expropriation related thereto, as to what the effect of this

would be. His observation was, first, that anybody would be a fool not to go to this committee because he has nothing to lose. Second, let us take for example, a situation like the 1,000 properties that are likely to be expropriated for the Spadina extension. Here is a very complicated set up. The suggestion was made, although this may be exaggerating it a bit, that the negotiations might go on for a day for each one of them, and therefore it would require a thousand days.

Hon. Mr. Spooner: No, but you could name 10 or 20 boards—

Mr. MacDonald: Ten or 20 boards within the same expropriating area?

An hon. member: They will all come up with different decisions.

Mr. MacDonald: My hon. friend says that they will all come up with different decisions. I must say I have some misgivings as to how this is going to operate in some areas, but there is no point in raising bogies.

Mr. L. Troy (Nipissing): Mr. Chairman, I hope that when they are setting up the committee they will follow the suggestions of the committee on expropriation, which unanimously felt that this board should have some background in either law appraising or engineering. To us it seemed desirable that board members should have a combination of qualifications of those professions.

Mr. K. Bryden (Woodbine): There is a point here that I would like to raise with the hon. Attorney General. As I understand it, the major purpose the government has in mind in making this amendment to The Expropriation Procedures Act, is, shall we say, to give greater satisfaction to owners whose property is to be expropriated. This is the primary purpose, as I understand it. If that is so, I wonder if there is any need to put an owner in a situation where he could be forced into negotiation by the expropriating authority. First of all, I would like to make sure that I am interpreting the words of the bill correctly, but as I understand the bill—and they are pretty complicated words the hon. Attorney General will agree—either the expropriating authority or the owner, can ask for, and get, the negotiating procedure put into operation.

I would like to suggest to the hon. Attorney General that this is a matter that should be entirely at the option of the owner. If it is designed for his benefit, then let him decide whether or not it is actually to his benefit

to negotiate. Perhaps he would like to go directly to arbitration and get the matter over with. The negotiating procedures are valuable in many cases, but they certainly delay, and it is even conceivable that an expropriating authority in some time and place in the future may have a motive to delay. I would say that the expropriating authority should not be in a position where it can force the owner to undertake this negotiating procedure, but the owner should be in a position where he can force the expropriating authority to do that if he wishes.

Again, I may not have understood the bill correctly, but it seems to me at the moment that either one can force the other, and I would suggest that the hon. Attorney General should give further consideration to that point.

Hon. Mr. Wishart: I think the hon. member understands the language rightly, that it is either the expropriating authority or the owner who may call for negotiation. While it is perhaps quite right that in most cases it would be the owner who might feel the need of negotiation—I think it is fair to leave it to either one to ask for—at least let us sit down before a negotiating board or committee—we call it a board of negotiation here—and see if we cannot settle this without cost and without expense and without delay, if possible, before we have to get on to arbitration. I think it is fair to leave it to both.

Mr. Bryden: I do not think it is, Mr. Chairman. Is it not a fact that the cost of arbitration is usually a burden on the owner being expropriated? It is not a burden on the expropriating authority to any significant degree. Most of them are not short of money. I am sure they would like to avoid those costs if they could, but I repeat that my understanding of the government's intention is that this should be for the benefit of the owner, not of the expropriating authority.

Let us leave it to the owner to decide what is to his benefit. If he decides that it is not to his benefit to institute the negotiating procedure, then he should be able to go directly to arbitration.

I can see a situation arising—it probably would not be a common situation—where this procedure, if forced upon the owners by an expropriating authority, would increase the owner's sense of grievance, rather than reduce it. It would make him feel that he was being deliberately stalled at a time when he may want to get the thing through arbitration and done with. I think he should be left to judge for himself whether or not this pro-

cedure will be to his benefit in any individual case.

Hon. Mr. Stewart: Mr. Chairman, I should have apologized first of all. I spoke on this on principle really, as I was out of the House at the time this bill was debated on second reading. I got here for the vote, of course, but in getting back to this matter pertaining to what the hon. member for Woodbine has raised here—the idea is that the owner, if he feels that the offer is not sufficient, he may ask for negotiations. On the other hand, if the expropriating authority feels that the price put on the property by the owner is too high, it can ask for negotiations. But if they mutually agree that there is no use in going to this negotiating board at all, we will go to arbitration right off the bat—

Mr. Bryden: I understand all that, and I think it is wrong.

Hon. Mr. Stewart: You may well think it is wrong.

Mr. Bryden: I think if you were carrying out your announced intention you would agree that it was wrong.

Hon. Mr. Stewart: I do not agree to that at all, not at all, because what the hon. member is in effect saying is the very thing we are trying to correct, in that the farmer might have said, "Look, I don't want to go to arbitration before a formal board and have to bring in witnesses and pay lawyers' fees and all the rest of it." In this case he can sit down and informally negotiate this matter by saying to the expropriating authority, "This is the procedure I want to follow."

Mr. Bryden: I am afraid the hon. Minister has missed my point completely.

Hon. Mr. Stewart: I think the hon. member has missed ours.

Mr. Bryden: I am afraid not, Mr. Chairman. It is a pity that the hon. Minister of Agriculture is so obtuse on the matter. I was raising the other possibility, where the farmer or other property owner, decides that he wants to go direct to arbitration. He cannot do it under this bill if the expropriating authority wants to hold him up in the negotiating procedure. It is his business, to decide whether he wants to undertake that expense.

I am quite satisfied with the procedure in the case where the owner wants, if possible, to avoid the expense of arbitration. But I am suggesting to you that the procedure is defective in the opposite case where the owner decides that it is in his best interests to undertake that expense and go directly to arbitration. However, I will not push the matter any further.

Hon. Mr. Wishart: All I would say further is this: Perhaps there is much could be said that it should be left to the owner whose property is being taken, but I think maybe there are some opportunities here where, even if he did not want to negotiate, it may be a good idea to say, "Well, let us discuss it."

Mr. Bryden: Now do not be his father, let him make his own decisions!

Hon. Mr. Wishart: We might achieve something there.

Sections 2 to 5, inclusive, agreed to.

Bill No. 45 reported.

Hon. Mr. Robarts moves that the committee rise and report a certain resolution, certain bills with amendments and certain bills without amendment.

Motion agreed to.

Mr. Chairman: Mr. Speaker, the committee of the whole House begs to amend a certain resolution, certain bills with amendments and certain bills without amendment.

Motion agreed to.

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, on Monday we will resume the estimates of The Department of Labour. The next departmental estimates after that will be Reform Institutions and then The Department of Highways.

Hon. Mr. Robarts moves the adjournment of the House.

Mr. Speaker: Before putting the motion of the Prime Minister, I have been asked to announce that the Monday meeting of the public accounts committee has been cancelled.

Motion agreed to.

The House adjourned at 1.05 o'clock, p.m.

ERRATUM

(March 23, 1965)

<i>Page</i>	<i>Column</i>	<i>Line</i>	<i>Correction</i>
1537	1	34f	Change to read: Mr. G. A. Kerr (Halton) moves second reading of Bill No. Pr14, An Act respecting the town of Burlington.

No. 60



ONTARIO

Legislature of Ontario

Debates

OFFICIAL REPORT—DAILY EDITION

Third Session of the Twenty-Seventh Legislature

Monday, March 29, 1965

Speaker: Honourable Donald H. Morrow

Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

MONDAY, MARCH 29, 1965

The House met at 3 o'clock, p.m.

Prayers.

Mr. Speaker: We are always pleased to have visitors to the Legislature and today we welcome as guests, in the west gallery, students from Humberstone collegiate institute, Toronto; Barrie district central collegiate institute, Barrie, and in the east gallery, students from Hillpark secondary school, Hamilton.

Presenting petitions.

Presenting reports by committees.

Motions.

Introduction of bills.

THE LEGISLATIVE ASSEMBLY ACT

Hon. J. P. Robarts (Prime Minister) moves first reading of bill intituled, An Act to amend The Legislative Assembly Act.

Motion agreed to; first reading of the bill.

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, I would like to make a short statement concerning this bill.

It has always been an accepted principle in Ontario that the indemnity paid to the members here in the House would not compensate them fully for the time spent in carrying out their duties as elected representatives of the people. I am sure all the hon. members were well aware of the sacrifices involved when they stood for election in their various constituencies.

Nevertheless, in all jurisdictions, indemnities have been increased from time to time in recognition of the increased burden of work involved in serving the public as a member of a legislative assembly; the longer sessions that are now involved, and the ever-increasing cost of living. Increased indemnities have also recognized that the field of public service must be open to all our citizens, regardless of their personal or financial situation.

The last increase in indemnities for the members of this House occurred in 1960. Since then members of the federal Parliament and eight of the Legislatures of Canada have received increases in their indemnities, ranging from \$800 in Manitoba to \$5,000 in Quebec, and \$8,000 in the federal government. With the increases that are proposed in the legislation, hon. members of this assembly will not be the highest or the best paid in Canada; on the other hand, the increases provided by these amendments will bring the indemnity and allowances more in line with the present-day cost of living, the burden of responsibilities, and the length of time which a member must spend if he is to discharge his responsibilities properly.

The work load and the demands on the time of our provincial members have steadily increased in recent years. Since 1960 every session except one—and that was a special session which only lasted two days in the fall of 1963—has run to 50 or more sitting days. One has to go back to the days of the Drury administration in the early 1920s to find a period when the Legislature remained in session for longer periods than it does at present. To date, in this session, we have been here for 51 days. During this time we have dealt with 78 public bills which have been introduced, we have dealt with some 43 private bills, and we have much more work to do before this session will be prorogued.

Another measure of our responsibilities and work load here might be the size of the Budget. Our budget of \$1.5 billion this year represents an increase of 74 per cent in the last five years, and is the same size as was the federal budget for all of Canada just 24 years ago.

However, days of sitting and fiscal responsibility provide only a rough measure of the work our members are called upon to do and the responsibilities that are thrust upon them. I think it is fair to say that in this era of highly sophisticated voters and almost instant communication, more and more of our members' out-of-legislature hours are devoted to constituency business and to problems in their ridings. Committee work

has taken on an ever-greater significance to all members in recent years. The work done by select committees between sessions has become of increasing importance and has expanded in recent years. This reflects the increasing complexity of our society and the necessity for our members to undertake extensive study and investigation of social problems in order that we may be able to legislate intelligently here in this Chamber.

In addition to these formal duties, there are few members who do not make several trips to Toronto each month between sessions, to deal with the many problems that arise among their constituents. These visits are of varying length, but necessitate absence from home and are on the increase.

I would also point out, Mr. Speaker, that as the business of government continues to place increasing demands upon the time of our members, it becomes correspondingly difficult for them to look after their private and domestic responsibilities and to conduct their own businesses. As a result, it is inevitable that the members must become increasingly dependent upon their indemnities as a source of supplementary income.

Apart from these valid considerations supporting a pay increase to the present MPPs, there is a strong argument for raising the indemnity in order to attract highly capable candidates for future office. The present stipend of \$7,000 is so low as to discourage many men of potential and valuable experience from offering themselves for political office.

Accordingly, Mr. Speaker, this Act provides for an increase in the indemnity payable to members so that all will receive a basic indemnity of \$8,000 rather than the \$5,000 as at present. In addition, members for ridings in Metro Toronto will receive an expense allowance of \$3,000, which is an increase of \$1,000 over the current allowance. Those members representing ridings outside Metro Toronto will receive an expense allowance of \$4,000 rather than the \$2,000 as at present.

It is recognized that this is a very rough method of recognizing the differing requirements of those living varying distances from Toronto, the capital city. Nonetheless, the difference does exist and this is an attempt to give it recognition and to bring equity between those who must spend so much time in hotels and are required to purchase all their meals in restaurants over long periods of time, and those whose expenses of this type are not so burdensome.

In recognition of these increases, provision

is made for higher advances to be made during the year.

Provision is also made to increase the number of trips that members may make between their ridings and the seat of government with a mileage allowance. This number will be increased from six to 15 per year. This will be of assistance to members from outlying parts of the province who are called upon to make an ever-increasing number of trips each year to Toronto, as I have previously stated, in connection with the day-to-day duties involved in looking after the needs and requirements of their constituents.

Finally, Mr. Speaker, may I say that it has been suggested to me that this entire matter might advantageously be referred to an independent group outside the Legislature for assessment. However, it is my conviction that we must face up to our full responsibilities and deal with them accordingly. After this bill has received second reading, it will be referred to a select committee appointed for the purpose and made up of hon. members of all parties in the Legislature. This committee will have an opportunity of examining the bill in all respects.

THE MUNICIPAL FRANCHISE EXTENSION ACT

Mr. E. W. Sopha (Sudbury) moves first reading of bill intituled, An Act to amend The Municipal Franchise Extension Act.

Motion agreed to; first reading of the bill.

THE JUNIOR FARMER ESTABLISHMENT ACT

Hon. W. A. Stewart (Minister of Agriculture) moves first reading of bill intituled, An Act to amend The Junior Farmer Establishment Act.

Motion agreed to; first reading of the bill.

THE ENERGY ACT, 1964

Hon. J. R. Simonett (Minister of Energy and Resources Management) moves first reading of bill intituled, An Act to amend The Energy Act, 1964.

Motion agreed to; first reading of the bill.

Hon. J. R. Simonett (Minister of Energy and Resources Management): Mr. Speaker, the purpose of this amendment in section 1 is to exclude hard-rock drilling from the purview of the Act.

In section 2 the scope of the prohibition is extended to cover machines used for deepening and plugging wells.

In section 3, subsections 1 and 2, the scope of the regulatory power is widened and in subsection 3, the scope of the regulatory power is widened to include fuel oil appliances.

THE GAS AND OIL LEASES ACT, 1962-1963

Hon. Mr. Simonett moves first reading of bill intituled, An Act to amend The Gas and Oil Leases Act, 1962-1963.

Motion agreed to; first reading of the bill.

Hon. Mr. Simonett: Mr. Speaker, this bill contains two amendments of principle.

In section 1 under the Act at present only the lessor as defined may make an application under the Act. The words in the first and subsequent lines of subsection 1 of section 2 of the Act as re-enacted by section 1 of this bill, "Or any other person having an interest in such land or any person authorized by such lessor or other person"; are new and will enable the persons mentioned as well as the lessor to make applications.

In section 2, the words added in clause (a) of subsection 1 of section 2 of the Act as re-enacted by section 1 of this bill; "Or has failed to complete the drilling of," are new and will cover a situation that does occur occasionally under some forms of gas or oil leases.

The other amendments in the bill are complementary to the first two principles mentioned above.

Mr. F. Young (Yorkview): Mr. Speaker, before the orders of the day I have two questions.

The first one is to the hon. Minister of Labour (Mr. Rowntree). Is the hon. Minister satisfied that proper safety procedures were being observed when Arthur O'Regan plunged to his death on the MacDonald-Cartier bridge over Hogg's Hollow on Friday?

Hon. H. L. Rowntree (Minister of Labour): Mr. Speaker, this unfortunate occurrence is now under investigation today by a municipal inspector and an officer of the construction safety branch of The Department of Labour. I assume this incident will be the subject of an inquest and therefore any comment at this time would not add anything to the situation and probably would not be desirable.

Mr. Young: The second question is to the hon. Minister of Health (Mr. Dymond).

Are there standards for conductivity in respect to non-electrical operating room equipment in hospitals in Ontario? Are there standards at which equipment in hospitals must be discarded because of loss of conductivity; and are there conductivity standards for clothing worn in operating rooms in hospitals?

Hon. M. B. Dymond (Minister of Health): Mr. Speaker, there are no official standards as such laid down by any organization in the province or by any provincial body, but there are certain well-established guides widely used in the province and endorsed by hospital authorities and by the Ontario hospital services commission.

The principal authority dealing with this problem is known as "The code for use of inflammable anaesthetics—A safe practice for hospital operating rooms."—This is a publication of the Canadian standards association. All hospital plans that relate to operating rooms and safety hazards must be approved by the office of the fire marshal and I believe the regulations are very rigidly enforced.

In answer to the second part of the hon. member's question: Again there are no standards as such set down, but the same code already referred to deals with the subject and describes a method of testing equipment that is used in operating rooms. It is presumed that this testing is carried on and when the equipment does not pass the test it is discarded.

The answer to the third part of the hon. member's question: Again the code deals with this as well. It describes in some detail the type of clothing that is permissible in operating rooms and is safe to use; for example, textiles, grounding of boots and shoes, and so on.

Mr. Young: Would the hon. Minister entertain a supplementary question?

There is a question in my mind as to whether the hon. Minister feels there should be some tightening up and adopting of this code so that there can be sanctions if it is violated.

Hon. Mr. Dymond: I can only say in answer, sir, that this matter is being very closely studied and it is viewed very thoroughly when we are faced with any explosion such as occasionally occurs. To the best of my knowledge, in each case where this has occurred since the commission came into being, there was no lack of observance of the recognized ground rules. However, once again in this most unfortunate matter the whole set-up with relation to conductivity,

the suitability of equipment, clothing worn, and so on, is always being thoroughly investigated.

Hon. J. Yaremko (Provincial Secretary and Minister of Citizenship) begs leave to present to the House the annual report of The Department of Reform Institutions of the province of Ontario, for the year ending 31st March, 1964.

Hon. Mr. Robarts: Mr. Speaker, before the orders of the day, I have here the answers to 27 of the questions appearing on the order paper. These are, numbers 1, 2, 3, 4, 5, 6, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 23, 24, 25, 28, 29, 30, 31, 32, 33, 34 and 35.

The hon. Prime Minister tabled answers to questions as follows:

1. *Mr. Singer*—Enquiry of the Ministry—Will the Attorney General advise the average case load handled by each magistrate in the municipality of Metropolitan Toronto during the year 1964, and by each magistrate elsewhere in Ontario?

Answer by the hon. Attorney General (Mr. Wishart):

Metropolitan Toronto: 19 magistrates; average case load 4,492.

Elsewhere in Ontario: 75 magistrates (including six part-time); average case load 4,398.

2. *Mr. Singer*—Enquiry of the Ministry—(a) Will the Attorney General advise if there is a backlog of cases to be tried in Metropolitan Toronto? If so, how many such cases are awaiting trial? (b) Will the Attorney General advise if in the event an adjournment of a case pending in magistrate's court in Metropolitan Toronto becomes necessary, what is the average length of time that it takes to have the case heard again?

Answer by the hon. Attorney General:

(a) There were 2,388 charges pending as at December 31, 1964.

(b) It depends on the type of case. If it is a complicated, time-consuming case involving a number of witnesses, counsel, etc., a special courtroom has to be provided and this may take up to two months to arrange. The average case which is not involved will be disposed of in a much shorter time.

3. *Mr. Singer*—Enquiry of the Ministry—Will the Attorney General advise if there have been any requests from the municipality of Metropolitan Toronto, or from a chief magistrate of the province of Ontario, or from the inspector of legal offices, for the

provision of more courts for magistrates in Metropolitan Toronto, or improved facilities?

(a) If so, within the last three years, who made such requests, and when?

(b) In what form were these requests set forward?

Answer by the hon. Attorney General:

(a) and (b) The late Chief Magistrate, F. W. Bårtrém, QC—letter to the executive corporation of Metropolitan Toronto, dated September 10, 1964.

Chief Magistrate, A. O. Klein, QC—Submission to the executive committee of Metropolitan Toronto, dated December 11, 1964.

Inspector of legal offices—oral discussions with senior magistrate, administrator of courts and Metropolitan officials.

4. *Mr. Singer*—Enquiry of the Ministry—Will the Attorney General advise if the inspector of legal offices has, within the last three years, advised that in his opinion magistrates' facilities in the municipality of Metropolitan Toronto are not adequate? If so, what action has been taken in regard to such advice?

Answer by the hon. Attorney General:

The inspector of legal offices had advised the Attorney General within the last three years of the necessity for expanding magistrates' facilities in the municipality of Metropolitan Toronto.

As a result of such advice and following negotiations with the municipality of Metropolitan Toronto, several improvements were made as follows:

(a) New buildings were constructed in Willowdale in 1960.

(b) New buildings were constructed in Scarborough in 1962.

(c) Additional court space was released in the city of Toronto at 57 Adelaide Street in 1962.

(d) Additional facilities were provided on Hollis Street in York township in 1962.

(e) Additional two courtrooms were made available on King Street, Toronto. One in 1961 and one in 1964.

(f) Facilities were improved in New Toronto in 1962.

In November, 1964, the Chief Magistrate, A. O. Klein, QC, was designated to work closely, on behalf of the Attorney General, with the municipality of Metropolitan Toronto on the requirements of additional magistrates' courts facilities. Negotiations

are presently being carried on with the municipality of Metropolitan Toronto with a view to providing additional courtrooms for magistrates in the old city hall.

5. *Mr. Singer*—Enquiry of the Ministry—Will the Attorney General advise if the municipality of Metropolitan Toronto is in breach of section 19 (4) of *The Magistrates Act*, Revised Statutes of Ontario, 1960, Chapter 226.

Answer by the hon. Attorney General:
No.

6. *Mr. Singer*—Enquiry of the Ministry—Will the Attorney General advise: (a) The number and location of magistrates' courts contained in buildings in which police departments are also located within the province of Ontario? (b) The number of such courtrooms constructed since January 1, 1960? (c) The number and location of such courtrooms for which his department has plans for construction? (d) Whether his department was consulted with respect to the planned use of the city hall, Toronto, as a magistrates' courthouse and a police station following the relocation of the municipal offices of the city of Toronto in the new city hall, and, if so, what recommendations, if any, were made by him or his department with respect to this matter?

Answer by the hon. Attorney General:

(a) Thirty: Brantford, Ottawa, St. Thomas, Kingston, Owen Sound, Hawkesbury, Cornwall, Lindsay, Hamilton, Kenora, Sarnia, Smiths Falls, Brockville, St. Catharines, Barrie, Fort William, Kitchener, Guelph, Welland, London, North Bay, Port Hope, Oshawa, Stratford, Orillia, Port Arthur, Niagara Falls, Newmarket, Timmins, Peterborough.

In addition to the above general centres, the magistrates also hold court at the following places in the counties and districts where police departments are also located: Thessalon, Eastview, Kapuskasing, Leamington, Wingham, Exeter, Central Patricia, Petrolia, Marmora, Kaladar, Huntsville, Hastings, Whitby, Ajax, Cooksville, Killaloe, Collingwood, Midland, Schreiber, Manitowadge, Galt, Fort Erie, Port Colborne, Richmond Hill, Mattawa, Blind River, Hearst, Moosonee, Meaford, Clinton, Sioux Lookout, Grand Bend, Almonte, Tweed, Glencoe, Cobourg, Brighton, Brechin, Tillsonburg, Listowel, Deep River, Bradford, Kirkland Lake, Geraldton, Minden, Waterloo, Crystal Beach, Dundas, Sturgeon Falls, Southampton, Hornepayne, Aylmer, Burl-

ington, Seaforth, Ignace, Forest, Carleton Place, Bancroft, Strathroy, Bowmanville, Campbellford, Port Perry, Port Credit, Arnprior, Alliston, Wasaga Beach, Virginiatown, Beardmore, Preston, Hespeler, Bertie township, Mount Forest, Powassan.

(b) Three: St. Catharines, Barrie, Stratford.

(c) None.

(d) Yes.

Negotiations are now being carried on between The Department of the Attorney General and the municipality of Metropolitan Toronto with a view to securing additional courtroom accommodation for magistrates in the old city hall in Toronto. Such negotiations have not yet been finalized.

9. *Mr. Singer*—Enquiry of the Ministry—(a) Will the Attorney General advise the names and date of birth of all persons employed as senior master, master or assistant master of the Supreme Court of Ontario for a five-year period commencing January 1, 1960, and ending December 31, 1964? (b) The date of retirement of any of those persons named in answer to question (a)? (c) The salary paid at time of retirement to those persons mentioned in answer to question (b)?

Answer by the hon. Attorney General:

(a)

Name	Date of birth
Anglin, R. E.	May 23, 1900
Bristow, H. G., QC	Sept. 13, 1894
Cook, F. G.	July 13, 1898
Kimber, J. R., QC	Feb. 24, 1918
Marriott, A. S., QC	Feb. 19, 1896
Rose, D. W.	Oct. 26, 1907
Sankey, R. H.	Dec. 14, 1899
Saunders, G. C.	Mar. 9, 1931

(b)

Name	Date of retirement
*Bristow, H. G., QC	* Sept. 13, 1964
Marriott, A. S., QC	Oct. 1, 1964

*Reappointed under Section 11 of The Public Service Act, 1961-1962, to continue as special master of The Supreme Court of Ontario to March 15, 1965.

(c)

Name	Salary paid at time of retirement (\$)
Bristow, H. G., QC	11,500 p.a. *(12,500)
Marriott, A. S., QC	15,000 p.a. *(17,000)

*Subject to adjustments, as indicated in brackets, upon recent salary revisions effective April 1, 1964.

10. *Mr. Singer*—Enquiry of the Ministry—(a) Will the Attorney General advise the names, date of birth, salary paid and date of commencement of employment as assistant master, master or senior master, of all those persons employed in such offices as at December 31, 1964? (b) The names, date of birth, salary paid and date of commencement of employment as assistant master, master or senior master of all those persons employed in such offices as at January 1, 1965?

Answer by the hon. Attorney General:

(a)	Position & name	Date of birth	Salary paid (\$)	Date of commencement of employment
	Asst. Master Anglin, R. E.	May 23, 1900	9,000.00 p.a.	Dec. 13, 1948
	Master (special) Bristow, H. G., QC	Sept. 13, 1894	*669.35 p. mo.	May 28, 1951
	Master 2 Cook, F. G.	July 13, 1898	15,000.00 p.a.	Jan. 1, 1946
	Master 2 Rose, D. W.	Oct. 26, 1907	13,000.00 p.a.	Apr. 1, 1956
	Master 1 Sankey, R. H.	Dec. 14, 1899	12,000.00 p.a.	Feb. 2, 1959
	Master 1 Saunders, G. C.	Mar. 9, 1931	10,500.00 p.a.	Nov. 12, 1962

*In addition to retirement allowance.

(b)	Position & name	Date of birth	Salary paid (\$)	Date of commencement of employment
	Asst. Master Anglin, R. E.	May 23, 1900	9,000.00 p.a.	Dec. 13, 1948
	Master (special) Bristow, H. G., QC	Sept. 13, 1894	*669.35 p. mo.	May 28, 1951
	Master 2 Cook, F. G.	July 13, 1898	15,000.00 p.a.	Jan. 1, 1946
	Master 2 Creighton, Donald	July 12, 1929	13,000.00 p.a.	Jan. 1, 1965
	Master 2 Rose, D. W.	Oct. 26, 1907	13,000.00 p.a.	Apr. 1, 1956
	Master 1 Sankey, R. H.	Dec. 14, 1899	12,000.00 p.a.	Feb. 2, 1959
	Master 1 Saunders, G. C.	Mar. 9, 1931	10,500.00 p.a.	Nov. 12, 1962

*In addition to retirement allowance.

11. *Mr. Singer*—Enquiry of the Ministry—(a) Will the Attorney General advise the number of persons whose appointment he hopes to make to the position of master of the Supreme Court of Ontario as indicated in his advertisement in *Ontario Reports, 1964*, vol. 2, December 11, 1964, page v? (b) The salary range within which such appointments will be contemplated? (c) Who determines the salary range referred to in question (b)? (d) The basis on which such salary range has been determined? (e) What consultations, if any, which took place and, if so, with whom, in the determination of such salary range?

Answer by the hon. Attorney General:

(a) Four. All selected and already appointed.

(b) One senior master, SCO at \$14,000-\$17,000 p.a. Three masters 2, SCO at \$13,000-\$15,000 p.a.

(c) The salary ranges referred to in question (b) have been determined by the Lieutenant-Governor in Council on the recommendation of the civil service commission in accordance with the provisions of section 4 (b) of The Public Service Act 1961-1962, chapter 121.

(d) The determination of such salary ranges has been based upon pay research conducted by the civil service commission.

(e) Direct consultations between the Attorney General and his senior officers with the chairman of the civil service commission and his senior officers took place in 1964 with the view of determining salary ranges indicated under (b) above.

12. *Mr. Singer*—Enquiry of the Ministry—(a) Will the Attorney General advise what duties, if any, have been assigned to any persons who now hold the position of senior master, master or assistant master, in addition to their normal duties in the master's office? (b) The names of such senior master, master or assistant master to whom such additional duties have been assigned? (c) The proportion of his working time which such senior master, master or assistant master, is expected to devote to such additional duties? (d) The additional compensation, if any, paid to such senior master, master or assistant master, for such additional work done?

Answer by the hon. Attorney General:

(a) No duties have been assigned to any persons who now hold the position of senior master, master or assistant master, in addition to the normal duties in the master's office.

(b) Not applicable.

(c) Not applicable.

(d) Not applicable.

13. *Mr. Singer*—Enquiry of the Ministry—When does The Department of the Attorney General first become aware of vacancies which occur in the master's office?

Answer by the hon. Attorney General:

The Department of the Attorney General first becomes aware of vacancies which occur in the master's office:

(a) upon receipt of the employee's notice of resignation;

(b) upon receipt of the employee's request to be retired prior to the age of 65 or prior to the expiry of an annual extension above the age of 65 and below the age of 70;

(c) at least four months prior to normal retirement below or at the age of 70.

14. *Mr. Singer*—Enquiry of the Ministry—Is The Department of the Attorney General aware of the pending retirement of any more masters in the near future?

Answer by the hon. Attorney General:

Yes, one: Mr. R. E. Anglin, assistant master (ill health).

15. *Mr. Singer*—Enquiry of the Ministry—(a) What steps has the Attorney General taken to fill the vacancies that now exist in the master's office? (b) When were these steps first taken? (c) How did the government endeavour to fill such vacancies? (d) How many people were approached who declined to accept such appointments? (e) What reasons were given, by those who declined, for not accepting such appointments?

Answer by the hon. Attorney General:

(a) The Attorney General has taken the following steps to fill the vacancies that now exist in the master's office:

(i) Directed the senior master of the Supreme Court to interest and consult suitable members of the Law Society of Upper Canada for vacant positions.

(ii) Negotiated with the civil service commission the raising of salary ranges.

(iii) Directed the insertion of appropriate invitation to members of the Law Society of Upper Canada in *Ontario Reports*.

(iv) Appointed senior master to the SCO and three masters 2 of the SCO.

(b) Re: (i) under (a) above—In July 1964.

Re: (ii) under (a) above—On October 16, 1964.

Re: (iii) under (a) above—On December 4, 1964.

Re: (iv) under (a) above—One master 2 was appointed in December, 1964, with effective date from January 1, 1965; one master 2 was appointed in February, 1965, with effective date from April 1, 1965; one master 2 was appointed in February, 1965, with effective date of April 19, 1965; senior master was appointed in February, 1965, with effective date from May 1, 1965.

(c) In accordance with the provisions of section 5 of The Public Service Act, 1961-62, chapter 121.

(d) Five.

(e) Insufficient remuneration and preference to remain in private practice.

16. *Mr. Singer*—Enquiry of the Ministry—(a) Will the Attorney General advise what salaries were paid to the various masters on November 1, 1964? (b) How many revisions have been made in those salaries in the last five years? (c) On what basis have such salary revisions been made?

Answer by the hon. Attorney General:

(a)	Name	Class	Salary paid on November 1, 1964 (\$)
	Anglin, R. E.	Assistant master	8,600.00 p.a.
	Bristow, H. G., QC	Special master	669.35 p.m.
	Cook, F. G.	Master 2	13,000.00 p.a.
	Kimber, J. R., QC	Senior master	13,500.00 p.a.
	Rose, D. W.	Master 2	11,000.00 p.a.
	Sankey, R. H.	Master 1	11,000.00 p.a.
	Saunders, G. C.	Master 1	9,500.00 p.a.

(b) Two.

Class title	From salary range (\$)	To salary range (\$)
	(i) First—effective December 1, 1962	
Assistant Master	6,600- 7,800	7,200- 8,600
Master 1	8,600-10,500	9,500-11,500
Master 2	10,000-11,500	11,000-13,000
Senior Master	11,000-13,500	13,000-15,000
	(ii) Second—effective April 1, 1964	
Assistant Master	7,200- 8,600	7,200- 9,000
Master 1	9,500-11,500	10,500-12,500
Master 2	11,000-13,000	13,000-15,000
Senior Master	13,000-15,000	14,000-17,000

(c)

First revision—By Order-in-Council numbered OC-190/63, dated January 17, 1963.

Second revision—By Order-in-Council numbered OC-4003/64, dated December 3, 1964. The Public Service Act, 1961-1962.

The above-mentioned Orders-in-Council were made under the provisions of section 4(b) of

17. *Mr. Singer*—Enquiry of the Ministry—When does the Attorney General contemplate appointing a full-time senior master?

Answer by the hon. Attorney General:

The appointment of a full-time senior master of the Supreme Court of Ontario was made by order-in-council numbered OC-630/65, dated February 18, 1965, with the effective date of May 1, 1965.

18. *Mr. Singer*—Enquiry of the Ministry—Will the Attorney General advise on whose authority an advertisement was placed in *Ontario Reports* soliciting applications for the position of masters of the Supreme Court?

Answer by the hon. Attorney General:

On the authority of the Attorney General in co-operation with The Department of Civil Service.

23. *Mr. Singer*—Enquiry of the Ministry—Will the Attorney General advise the normal retirement age and the basis by which it

has been set for all persons employed in the Attorney General's laboratory?

Answer by the hon. Attorney General:

The normal retirement age of civil servants employed in the Attorney General's laboratory is 65 years under the provisions of section 10 of The Public Service Act, 1961-1962, and is subject to reappointments or extensions up to the age of 70 years under the aforementioned provisions of such Act.

However, under the provisions of section 1 of The Public Officers Act, RSO 1960, chapter 326, any person can be appointed for a temporary purpose by the government of Ontario or by any commission acting for or on behalf of the Crown when in the opinion of the government or of such commission, such employment is in the public interest. This type of appointment which normally relates to consultants, commission members, board members, etc., is not subject to any age restrictions but at the same time it does not provide the officers so appointed with fringe and pension benefits.

24. *Mr. Singer*—Enquiry of the Ministry—Will the Attorney General advise the names of all persons at present employed in the Attorney General's laboratory who have passed the normal retirement age and the basis on which their continued employment has been allowed?

Answer by the hon Attorney General:

Name	Position	Basis of continued employment
Deadman, Dr. W. J.	Part-time Medical Examiner	Order-in-Council numbered 3142/58 dated September 11, 1958.
Sharpe, Dr. N. C.	Part-time Medical Director	Order-in-Council numbered 2230/50 dated November 2, 1950.
Rogers, L. J.	Part-time Consulting Chemist	Order-in-Council numbered 2230/50 dated November 2, 1950.

Note: The above-named have never been civil servants of Ontario and their services have been rendered to the province upon an appointment based on the provisions of section 1 of The Public Officers Act, RSO 1960, chapter 326, in a part-time consulting capacity at a moderate retainer fee following retirement from professional positions elsewhere.

25. *Mr. Singer*—Enquiry of the Ministry—Will the Attorney General advise the names, date of birth and salaries paid to all persons earning more than \$5,000.00 per annum who have left employment with the Attorney General's laboratory for the five-year period commencing January 1, 1960, and ending December 31, 1964.

Answer by the hon. Attorney General:

Name	Date of birth	Salary paid (\$)
Davies, M. I.	September 8, 1921	5,750
Dencer, R.	April 2, 1930	6,000
Eijgelaar, G.	August 25, 1929	6,600
Gupta, S. N.	June 30, 1926	6,600
Hoffman, G. D.	January 2, 1940	5,500
Liu, E. L.	September 29, 1928	5,750
Packard, R. J.	November 22, 1925	7,500
Sandford, D. C.	September 23, 1927	6,000
Treiers, D.	March 10, 1938	6,300
Widdifield, W. H.	August 27, 1934	5,250
Wong, A.	October 3, 1936	6,300

28. *Mr. Troy*—Enquiry of the Ministry—(a) Have certain officers of the provincial police been furnished with Persian lamb hats for winter wear; (b) did the Attorney General approve of such a purchase; (c) does the Attorney General know that the bulk of the fur for such hats is harvested in Russia and imported therefrom; (d) why doesn't the department support the Ontario trapper industry?

Answer by the hon. Attorney General:

(a) Yes.

(b) This type of hat has been used for several years by the Ontario provincial police and the Attorney General was not requested to approve a recent purchase.

(c) The Attorney General has been informed that the fur for such hats is imported mainly from Afghanistan, South

Africa and Persia—in that order. Special lamb fur is not imported specifically for the manufacture of hats for the Ontario provincial police. Only cuttings obtained from Canadian furriers are used by the hat manufacturer.

(d) The answer under (c) above explains the situation. However, it would be much more expensive to manufacture hats of similar design with beaver fur.

29. *Mr. Singer*—Enquiry of the Ministry—(a)

Will the Attorney General advise whether there has been any investigation as to possible injury that might result to any person working in the Attorney General's laboratory by reason of their close proximity to X-ray machines; (b) if the answer to part (a) is Yes, will the Attorney General advise what steps have been taken to minimize such dangers?

Answer by the hon. Attorney General:

(a) Yes, in 1963.

(b) Staff working in critical areas wear special film badges which provide a warning to X-ray exposure.

30. *Mr. Singer*—Enquiry of the Ministry—Will the Attorney General advise: (a) whether the laboratory performs functions for departments other than the Attorney General's department; (b) if so, what are these functions; (c) at whose direction is such work undertaken; (d) will the Attorney General advise whether the Attorney General's laboratory does drug assays for provincial hospitals?

Answer by the hon. Attorney General:

(a) Yes.

(b) Analysis and evaluation of drugs supplied to Ontario hospitals and clinics of The Department of Health.

(c) Upon the direction and approval of the Treasury board requested by The Department of Health.

(d) Yes.

31. *Mr. Singer*—Enquiry of the Ministry—Will the Attorney General advise whether there is any integration of the Attorney General's laboratory functions with research conducted at the University of Toronto or any other university in the province of Ontario?

Answer by the hon. Attorney General:

Yes.

32. *Mr. Singer*—Enquiry of the Ministry—Will the Attorney General advise when the Attorney General's laboratory plans to use neutron activation analysis in criminal investigations?

Answer by the hon. Attorney General:

The laboratory has used neutron activation analysis in a number of investigations to date. However, there has been no necessity to present evidence obtained through this method of investigation in the courts up to the present time.

33. *Mr. Singer*—Enquiry of the Ministry—Will the Attorney General advise whether: (a) the facilities of the Attorney General's laboratory are available to defense counsel? (b) if so, on what basis?

Answer by the hon. Attorney General:

(a) No.

(b) Not applicable.

34. *Mr. Singer*—Enquiry of the Ministry—(a) Will the Attorney General advise if it is

the practice to hire from time to time, on a temporary basis, medico-legal experts to conduct examinations and investigations in parts of the province remote from Toronto? (b) if so, how often in 1964 were such experts employed and at what cost to the department?

Answer by the hon. Attorney General:

(a) No.

(b) Not applicable.

Note: The employment of medico-legal experts to conduct examinations and investigations in the whole province falls under the provisions of The Coroners Act. Medico-legal experts are assigned by investigating coroners and their fees—standard fee of \$50 per case—are paid by counties, cities, separated towns and provisional judicial districts.

35. *Mr. Singer*—Enquiry of the Ministry—Will the Attorney General advise what is the average period required from the time the request for investigation is made to the Attorney General's laboratory until the time the investigation is completed?

Answer by the hon. Attorney General:

Depending on the type and complexity of the case from 24 hours up to three months.

Mr. Speaker: Orders of the day.

Clerk of the House: The seventy-fifth order; House in committee of supply; Mr. W. E. Sandercock in the chair.

ESTIMATES, DEPARTMENT OF LABOUR (continued)

Mr. L. A. Braithwaite (Etobicoke): Mr. Chairman, continuing with my comments on the estimates of the hon. Minister of Labour (Mr. Rowntree), I would return to the field of the workmen's compensation board.

If the hon. Minister of Labour wishes to make a maximum contribution toward labour-management stability in the months to come, then we would strongly urge him to give some thought to the whole method of operation of the workmen's compensation board. Too often one hears comments such as that the board gives too little and it gives it too late. Then, too, there is the question of survivors. We submit that a widow's pittance should be at least \$150 monthly or more. This becomes very important when there is no other form of support except welfare. A widow who is middle-aged or unemployable

with no other means of making a living, could truly be in dire straits.

My hon. colleagues will be making further comments on the amount of compensation that this party feels should be paid in various situations and on many other areas of The Workmen's Compensation Act. I will comment solely on the question of a man who is injured on the job and can come back only to do light duties. A difficulty arises if there are no light duties available. Shall he leave his present job where perhaps he has built up seniority and benefits, and register for employment with the unemployment insurance commission? That is a problem in itself. Suppose he does. Quite often there is no light work available even at the commission. Then a man finds himself back at home and he must go on welfare.

Mr. Chairman, this is not fair, and this party strongly urges that The Workmen's Compensation Act be amended so that a man returning to work and able to do only light duties, may stay on full compensation until he is fit to return to his normal employment; or, that the compensation board absorb the difference between what he is able to earn now, and what he was earning prior to his accident, including any increases in wages to which he may have become entitled if he had not been injured.

Our party has found so many areas in which The Workmen's Compensation Act has been wanting, that we would strongly urge the government to set up a select committee that would study the whole area of the operation of the Act and bring it up to date, so that greater stress may be laid on the humanitarian aspects of the problems of the injured workman.

Mr. Chairman, human rights is the last area that I propose to comment on. I would state that this party has already made it quite clear that it feels that the government should lose no time in perfecting the Ontario human rights code. To do this, we have already stated that any opportunities for discrimination in the field of employment or elsewhere, should be removed forthwith.

Further, during the debate on the Speech from the Throne, I suggested to the hon. Minister the fact that our party would like to see the director of the commission given the right to inquire into a complaint without having to secure the consent of the Minister of Labour. We have no objection to the Minister having sole discretion in the responsibility for initiating court action. However up to that point, in the whole process of investigation—and where possible, conciliation—we submit that the director of the

Ontario human rights commission has the time and the closeness of contact to arrive at decisions that are best for the persons complaining and the person or firm against which the complaint has been lodged.

Mr. Chairman, it is well known that as more and more members of the Ontario working force reach the age of 40 years or so, they are finding that they are unable to secure employment suitable to their needs. Our submission, Mr. Chairman, is that discrimination because of age at this time of life, is a major personal tragedy for anyone who feels he is fit and able to work and cannot secure employment. Therefore, Mr. Chairman, we would at this time urge that the Ontario human rights code be amended so that the older workman is protected from discrimination because of his age.

Mr. Chairman, I have commented fully on the estimates of the hon. Minister of Labour. My hon. colleagues will be making further comments as the various votes are considered.

Mr. R. Gisborn (Wentworth East): Mr. Chairman, in making a few opening remarks in regard to the estimates of The Department of Labour, I would say first, that I hope the hon. Minister is in his usual cheery mood during my remarks and the remarks of other hon. members on the specific votes of his estimates. I say this because a week ago tomorrow, in this Chamber, we dealt with The Operating Engineers Act in committee and I detected somewhat a bit of impatience. It seemed to me that the hon. Minister was just a little bit touchy—

Hon. H. L. Rowntree (Minister of Labour): Not at all.

Mr. Gisborn: —before such an audience of trade unionists while we were dealing with that particular bill.

On the Monday a week ago today, sir, while we were dealing with the second reading of the compulsory arbitration bill, I think the hon. Minister at least got a little bit nasty with members on this side of the House. I refer to his inference that the New Democratic Party opposed the compulsory arbitration bill because we were in some way tied to the trade union movement, and that one of our members was a paid staff man for the union. I would say this quietly to the hon. Minister, that I think there is room in this province and in this country for various sets of principles, and I think there is room in this province and in this House for members with different political philosophies. I am sure, Mr. Chairman, that in the time to come there will be several trade

unionists sitting in this House, reflecting the points of view of groups they represent and those of the community at large, and I dare say that the time will come when we will have many trade unionists sitting on that side of the House as well.

Mr. R. F. Nixon (Brant): In all parties.

Mr. Gisborn: I think a trade unionist, whether he is called a professional trade unionist or a staff man, has as much right to voice his opinion in this House as someone who speaks for the farmers, or the insurance companies, or for big business.

Mr. Nixon: In all parties.

Mr. A. J. Reaume (Essex North): In all parties.

Mr. Gisborn: Right. And I think the hon. Minister was just a little bit not nice in making those remarks.

Mr. Chairman, when the hon. Minister presented his remarks from his text, I could not find much in them to justify the statement a few weeks ago that he was going to present to this House a new blueprint for labour. There has been some extra money requested to increase his department staff so that it can better enforce and administer the legislation that comes within his jurisdiction. Certainly this is long overdue, and something that we have been asking for for some time.

But what caught my attention more than anything, Mr. Chairman, was the first two pages of his text dealing with the economic background of the problems. At first, one would have thought that it was the hon. Minister of Economics and Development (Mr. Randall) who was delivering his opening remarks on his estimates and not The Department of Labour, but it did not take long to find the point that the hon. Minister was trying to make. I might say that the same point was made by the hon. Prime Minister (Mr. Robarts) when he was making his remarks on the Throne Speech and termed the discussion and the great amount of talk about the impact of automation as a "bogey". The hon. Minister of Labour then followed the same pattern by debunking the fears of automation in certain terms and I would just quote briefly from his own text, at page 4:

In any discussion of technological change, the term "automation" comes to the fore. No word, in my opinion, is subject to such flagrant abuse as automation. This is largely because there is no generally accepted definition for it; as one university professor has said: "Few words have been so

twisted to suit a multitude of purposes and phobias. There are some who use it as a vehicle to spread mistrust and fear, the haunting fear of the unknown."

Mr. Chairman, I do not think that the hon. Minister of Labour has any more right to debunk the fears of automation than those experts across this country who have studied automation for some years and projected its impact in this country. Certainly the documents that have been produced by experts who have analyzed the trend and the potential impact on our society deserve some recognition.

I cannot say whether either one is right, but it struck me as funny that we should have this pattern. I did not really think it was a pattern until I picked up my monthly newsletter from the Canadian manufacturers association. It was headed "Automation Myth," and the Canadian manufacturers association went on to debunk the fears of the impact of automation.

I can understand that the Canadian manufacturers association might not be too concerned if we had a large labour market at their disposal so that they could again take unfair advantage of people on the labour market in their production, but I do not think that the hon. Prime Minister of this province, or the hon. Minister of Labour, should be supporting this kind of a pattern.

I do not think it is fair, and it seems to me that they are showing a very weak position. They are burying their heads in the sand and are going to let this problem grow on us until it becomes a crisis and then we will start to do something on a crash programme that will not be effective enough to meet the real impact of automation.

Mr. Chairman, I listened to the comments of the hon. member for Etobicoke who spoke for the Liberal Party on The Department of Labour, and certainly I feel that he has covered every item very thoroughly. It seems to me that he has done a summary on the presentations of the Ontario federation of labour to the Cabinet for the last three or four years. I do not think that there is anything wrong with this. I am glad that we now have the Liberal Party behind the very necessary things that are needed in regard to the working people of this province—

Mr. Reaume: We always have been.

Mr. Gisborn: No, you have not always been. There used to be a speaker for the Liberal Party, when I first came into the House, who propounded the idea of Canadian autonomy. The only people who were

in favour of Canadian autonomy at that time were the Canadian manufacturers association and the Liberal Party. I have not heard that this week and I am very pleased that you have now become enlightened and you will support the democratic process—

An hon. member: What is the hon. member talking about?

Mr. Gisborn: But I would just refer to one section of the press release put out by the hon. member for Etobicoke in regard to his remarks—on the front page, too—and I quote:

For unorganized labour Mr. Braithwaite proposed that the government explore the whole question of improving the grievance machinery so that the ordinary worker might find it easier to lay a personal complaint.

Now, I do not know what he means by that comment. I do not think that the unorganized worker has any avenues to get his complaints aired in a proper manner and what I would like to have read that the hon. member said was that we, as a party, believe that the trade union movement plays an integral part in our society and that unorganized workers should get into unions of their choice so that they can bargain collectively for fair wages and conditions.

I have never heard him say this. I hope that he will make it very clear at some point, because that is the solution to many of our problems. We can talk about minimum wage laws, fair employment laws and compensation, safety and health, but the solution for the unorganized and those that are subjected to unfair treatment is that they should find a union of their choice and get some representation by those people who know just what the problems are.

Mr. Chairman, I understand that the Ontario federation of labour presented their brief to the Cabinet and the hon. Minister last Wednesday. I am not going to review what might be in a sense the need for the organized trade union movement in this province. I am sure that the executive of the Ontario federation of labour are very able men and they presented in a straightforward and frank manner those things that they feel are important to the organized groups, and also those things they feel are necessary and important to the community as a whole.

I do want to deal with just three sections of The Labour Relations Act. I have had some personal experience with them and even though they were mentioned in the brief of the Ontario federation of labour, I feel that

there should be some emphasis put on them so that they may get some attention.

The first is the conciliation procedure. I think it is about time that the hon. Minister and his department took a real look at the conciliation procedure. I think that they should drop the board section of the Act, and this will expedite bringing about of collective agreements where they really count in this province. I would think that the Act should at least be amended to only make the board stage of conciliation applicable where both parties mutually agree that they would like to have a conciliation board.

That would provide—if there were a lot of inexperienced unions, new local unions, springing up—some assistance for those who felt that the conciliation board could be of some help. They could then jointly agree and have the services of the conciliation board.

The large unions in this country have mature and experienced bargainers, and management also have raised their sights in the collective bargaining field. The patterns have been set year by year; they know exactly what they are entitled to through their research departments and they know where they are going. Rather than a conciliation board stage being a cooling-off period, it has now become what has been termed by several of the trade union leaders as a frustration period.

Certainly one might say that the provisions of the Act allow the board to sit for certain lengths of time and then they will have to report when it is over. But that is not the case.

I know the hon. Minister can argue with me and say: Well, the conciliation board sittings have been extended by mutual agreement or by the request of the trade union committee or by management or mutually. I would agree with this, but once you get into a board stage the committee, no matter how they might try to bring the board to an end, are in a sense trapped. Trapped by public opinion, by their real efforts to bring about an agreement, their hopes that every day will see something break and that they might be able to get to an agreement without breaking off at the board stage. Of course, if it is not successful then it goes on and on.

I was on the committee with Local 1005 of the steelworkers last year. We started to bargain on May 14 and we got a settlement about a week before Christmas, in December.

I know there were delays in establishing the board. The board was established, I believe, about November 14. We went on

until December, almost Christmas, before we got a settlement.

What happens? It is all right for one to say: Well, what is the difference if you bargain for five, six, eight, nine, ten months; as long as you get a settlement? But this is not the question. It was obvious in our set of negotiations, and I have noticed it in other large negotiations, once the negotiations go past a certain point then the membership is in a certain condition that their demands keep raising and raising, they are frustrated. When we settled up in December it was not a question of selling the membership the agreement we came up with, because I felt, and the committee felt—and I do not think anyone has denied it—that we got what might be termed one of the best contracts which has been negotiated with the Steel Company of Canada on a two-year basis, but the membership was in such a state of frustration because of the delays that it was not prepared to accept anything. Among those who followed the procedure, we won our vote to accept only on a few hundred votes. We could not talk to the members in any way, shape or form. They did not want to listen to the terms of the settlement; what they wanted was a strike and were blaming their frustration on the long-drawn-out delays.

The public and the customer of the company have a large problem also. The press, during our critical periods, was criticizing the union committee and the company committee for stalling and not getting on with the job. It was telling the public that the sales had dropped drastically in our area and that people had stopped spending, and this all raised a lot of apprehension and was certainly not good for negotiations. Customers of the steel company were complaining. We understand that they were starting to send circulars to other steel companies for their orders, and all of this just puts the whole conclusion of real collective bargaining in a state of frustration. Certainly the conciliation board procedure, in many cases, now has fulfilled its usefulness and I believe that it would be well to have the conciliation board stage based on the application of both parties by mutual agreement.

Mr. Chairman, I would again raise the question of the section of the Act that provides what we call bargaining in good faith. Section 12 says this:

OBLIGATION TO BARGAIN

The parties shall meet within 15 days from giving of notice or within such further period as the parties agree upon, and shall bargain in good faith and make every

reasonable effort to make a collective agreement.

That section at this point means just about nothing. I believe it would be well if the hon. Minister would take a real good look at that section and either define exactly what is meant—what is “bargain in good faith”—or else take the section out. I suggest that he take the section out and he should also take out the section that prohibits strikes or lock-outs during the terms of the collective agreement. The glass and ceramic workers in Hamilton have been before the courts for almost two years and yet at this point they have not had a decision as to whether they have a right to prosecute the company for failing to bargain in good faith. As far as I can make out in listening to panels following this particular court case in regard to bargaining in good faith, all a company has to do is meet and that is what is covered by the Act. It does not have to make any offer whatsoever; it just has to provide a meeting place and meet with the union, and it has lived up to that section of the Act.

Some will argue that the union also has the responsibility to make some concessions and that management will say: “We met with you but you didn’t meet our demands. We asked you to increase your hours of work, we asked you to provide for overtime, and you wouldn’t meet these conditions.” I think management is using this section and is violating the whole concept of collective bargaining. When a trade union local goes before the company and asks it to sit down and bargain for a new agreement or improvements or amendments, it is asking for increased wages and a betterment of working conditions. The union has nothing to give to management in the sense of collective bargaining. It is bound by an agreement. Management has all its rights under management clauses and that right then should only be outside of the collective agreement.

Therefore, I would think it is absolutely necessary that that section of the Act be defined very clearly so that management will recognize it has some obligation to bargain in a real collective manner.

I would like to quote the arbitration section of the Act—section 34, subsection 1:

Every collective agreement shall provide for the final and binding settlement through arbitration, without stoppage of work, of all differences between the parties arising from the interpretation, application, administration or alleged violation of the agreement, including any question as to whether a matter is arbitrable.

Mr. Chairman, subsection 2 goes on to provide a section that must be in each agreement if those provisions are not made. I feel that the model arbitration clause should be amended to provide that the judge or the arbitration chairman can deal with any question of dispute arising between the union and the company, and not be restricted as he is in the particular section. In the event of failure to make this change, I say it is highly necessary that we remove the "no strike, no lockout" section of The Labour Relations Act.

As the hon. Minister knows, this problem is one of the most vexing in some of the large industries in this province today. The problem of technological changes and methods changes, brings about conditions in industry, between the terms of collective agreements, that the employees find hard to live with.

We had a stoppage in the Stelco plant last year because we had no other weapon to use to rectify what was considered a very serious problem. We have what is called the cold mill employing about 700 workers, who as well as being under a basic agreement, were living under a supplementary agreement covering seniority and incentive rates. The company changed the supervision in this large department, split it up into several small departments, and this in turn disintegrated the seniority status of many employees. Incentive rates were removed from jobs, which brought about reductions of as much as 70 cents per hour per employee. The employees had no recourse under the arbitration section to have this problem rectified.

I would suggest, Mr. Chairman, that the hon. Minister give consideration to either one or the other of the alternatives: strengthen The Arbitration Act to cover any dispute that arises between the company and the union, or repeal the section that forbids strikes or lockouts during collective bargaining agreements. Let them fight their problems out. The hon. Minister has said that he believes use of The Labour Relations Act and the supervision of government should be brought to their most irreducible measure, and I think he should do just that at this stage of collective bargaining in this province.

What I felt was missing from the hon. Minister's remarks when he opened his estimates, Mr. Chairman, was some reference to the federal labour code. As we all know, the federal government has introduced legislation to provide for a \$1.25 minimum across Canada for all those under federal jurisdiction, to provide for two weeks' vacation with pay after one year's service, and to provide for 40 hours of work in a week and over-

time for time in excess of 40 hours. I would have thought at least that the hon. Minister would have followed this pattern in the province of Ontario, because if he does not, many workers in this province become second-class citizens. Certainly it is time to move in this direction, now that we have had the lead by the federal government.

We are still working on a 48-hour week pattern. The provisions of enforcement are fairly slack and are not enforceable to the extent they should be. We still have only one week's vacation after one year's service in this province. We have been lagging for years in this area, so one would have thought that with the legislation that has been passed in the federal House, the hon. Minister of Labour of this province really would have developed what he calls a new blueprint for labour, and at least copied the provisions of the federal Act and made them apply to every worker in the province of Ontario.

I will conclude those few remarks and we will deal with them a little more specifically as we go through the estimates.

Mr. D. C. MacDonald (York South): Mr. Chairman, before we get into the individual estimates, is it the intention to deal with the workmen's compensation board as a unit itself at the end?

Hon. Mr. Rowntree: I think that the pattern adopted last year is a good one. There is no particular spot in our estimates for a debate in depth on the compensation board, but in my view it is a matter that should be debated. Let us have that as a special item at the end of the estimates.

On vote 901:

Mr. L. Troy (Nipissing): Mr. Chairman, I thought that the hon. Minister might be answering some of the points brought out by the speaker for our party and the hon. member for Wentworth East, but apparently not.

In regard to the item on assistance to amateur sport, I notice there has been quite an increase in that particular estimate this year. Those of us who are interested in amateur sport are very much pleased to note that the Ontario athletics commissioner is resuming his former place in the promotion of amateur sport. My own particular interest is, at the moment, in track and field. From discussions with the athletics commissioner, and also from reading comments in the press, I note that the department will assist amateur clubs in the provision of equipment.

As you very well know, the equipment for a track and field club, such as adjustable

standards and the implements that they use, is fairly expensive. I think the fact that your department is showing interest, will mean a fine development across the province in the promotion of track and field clubs.

As you know, too, The Department of Education is in this field also, through its fitness programme. However, that department assists only in the field of leadership clinics and it does not provide facilities. I do not suppose we will ever reach the era when the government itself will go into the field entirely and provide stadiums and such facilities as that, too.

It seems to me that in the old days—I do not know which department it worked under—there was such a thing as the Ontario athletics commission with a director and a secretary in the person of the late Jimmy Fitzgerald, who was the distinguished sports editor for the *Toronto Telegram*. We had one member of the Legislature, Mr. Tom Murphy, on the commission, along with Mr. Harry Price, Sr., who all through the years has taken a very active interest in amateur sport of all kinds and has been a member of that famous committee that was set up by the Minister of Health. It got into print all right, but I think few of the recommendations of that committee were ever implemented. I think it might be well to consider the possibility of a commission again. At least the suggestion could be considered by the hon. Minister and his advisers.

I hope, too, that this is just the forerunner of further expansion of the department in this field. I understand this year the emphasis is on track and field, as I said, an activity in which I am very much interested through the Royal Canadian Legion. As you know, we have our sports training plan, which emphasizes, at the present time, the coaching of leaders in track and field under the direction of one of the outstanding coaches in the world, Mr. Geoffrey Dyson. It is fortunate, too, that because of his coming over here, we are getting some of the best of the English coaches, who are now settling in Canada, in the universities of the west. Possibly some day we will get some of them to settle down here in the province of Ontario.

We certainly need as much support as we can get. The tragic part about it is that I do not think either the federal or provincial government is taking the interest it should in the expansion of our sporting activities. Another tragic aspect is that if you pick up the metropolitan dailies, you find that professional sport gets all the emphasis and it is only occasionally that we find amateur sports getting much support whatever in the sporting

pages. Of course, if a newspaper is going to co-operate in the operation of a track and field meet, say, in Maple Leaf Gardens, then you find the publicity is abundant then. But ordinarily, the lack is the tragic part about amateur sport. In the fall, it is professional football and professional baseball; in the winter it is professional hockey; hockey goes on into the spring season, sir; then in the summer time and fall come professional football, with the result, unfortunately, that our amateur athletes get very little attention.

I must say, Mr. Chairman, in conclusion, that again I congratulate the hon. Minister and his department for getting into the expansion of amateur sports in a much larger way. I know, after my discussions with his athletics commissioner, that we should see an expansion in the development of track clubs all across the province. As I say, we in the Legion are quite concerned in the training of coaches, but we must also look to the future in the training of our young athletes and we must broaden the basis as much as possible. I think the broader the basis, the better, and that as we go up we will eventually reach a very high standard in that particular activity.

Mr. B. Newman (Windsor-Walkerville): Mr. Chairman, I would like to join with my hon. colleague first in commending the hon. Minister on the substantial increase in assistance to amateur sport. For the last five or six years we have criticized the Minister because the amount of assistance to the amateur was not sufficient. Even with the contribution of \$120,000, that still leaves room for a tremendous amount of further assistance to the athlete. We look forward to the future when either this department or some other department of government looks at the amateur athlete through rose-coloured glasses.

May I suggest to the hon. Minister that in the allocation of the funds to the various sports bodies, he set aside sufficient funds to have a portable track so that possibly the department could transport the track to the various communities throughout the province. In that way it would encourage track and field as a winter-time activity, not only in the major centres of the province but also in any other city or municipality which has indoor facilities that could accommodate a portable track. Track and field seems to be growing by leaps and bounds at the present and the addition of a portable track would be of substantial assistance to the various track clubs throughout the province.

I would also like the department to consider not only track and field and hockey,

but every other aspect of physical activity. There are too many different sports to single out any individual one that could stand some type of financial or equipment assistance.

Rather than carry on with any more comments on item No. 5, may I ask the hon. Minister if the department has ever considered transferring this vote to the community programmes branch, so that in The Department of Education, under community programmes, assistance to amateur sport might be included, rather than here?

Hon. Mr. Rowntree: No, that has not been considered. We operate in quite different areas from The Department of Education. It operates through a network of the schools throughout the province and that is pretty much of a self-contained unit. I would think that the expansion of operation of the office of the athletics commissioner in our department is as good a place as any for this operation.

May I just make reference to some of the observations that have been made? You will recall some years ago one of the real objectives for which this branch existed was to control and direct and guard against exploitation and other such matters in the field of professional boxing and wrestling. The fact is that those two professional sports are on the decline.

Mr. MacDonald: What about hockey?

Hon. Mr. Rowntree: Oh, I would not put hockey quite in the same—

Mr. MacDonald: No, but control of the exploitation of juveniles in hockey.

Hon. Mr. Rowntree: Hear me out. I would not put hockey or football in the same league or in the same category as I would wrestling and boxing.

Mr. Troy: Nor I.

Hon. Mr. Rowntree: But the revenue, and of course there are fees payable with respect to those items, is down to some \$15,000 a year from the licensing of managers and whatever fees are payable from the exhibitions.

Reference was made to a portable indoor track, and I have before me a recommendation from the athletics commissioner that this be proceeded with by the department. In the immediate days ahead, as soon as my estimates are completed, I will have an opportunity of determining with him just the form that this should take. We have rendered assistance to those who have owned portable

tracks before. There was one in Hamilton that we assisted in rebuilding and it was used on a number of occasions. I assume these things wear out and I will look forward to seeing this particular item advanced.

Track and field is receiving some special attention at this time, as you know, and I would hope that this would be but the forerunner of a trial effort with this particular sport. I think it represents the kind of amateur organization that exists throughout the province, and whatever lessons we can learn and experience we can gain from this particular operation—it is not an experiment; I call it an operation—will put us in a good position to move on to other areas.

Some reference was made to the question of the three metropolitan papers and the types of sport and the areas of athletics to which publicity generally is given in this metropolitan area. I suppose that is just one of the problems of being a large metropolitan area. But I think you have to look at what goes on in smaller communities of the province and at those newspapers published outside of Toronto, to see really what is going on.

There is another aspect to this which I think must be apparent to all of us. The activity and the benefit to be derived with respect to the operation of amateur sport, if I can put it that way, are directly related to the volunteer aspect of those connected with the sport itself. I do not think any of us would want to do anything to discourage those volunteers who make such a great contribution to the young people of our province.

My own interest would lie more in the field of midget sports and beginners' sports. I think, like a lot of other things, that if we can get young people off on the right foot, that is the time to be dealing with them. I hope that in the weeks ahead I will have something more to say about this type of midget league and athletics, with a view to expanding its operation and making it possible for these young lads and girls to get going. I think it is like anything else, as I said. The sooner they get going in a healthy form of recreation, the more they are going to benefit from it in the years ahead.

As a matter of fact, almost 1,000 associations are helped by this branch.

Mr. Troy: I might say, Mr. Chairman, that in reading bulletins from France—although I do not know per capita what it would mean—I discovered that in 1964, \$300 million was spent on the development of amateur sport in France. This country—I am not saying the province—could spend \$300 million—

Mr. Newman: \$300 million; it is a continuing programme.

Mr. Troy: Yes, a continuing programme.

Mr. S. Apps (Kingston): Mr. Chairman, I would like to take just a moment of the time of the House in connection with track and field athletics, having had some experience both in track and field athletics in general and also rather detailed experience in professional sport.

I would like to make a comment here to the effect that I think track and field athletics would do more for the overall physical development of a young boy, particularly, than any other sport in which he might participate in, because I think it contributes to better all-round development.

I should like to commend the hon. Minister on the money that is being spent on amateur sport and I would hope that he would have a good look at track and field and try to promote this particular aspect of boys' athletics to perhaps a greater degree than is being done at the present time. It helps the overall physical development of a boy to be able to take part in track and field athletics and I commend the hon. Minister on the amount of money that is being spent and would hope that he would take a good look at it and try to promote it even more than is being done at the present time.

Mr. Newman: Mr. Chairman, I would like to ask a few questions of the hon. Minister.

First, I would not like to get into the discussion on the value of track and field in relation to the sports that I have had the opportunity of coaching, because it is generally known that gymnastics is the key sport in all athletics. A good gymnast is always a good track and field man and is good for practically any other type of athletics, but—

Mr. Apps: Pole vaulting, too.

Mr. Newman: Yes, a terrific advantage in pole vaulting, too.

Mr. Chairman, several years ago I brought up the possibility of collecting revenues from wrestling in a television studio where the public is admitted and allowed to view wrestling. This wrestling is sometimes carried "live," sometimes it is on tape. Has the hon. Minister looked into the possibility of collecting revenue from the television wrestling bouts?

Hon. Mr. Rowntree: As I understand it, when I looked into that matter—and I remember the debate on the point—it is an

exhibition under our interpretation, whether it is in a studio by television or in a public arena.

Mr. Newman: Mr. Chairman, a licence fee is collected from wrestlers during exhibition bouts in the Maple Leaf Gardens, is it not?

Hon. Mr. Rowntree: Yes.

Mr. Newman: This is practically in the same category except that it is held in a television studio.

Mr. Braithwaite: Mr. Chairman, an examination of the vote leads me to wonder if the hon. Minister is not engaged in a little personal image-making.

Now he has announced a widely publicized expansion for his department and undoubtedly he will use this to justify many of the increases which are apparent in his budget. His main office salaries are increased by more than \$100,000 from last year and that is about 25 per cent. The total main office expenditures have increased from \$803,900 in 1964-65 to \$1,136,000 this year; this is an increase of \$332,000, well over 35 per cent.

Mr. Chairman, I would like to make a few comments on item number 4 in vote 901, covering "Advertising." Here we find an increase from \$140,000 to \$288,000, amounting to in excess of \$100,000. If you will examine the vote, Mr. Chairman, you will note that this purports to bury items, including conferences, membership and legal costs. In our estimation, Mr. Chairman, we wonder whether this is not really self-promotion. In 1962 this item was \$25,000 and it has increased 1,000 per cent in the last three years.

Let us compare this image-making expenditure to the expenditures on the following: Industrial training increased from \$1,274,500 to \$1,494,000, approximately 17 per cent increase; conciliation services increased from \$417,000 to \$445,000, approximately a six per cent increase; the labour standards branch increased from \$522,000 to \$689,000, approximately a 35 per cent increase; the labour relations board, on the other hand, was \$519,300 and this year is a budget figure of \$515,000—a decrease; as far as safety and technical services is concerned, the amount of \$1,538,300 has been increased to \$2,060,000 and that is approximately a 34 per cent increase.

Now, as far as the human rights commission is concerned, last year's figure of \$88,000 has been increased to \$119,000. The question that worries us, Mr. Chairman, is that the government has increased its image-making

machinery by \$148,000, but its human rights budget is increased by only \$31,000. The hon. Minister has stated in this House how important his government feels the human rights commission is and one would wonder why the increase in this department was not larger.

As far as vote 901, item 5, is concerned, I would like to make a few comments about amateur sport. It is noticed that there is an increase from \$70,000 to \$120,000. As far as the blueprint of the hon. Minister is concerned there was not any reference at all to this department in the blueprint and we wonder why.

And so, Mr. Chairman, I would like to ask a few questions of the hon. Minister. First, how much of the increase in this vote is going into research into the uses of leisure time brought about by automation?

My next question is how much is going into the development of community recreation programmes?

Next, how much of the increase is going into research grants to recreational specialists?

How much of the sum allocated for assistance to amateur sport is really assistance to professional sports, like boxing and wrestling?

The next question is, how much of the sum allocated to this department is travelling expenses for the athletics commissioner?

Now, Mr. Chairman, I would digress here for a moment and read from a clipping I took from a recent edition of the *Telegram*. The sports writer says:

One other post at Queen's Park that does not seem to me to be worth the money is the office of the athletics commissioner. This one costs us something like \$9,000 for the Commish who handles only boxing and wrestling. Unless his duties expand to take in the NHL, I doubt if we are getting value.

The sports writer goes on to say, Mr. Chairman:

How can anybody put in a full day looking after boxing and wrestling in this province? Where is the boxing and, more important, where is the need of an athletics commissioner to oversee exhibitions of tumbling at Maple Leaf Gardens? One day a month might be sufficient time to let the commissioner wind up all the work he has to do.

And then the commentator goes on to say:

Instead of laughing, the government might be better to consider any suggestion aimed at trimming the payroll.

In that light, Mr. Chairman, I would like to ask the following questions: Does the department pay any sum for travelling or long-distance expenses for Mr. McKenzie when he is acting in his capacity as president of the world boxing association?

The last question: Has the athletics commissioner spent any moneys out of the sum allocated to this department to attend boxing matches outside the province of Ontario or to attend meetings of conventions of the world boxing association?

Some people have said, and I do not know how true it is, but it has been said that he attended the Chovalo-Jones fight in New York on October 2, 1964. Also he attended the fight where Chovalo fought in Hull sometime in November. I wonder, Mr. Chairman, if the hon. Minister would like to make some comment on some of these questions.

Hon. Mr. Rowntree: If the hon. member will send that list of questions over I will be glad to answer them.

Mr. Braithwaite: Well, Mr. Chairman—

Hon. Mr. Rowntree: I could not keep track of all those 14 questions.

Mr. Braithwaite: I will be glad to repeat them.

Hon. Mr. Rowntree: Send it over and I will be glad to answer.

Mr. Braithwaite: Mr. Chairman, my job is to ask questions of the Minister and if he does not care to answer he can say so, but I am on the floor of the House, Mr. Chairman, and it is my duty to ask these questions.

Hon. Mr. Rowntree: If you would just ask them in an orderly fashion, as you have done with the aid of the paper before you—but you must know that you cannot ask 14 questions under one heading. I think I just want to point out—

Mr. Braithwaite: With respect, Mr. Chairman, I will be glad to repeat them individually, one by one.

An hon. member: Just give them one at a time.

Mr. Braithwaite: I will give you one right now.

Hon. Mr. Rowntree: I will do some just from my own memory.

Mr. Braithwaite: Mr. Chairman, I have the floor.

Hon. Mr. Rowntree: The first item I will speak to, Mr. Chairman, would be the newspaper article. I simply suggest to the hon. member that he knows much better than to state what he did in those terms, because it is perfectly obvious from the content of that article which I read that the author knew nothing of what he was talking about. I tell you that quite frankly, because he confined the man's efforts almost entirely to boxing and wrestling. I will give you some outline of the analysis of the commissioner's work. This arises from an audit of his activities in the fall of 1964, to ascertain the nature of the duties and the responsibilities.

The commissioner spends approximately half of his time, including three to four evenings per week, in attendance at wrestling and boxing contests, meetings of promoters, sports associations and other similar organizations. There were approximately 100 wrestling and 30 boxing bouts last year. These activities include the control of all professional bouts through the licensing of promoters, events, managers, contestants and referees as required under The Athletics Control Act. The balance of his time is occupied by encouraging amateur sports throughout the province, by analyzing and recommending grants-in-aid for equipment to recognized leagues—approximately \$50,000 to 1,000 applicants last year—and providing liaison between such bodies as The Department of Education community programmes branch, Ontario federation of school athletics associations, and the amateur athletics union. He also advises local groups in matters of league organization, facilities necessary, sources of material assistance, and so on. In the last connection he is virtually on call most evenings and weekends as amateur athletics activities are at their peak during these times.

At the meeting of December 2, 1964, the civil service commission approved a flat rate of \$7,500 per annum for this position in light of the information contained in the audit report.

With respect to the reference to assisting professional sport indirectly, if I were to find that any such connection existed, or the office or the funds of this branch were being used for the advancement of any such matters as you raised, I would immediately cancel it because that would completely offend against the policy of the department with respect to the use and application of our funds.

Mr. Braithwaite: Do we take it for granted, Mr. Minister, that your answer to question 5 is "none"?

Hon. Mr. Rowntree: What was question 5?

Mr. Braithwaite: My question is: How much of the sum as allocated for assistance to amateur sports is really assistance to professional sports?

Hon. Mr. Rowntree: None.

Mr. Braithwaite: None; thank you.

Hon. Mr. Rowntree: With respect to the major items which you mentioned earlier having to do with information, this department is a service department—we do not build roads, we do not build buildings but we do try to provide services that are for the benefit of the people of this province. The only way that we can tell the public the facts of what is going on, what facilities are available in the department, and details of the various programmes, is by providing that information and actually paying for it. The hon. member may not have been in the House last year when this matter was debated at some length. I would say that pamphlets are more important to our department as a means of effective communication than they are to any other department in the government. Accordingly, an information programme is required, and really an information programme goes to the root of the successful operation of the department, particularly in the first step of any programme which is establishing communication and distributing information to those who are concerned.

With respect to the increase in other branches, the main expansion in our operation would include the increase in the complement of those branches where inspection services are involved. This again was debated at length last year. The hon. member for Woodbine (Mr. Bryden) had a good deal to say about this subject and we analyzed it in debate in some depth. To make the safety legislation, and the works labour standards legislation, and so on, effective, we have to have men on the road. This is the only way we can meet that situation. In my remarks in the introduction of my estimates I pointed out that this principle was recognized, that we were trying to make these inspections in the field as effective as possible, and that the only way we can do that is through bodies travelling about the province.

Some reference was made to the Ontario human rights commission. The budget being asked for comes from the director of the commission himself, Dr. Hill, and he estimates and tells us that these additional amounts and additional parties will enable him to operate the commission in an effective manner and having regard for the potential volume of business—if I could put it in that

way—or work which his commission will be called upon to perform in the approaching fiscal year. As a matter of fact, the human rights commission does not come under this vote; it is down in 907, in any event.

Mr. Braithwaite: Mr. Chairman, I wonder if the hon. Minister would be good enough to tell us how much of the increase of \$332,000—main office expenses—is going into research into the uses of leisure time brought about by automation?

Hon. Mr. Rowntree: That is under another vote—research, 908.

Mr. Braithwaite: Then, Mr. Chairman, how much of this increase is going into the development of community recreation programmes?

Hon. Mr. Rowntree: None. It does not come under our department, as I stated a couple of moments ago, it comes under The Department of Education.

Mr. Braithwaite: Is any of this money going into community recreation programmes?

Hon. Mr. Rowntree: Only insofar as those who are entitled to our grants are associated indirectly with community recreation. Community recreation as a total subject comes under The Department of Education.

Mr. Braithwaite: My question, Mr. Chairman, is how much of this increase, if any, is going into community recreation programmes?

Hon. Mr. Rowntree: The answer must be obvious. As far as I understand, none.

Mr. Braithwaite: Next, Mr. Chairman, how much of this increase is going into the research branch to recreation specialists?

Hon. Mr. Rowntree: None.

Mr. Braithwaite: Then as far as item 5 in this vote is concerned, how much of the sum allocated to this department is travelling expenses to the athletics commissioner?

Hon. Mr. Rowntree: \$3,000.

Mr. Braithwaite: The next question is, does the department pay any sums for travelling or long-distance expenses to Mr. McKenzie when he is acting in his capacity as president of the world boxing association?

Hon. Mr. Rowntree: The answer is no, but the province is a member of the world boxing association; because it controls boxing and wrestling we are a member of the world

boxing association and in the normal course the commissioner would attend the annual meeting of that association at government expenses.

Mr. Braithwaite: My last question, Mr. Chairman, is: Has the athletics commissioner spent any money out of the sum allocated to this department to attend boxing matches outside the province of Ontario, or to attend meetings or conventions of the world boxing association?

Hon. Mr. Rowntree: Yes, I gave him permission to attend at least one meeting which was apart from the annual meeting in view of the fact that he is the current president of the world boxing association.

Mr. Braithwaite: Would the hon. Minister be good enough to tell us which one that was?

Hon. Mr. Rowntree: I could not do so at the moment.

Mr. Braithwaite: Could the hon. Minister find that out and give it to this House in due course, Mr. Chairman?

Hon. Mr. Rowntree: Yes.

Mr. Newman: Mr. Chairman, I would like to ask of the hon. Minister: Does the department actually authorize wrestling in studios, wrestling that will eventually be televised either live or on tape? Must that studio obtain a licence or a permit from the department?

Hon. Mr. Rowntree: It is the promoter who would have the licence, as I understand it, and he in turn is controlled by us.

Mr. Newman: Mr. Chairman, I asked this because I can specifically recall hearing back in my own community that the matches were put on with the specific permission of Mr. McKenzie of the Ontario athletics commission, so there must have been some permission or some licensing.

Hon. Mr. Rowntree: Well, there would be a permission inherent in the existing licence of the promoter.

Mr. Newman: Thank you.

Vote 901 agreed to.

On vote 902:

Mr. MacDonald: Mr. Chairman, I would like to make some rather extended comments on this estimate.

If there is one thing, Mr. Chairman, in the operation of The Department of Labour that

disturbs me more than any other it is the failure to enforce its own laws and regulations.

Now there are a number of reasons for this. One of them is that down through the years the department has had inadequate staff. Related to this, I think, is another practice on the part of the department and that is that they have contented themselves with spot checks in the enforcement of many of their regulations. Inadequate staff combined with spot checks means that you are really skimming the surface and not coming to grips with a clear revelation of the extent to which the laws and regulations might not be enforced or implemented.

Hon. Mr. Rowntree: Just so I might follow you, I take it you are directing the general argument under this heading of apprenticeship or are you just—

Mr. MacDonald: I will be getting perhaps painfully specific before I am finished.

Hon. Mr. Rowntree: Well, I hope not.

Mr. MacDonald: Again, Mr. Chairman, combined with the fact that there is inadequate staff and the practice of spot checking, is a third factor—that this department has developed a practice of warnings rather than penalties on the first visit—perhaps on the second visit and perhaps even beyond that—with the result that there has developed an attitude on the part of those who are being regulated that there is no real serious consequence to be suffered if they do not live up to the regulations. That, combined with the spot checking approach, means that generally speaking the regulations are being honoured in the breach rather than in the observance.

As a matter of fact, I ran into an instance of this last winter, and this is outside of this immediate estimate but it illustrates the basic point I am working, Mr. Chairman. There was a strike of the operating engineers in connection with the aluminum company in Kingston on which there was considerable difficulty for the officers of this department. I think they approached the company, they sent inspectors down. Ultimately they persuaded the company to correct their approach, to cease violating the regulations. The question asked by those who had been on strike, regarding the company's violations up until then, was—is there any penalty? And when I put this matter to the people in the department the answer was no, the company has now agreed to live up to the regulations and so the whole matter is dropped.

Now if I may make an analogy, it may

seem a little strong, Mr. Chairman, it seems to me that this is about the equivalent of catching somebody robbing a bank yet there is no obligation on the part of the robber to hand over the benefit he may have gotten from the violation of the law, plus the fact he can go free if he just gives assurance that he is not going to continue to break the law.

It seems to me that this kind of approach is really asking for trouble. Now I come down to applying this general complaint of mine to the apprenticeship branch, and more particularly, Mr. Chairman, to the motor vehicle repair section of the apprenticeship branch which I have been concerned with for some years. I can recall a number of occasions when I have raised it with the head of the apprenticeship training after representations were made to me with regard to how certain apprentices were being treated, or how garage operators were getting away with more apprentices than their number of journeymen permitted under the law.

The government sends in inspectors who are euphemistically referred to as counsellors. In many instances—this can be solidly documented—the counsellors only approach management. They do not approach and discuss and seek out the details of the situation from either the journeymen or the apprentices involved. In some instances, and before I am finished I will give you one documented case, the garage operator is advised in advance that he is going to be inspected.

Indeed, it is sort of a cat-and-mouse game. I am not even certain that the description of a cat-and-mouse game is too fair, because I think the cat is the garage operator and the department is the mouse.

Hon. Mr. Rowntree: I would not say that. As we get on in this debate, if this is the association I think it is, I think it will be worse than a cat-and-mouse game.

Mr. MacDonald: Well, just let me proceed, Mr. Chairman. Apart from my—

Hon. Mr. Rowntree: Why do you not lay out the name of it now and the number of members they have, and so on?

Mr. MacDonald: I am not interested in the number of members they have. What I am interested in is whether this department's regulations are being lived up to. The number of members they have, I suggest to you, is completely irrelevant.

Hon. Mr. Rowntree: Not at all. This particular association is carrying on a game with our department. They have a very small,

almost negligible membership. They send in names of garages picked, I say, at random. They complain about their operation. We send inspectors out and it is a wild-goose chase. There is some sort of vendetta going on between—

Mr. MacDonald: Mr. Chairman, may I make my case?

Hon. Mr. Rowntree: Yes, but I just wanted, in the spirit of our debate, to point out that this is the situation. They are practically usurping a good many of the people that we have in that branch and keeping them from legitimate business on this wild-goose chase.

Mr. MacDonald: We will let the full facts speak for themselves. I am not going to be deterred by a completely irrelevant argument as to—

Hon. Mr. Rowntree: Oh, it is not irrelevant; but I would be glad to hear what the hon. member has to say.

Mr. MacDonald: What I am suggesting is that in my own experience down through the years I have become persuaded that there is widespread violation of the regulations with regard to the number of apprentices and other requirements, and that this department has not indicated enough vigour in its inspections—or in its counselling, if it wishes to use this term—to see that the regulations are lived up to.

Indeed, Mr. Chairman, I think there is concern among the public because one of the common complaints is of taking a car in to have it repaired and feeling that you have paid a pretty high bill and then discovering that some time later the repairs did not appear to be effective. There is this undercurrent of complaint and dissatisfaction with regard to the quality of work that is being done. Now if there is widespread failure to implement the regulations, so that many of the people working are not being supervised when they are apprentices or if they are not really trained mechanics, inevitably you are going to have a lower quality of work and thus create the dissatisfaction.

As I say, down through the years I have been attempting to come to grips with this, and I simply do not have an adequate staff to do it. But I have been provided with some facts and some specific instances and I want to relate them to the House, and I want to put some questions to the hon. Minister. During the years I have been presented with situations but it is like trying to pin jelly to the wall. I do not know whether I have

it pinned to the wall as yet but I think I have enough facts to make an attempt.

As I understand the procedure with regard to apprentices, it is that an apprentice registers, works for a certain number of years under the supervision of a journeyman—and attends basic and advanced training courses at the provincial institute of trades over on Nassau Street.

I want to draw to the hon. Minister's attention something which I think in effect undercuts his whole apprenticeship programme right at the start. General regulations for The Apprenticeship and Tradesmen's Qualification Act, 1964, under section 20, reads as follows:

When an applicant for a certificate of qualification, who is not the holder of a certificate of apprenticeship in the trade

(a) supplies evidence satisfactory to the director of having continuously engaged in the trade as a journeyman in Ontario or elsewhere for a period equal to or greater than the apprenticeship period prescribed for the trade, the director shall upon payment of the prescribed fee, issue to the applicant a certificate of qualification.

If I am correct—and I shall later attempt to prove that I am correct—in many instances people are in the trade without the necessary apprenticeship supervision simply because the department is not doing its job. This means that having violated the law, they come and present evidence to the government that they have been in this trade for five years without the necessary supervision, without necessarily having got the basic theory, and at that stage the government says, "Well, fine, you have five years' experience, you make application and write, and if you pass the examination we grant you your mechanic's licence." In short, this is undermining the whole apprenticeship situation.

Related to this, has been a practice with regard to blue cards. Quite frankly, I have not been able to figure out exactly what is the function of the blue card and whether it has changed through the years. The blue card used to be a card given to a workman who had the necessary qualifications from another province, and had moved here. Until he had actually been able to write the examination, he had a blue card that permitted him to work. But there is at least one instance that the hon. Minister's staff and his assistant deputy are very aware of, and this puzzles me. Let me set the context of it by a quotation from *The Bulletin* of the organization that the hon. Minister is not too impressed by—the Ontario licensed auto

mechanics' and bodymen's association in January, 1965.

The text of a letter received from the assistant deputy Minister of Labour, Mr. T. M. Eberlee, reads as follows: One person working as a mechanic under the authority of a blue card was quite in accord with both the law and the policy of the apprenticeship branch. He is not considered to be an apprentice.

This statement undoubtedly refers to one "J.M." I am not interested in getting the name in—I shall just give the initials:

—who, we understand, started to work in Ontario at the motor vehicle repair trade in 1958 but never registered as an apprentice. In February, 1964, while working at Ken Seager Motors Limited—after providing the apprenticeship branch, at its request, with letters from previous employers stating that he had worked at the trade for five years or more—he was allowed to write an exam for a certificate of qualification, and failed same. Nevertheless, The Department of Labour considers him to be a mechanic.

My question to the hon. Minister on this, without going any further, is: If a man says he has been in the trade for this length of time and he writes and he fails his examination, you give a blue card so he continues to operate in the trade. How does the hon. Minister justify that kind of situation?

Hon. Mr. Rowntree: First, I am instructed that the part of the letter from Mr. Eberlee, which the hon. member read, did not give the total context in the hon. member's quotation.

Mr. MacDonald: In what way have I misrepresented?

Hon. Mr. Rowntree: There was an explanatory sentence or two that were not given.

Mr. MacDonald: What are they?

Hon. Mr. Rowntree: We do not have the letter here on this specific subject. The hon. member has the letter himself.

Mr. MacDonald: I think I have got the letter, but this is not the relevant point. The relevant point is that the man wrote his examination, failed, after operating in the trade without being registered as an apprentice for five years, and you handed him a blue card so he can continue to operate in the trade. Are there any details so far as that is concerned, and if so, would the hon. Minister please correct them?

Hon. Mr. Rowntree: I do not have the particulars of that "Mr. X" or "J.M." to whom the hon. member makes reference. I would like to have a look at the letter and I will have a look at the file myself in the department and inform myself.

Mr. MacDonald: Very good. We will leave it at that, because I suggest to the hon. Minister that this man has been in the trade for five years; he had not been registered as an apprentice, therefore, the regulations had been violated; he wrote his exam; he failed, and you handed him a blue card to continue in the trade. I do not know how you can establish standards if this is your approach.

Hon. Mr. Rowntree: May I just say on this general subject that when there is a licensing system in effect such as this, I do not care what jurisdiction we might be talking about, but there are always cases where people will make application for a licence on the basis of qualifications, or that they have conformed to the requirements but do not have the actual certificate itself. The policy of the department in those cases would be as follows: It would ask for an application supported by evidence—the pertinent and important parts of the evidence in this case having to do with the service and earlier training or employment, and the pertinent part of the questioning being under oath. If I were to find or become satisfied that there was an element of fraud involved in these matters, I would take a pretty serious view of it, with a view to possible prosecution. I would take it that seriously. And I tell you that.

As to the question of enforcement of charges that may be laid, we are not a police department. We are not a police state, and I say that advisedly. If we were to have somebody looking over everyone's shoulder, this system would be an absolute impossibility to administer and it would not be acceptable, I do not think, to anyone in this House. We do the very best we can and I make reference to the opening remarks of the hon. member on this point. He was talking about—I think he used the phrase—"warnings on the first visit," as the accepted practice.

I have looked into this matter of Department of Labour inspections with respect to the various branches for which we are responsible; I have looked into them in the United Kingdom in some detail, and that is the accepted practice there. Out of that kind of inspection a pattern evolves. Most people are law-abiding citizens, at least I have found them to be that way. It is always the minority

that spoils everything for the responsible, law-abiding portion of the population, and that pattern, to an intelligent inspectional staff and its supervisor, becomes pretty clear.

There are certain firms, employers or people who would be in the minority but probably tend to live on the fringe of society, if I could put it that way, and when that is ascertained, they are the people who should be inspected without notice and frequently. They are the people who, after having had notice, show a pattern of taking advantage of the kind of situation to which the hon. member made reference. Certainly the Act should be applied and enforced strictly, as far as that group is concerned. I tell you that frankly because this is my view on the matter.

Mr. MacDonald: This may be the hon. Minister's view on the matter, but I can take another case to disprove the comparison he is making. For years we have been complaining about the failure to strictly implement safety regulations on construction, and finally this hon. Minister came in and said this nonsense is going to end. All I am suggesting is that a similar kind of nonsense has been going on for years in many other aspects of the department.

It is all very well for the hon. Minister to say that he does not want to establish a police state, nobody wants to establish a police state, but if to avoid establishing a police state violation of the law is permitted 50 per cent of the time, then the law might as well be taken off the books.

My contention is that to too great an extent, partly because there is an inadequate staff, partly because of a spot checking procedure and partly because there is not a feeling on the part of the person caught violating the law that there is any serious penalty, that the law is certain to be held in disrespect. This is the whole problem—

Hon. Mr. Rowntree: I cannot accept the hon. member's remarks about construction safety, but it is not this vote in any event and I will be ready for him when we get to it.

Mr. MacDonald: Agreed, very good! I know he will be ready for me because he has tightened up on that, but all I am arguing—

Hon. Mr. Rowntree: Quite frankly I could summarize the blueprint in about one and a half sentences and tell the hon. member this, that the blueprint requires sufficient money and people to see that an effective job is done in this department. When he is talking about experience and that sort of thing, which he is talking about, if it exists it is our inten-

tion to point it out; this is the government's intention.

Look at the request for bodies, for money—

Mr. MacDonald: I would suggest to the hon. Minister that he not talk too long, because the longer he talks the more he is complaining. He has now got to the point of saying: If it happens, we hope to get a large enough staff to see that it does not happen.

Hon. Mr. Rowntree: No, I did not. I said if what the hon. member says, if it exists at all—

Mr. MacDonald: Yes—

Hon. Mr. Rowntree: —it is just a matter of debating—

Mr. MacDonald: Yes, I know.

Hon. Mr. Rowntree: I would not ask for this money—

Mr. MacDonald: I am only one-quarter done, so relax—

Hon. Mr. Rowntree: I would not ask for this money across the board, nor for the extra people to complement this department if we were not prepared to follow through on this matter.

Mr. MacDonald: In the last election campaign at one time, in one speech, I had documentation to prove that we have far more money spent to look after cows' udders than we have to look after human safety, in The Department of Agriculture as compared with The Department of Labour.

If the hon. Minister gets up and says to me that he has inadequate staff, I would agree with him. In this great industrial province of Ontario the one department that has languished because the government is not really interested in it is The Department of Labour. So the hon. Minister should not get up and say in, in defence of what he is not willing to concede, but what I am asserting, namely, widespread violation, because he has not adequate staff.

I agree with him. I have been fighting for years, and my party has been fighting for years, to have The Department of Labour provided with the funds that it deserves in a great industrial province. I agree that we have made some progress, but we are far away from the kind of implementation of laws and regulations that are needed, and I am trying to document it and shall persist in trying to document it. Perhaps if the hon.

Minister will leave his comments until the end I will be able to get it done and we will make this a little shorter.

For example, let me take another specific case. On February 13 of this year this body wrote to the department over the signature of Otto J. Wolf, who was vice-president at the time and pro tem secretary, and inquired with regard to the qualifications of the service manager at York Mills Pontiac Limited. The hon. Minister acknowledged his letter on February 18 and said that he was going to look into it. He stated that this man had written an examination, or rather the records indicated that in October, 1962, the service manager had presented proof of experience in the trade, that he had tried an examination and passed it with a good mark and was issued the certificate in July, 1963.

But that is only part of the story. To be able to write an examination he must have had five years in the trade or he must, for example, have been an apprentice at some point. I want to ask the hon. Minister specific questions because eventually his department replied—

Hon. Mr. Rowntree: While we are on this point, it would assist me if the hon. member could identify the file or—

Mr. MacDonald: Yes, I will identify the file: G. R. MacDonald, service manager, York Mills Pontiac.

Hon. Mr. Rowntree: All right! Be calm. Let us write it down so we can get the file.

Mr. MacDonald: G. R. MacDonald, service manager, York Mills Pontiac Limited.

Now I want to ask the hon. Minister some specific questions. He said that the man had had adequate experience, he said that he had written an examination. But the final reply that closed this issue, after some specific questions were asked of the department, was that "the requirements of the apprenticeship branch were met and both the application for and the issuance of the certificate were in order."

This is a delightfully vague comment, when some very pointed and specific suggestions of possible violation had been made. For example, it was said that this man had never worked as a motor vehicle repair tradesman. I asked the hon. Minister the question: Had he? And if so, when?

Hon. Mr. Rowntree: The hon. member might as well listen because I will have to—

Mr. MacDonald: Let me ask one other.

Hon. Mr. Rowntree: —draw the file.

Mr. MacDonald: Okay! The second one: That he had never served an apprenticeship period; that he had never attended either the basic or the advanced training courses for apprenticeship. Now if this is the case, he was not entitled to get a licence.

These were the specific questions asked, so I would suggest that if the hon. Minister wants to undercut the growing suspicion with regard to the failure to enforcement, these questions should be answered. If the hon. Minister is not in a position to answer them now, perhaps we will get them some time later.

Hon. Mr. Rowntree: I will be glad to get them.

Mr. MacDonald: Thank you.

Now let me go further. I want to consider a case with regard to Hume's Transport Limited. In a letter that reached the hon. Minister's department on January 26, 1965, over the signature of, again, Mr. Wolf, it relates, with regard to Hume's Transport Limited on St. Clair Avenue West, the case of an apprentice who had been working for some time under the supervision of a couple of journeymen. But the journeymen left the employ of this company, but that the apprentice continued to work without the supervision that The Apprenticeship Act requires. They wrote to inquire as to what the department was going to do about it. The reply from the assistant director Mr. Lucas, was:

The employer will be advised by letter what is required under the regulation, and what the apprentice will have to do during the time he is registered as an apprentice in order that he may qualify to write for certificate of qualification at the completing of his apprenticeship.

In other words, there was a vague reply saying that this man would have to fulfill the regulations. But was he operating under the supervision of a journeyman? There was no specific reply on this point, and I want to suggest to the hon. Minister when he looks into that particular case he will find an illustration of a general problem, namely, that the apprenticeship branch was provided with specific details of a violation of the Act and an investigation was made by the apprenticeship branch. The violation has been eliminated but no prosecution is made.

We are back to the general pattern that I was illustrating earlier. There is no penalty imposed, so that there is an encouragement not to live up to the Act with regard to hav-

ing journeymen supervising an apprentice during his training period.

Hon. Mr. Rowntree: I assume the only difference between York Mills Motors and Hume transport is that Hume's Transport work on and service their own vehicles, they are not in the public garage business, whereas York Mills would be. Yes?

Mr. MacDonald: Right, that is right. Let me take another kind of problem within this department, and I illustrate it in reference to Alliance Dairy Limited.

On January 22 of this year, the Ontario licensed auto mechanics' and bodymen's association wrote to the department, and I will read the beginning of the letter:

It has been brought to our attention that in the right column of page 46 of the *Toronto Daily Star* dated January 21, 1965, appears the following ad: "Mechanic. For fleet of dairy trucks, licence not essential, steady employment, union benefits, etc."

In other words, a licence was not essential—it said so right in the ad. So the association wrote to the department and asked the department to look into the situation. It received a reply over the signature of the assistant director of the apprenticeship branch, stating that:

In reply to your letter of January 25, 1965, pleased be advised that our representatives have investigated your complaint and during the time of visit at the employer's place of business they found no motor vehicle repairs being done. The employer has been advised of the regulations pertaining to the motor vehicle repairs trade both verbally and by letter, and our representative will be calling periodically. One person who has recently been employed by the company has made application with the apprenticeship branch for an examination for a certificate of qualification.

So what happened? The department looked into this company and it found somebody violating the law. This person now makes application so that he can conform with the law. The comment in reply from Mr. Wolf and his association is an apt one:

From the information which Mr. Lucas has given us, we are under the impression that although his representative found no motor vehicle repairs being done during the time of the visit—which could have been arranged—it may have been found that some person, who was not authorized to work at the trade, was being employed to do so. We further suspect that, as a result, this employer may have temporarily dis-

missed such a person until he can write an examination for a certificate of qualification without serving any part of an apprenticeship period, which may have been arranged by his representative, and after which the employer will be quite free to legally employ the same person as a motor vehicle repair tradesman regardless of whether he passed the examination or not.

I go back to the case of J. M., cited earlier. He failed to write the examination, yet he was given a blue card and he continues to work. How, under these circumstances, can the hon. Minister expect that his regulations are going to be lived up to when you have this kind of a situation? I do not know whether the Minister wants to comment on this particular aspect of it or not. Do you want to comment on that, or do you want me to proceed?

Hon. Mr. Rowntree: No, we will get this material out. You do not expect me to have this information here. My only comment would be that I think this Mr. Wolf has been reading too much of James Bond.

Mr. MacDonald: Perhaps before I am finished the hon. Minister will want to read James Bond so that he can be smartened up to what is going on in the field. I want to suggest to the hon. Minister that the only reason I am presenting this is that I was very much aware that this kind of situation was going on, and had been for years, but I have never been able to document it. I know that you have to document things when you come in here or it will be smoothly pushed aside.

Hon. Mr. Rowntree: Let me say this to you. I do not pretend to know all of the details of everything that goes on in my department, but I will tell you this: If these things are going on and if the conduct and action taken by the department with respect to the issuing of certificates, whether they be blue or not, is open to question, it will be corrected because I do not approve of it.

Mr. MacDonald: Right.

Hon. Mr. Rowntree: But I also remind you that there must be a working arrangement, provided it is reasonable, in all the circumstances.

Mr. MacDonald: Agreed.

Hon. Mr. Rowntree: But if there is something wrong, it is not good enough for me. How is that?

Mr. MacDonald: I commend the hon. Minister. I have commended him before

when we have raised complaints since he came into this department, and he has got up and, in effect, admitted that some of the criticism we were making was correct and that he was going to change it. In other words, he would not defend the indefensible. This is one thing about this hon. Minister—at least 50 per cent of the time, he will not defend the indefensible, and I congratulate him for it. He has some hon. colleagues over there who, the more indefensible it is, the more vigorously they will defend it. The hon. Provincial Secretary (Mr. Yaremko) heads that list. However, I do not want to provoke him into action.

Hon. Mr. Rowntree: How many—are there very many?

Mr. MacDonald: I want to consider another case here now. This has to do with Gallant Auto Body—

Hon. Mr. Rowntree: Are there very many of them?

Mr. MacDonald: I have two more batches. On February 2 of this year, the licensed mechanics' association wrote to the department and drew attention to an ad which was headed:

Body man. Experience, licence not necessary.

In other words, here is a company openly advertising that you do not need to be licensed to be able to get a job at their shop in violation of the Act. What happened in this instance was that as usual there was a letter from the department saying, "We are going to look into it." That was from D. C. McNeil, on February 5. Then there was a letter from the assistant director on February 15, saying in the first paragraph:

We have investigated the complaint which is outlined in your letter dated February 2, in connection with Gallant Auto Body, 85 Portland Street, Toronto. We had our supervisor check this complaint and a follow-up was done by our prosecuting officer.

So they must have hit a bit of pay dirt in this instance, if I may interject.

The information submitted to this office by our two representatives indicates that we do not have sufficient evidence to pursue your recommendation and to instigate court action at the present time.

I wonder if these people were advised that they were going to be inspected before the representatives went around to inspect them—because this happens, and do not let the

hon. Minister say it does not happen, because the cases can be documented.

Hon. Mr. Rowntree: Well, it should not be.

Mr. MacDonald: I agree. Mr. Wolf wrote back. We have not got Mr. Wolf here today, but again he comes into the picture, and let us hear his comments—

Hon. J. W. Spooner (Minister of Municipal Affairs): It was foxes last week, wolves the week before.

Mr. MacDonald: He is replying on March 2, 1965, to:

The Honourable H. L. Rowntree, MPP

Dear Sir:

The information which Mr. Lucas has given us indicates that his supervisor found reason to believe that this employer was violating the Apprenticeship and Tradesmen's Qualification Act, and as a result an attempt was made by the prosecuting officer to obtain evidence of same, but he was either unable or unwilling to do so. For this and other reasons, we are now under the impression that the present policy and practice of the apprenticeship branch is as follows:

1. If a counsellor of the branch apprehends for the first time a person actually violating the Act, the offender is merely warned verbally to discontinue doing so, and if possible an attempt is made to register the offender as an apprentice, or to even arrange for same to write an examination for a certificate of qualification without serving any part of the apprenticeship period, rather than to prosecute the person for the offence. No further action is taken against the offender at that time.

2. Even if the same offender is apprehended a second and a third time for violating the Act, he is still not prosecuted, but merely warned by a regular letter for the second offence and by a registered letter for the third offence.

3. Only if the offender is apprehended for the fourth time, and by the prosecuting officer personally, while the Act is actually being violated at the time of contact, is a prosecution attempted. Very few persons would be foolish enough to allow such an event to occur, and as a result, this is considered to be the main reason why few such prosecutions have been attempted in the past.

If such is the case—and they have provided documentation in at least one instance, and I have reason to believe so, without falling back

on the evidence of Mr. Wolf, from my own observations down through the years—

The apprenticeship branch counsellors are considered to be merely recruiting officers for employers—and are being paid by us, the taxpayers—to solicit persons to register with the branch, to provide it with revenue in return for its authorization to work legally at the motor vehicle repair trade, as well as other trades.

A number of times that departmental inspection turns up people who say, “Well, I will write an examination for certification,” or, “I will register as an apprentice,” but do so only when the counsellor has found them. This clearly means that there have been violations of the law up until then.

I come to my final case—and, incidentally, for each one of these I am giving the hon. Minister here, I can give him three or four other cases of the same nature. I am citing one to illustrate the situation, but I could give you correspondence for three or four more. I take this final one, because I want to suggest to the hon. Minister it is perhaps the most conclusive of all.

On February 18, F. A. Holden, president of the OLAMBA, as it is called, Ontario licensed auto mechanics’ and bodymen’s association, wrote to the branch and inquired with regard to—well, let me read the letter:

Will you please notify us of the last date on which a counsellor of the apprenticeship branch called on York Mills Pontiac Limited at 3501 Yonge Street, Toronto 12, to ensure that this company and their employees are complying with The Apprenticeship and Tradesmen’s Qualification Act, 1964. Also please notify us of the name of the counsellor.

Signed, F. A. Holden, President.

A reply came back from the assistant director, Mr. Lucas, dated March 9th:

Re York Mills Pontiac: Our representative, Mr. E. Bowyer checked the above place of business in reference to the certified mechanics and apprentices who are employed in the motor vehicle repair trade. I have spoken to Mr. Bowyer about the investigation and he has assured me that everything is in order regarding this matter. Trusting this information is satisfactory, I am yours truly, H. E. Lucas.

Hon. Mr. Rowntree: H. E. what?

Mr. MacDonald: H. E. Lucas, the assistant director. Now, brother Wolf is back into the picture.

Hon. Mr. Rowntree: He is here in the gallery.

Mr. MacDonald: Oh, is he? Do you know the man?

Hon. Mr. Rowntree: Well, he has been pointed out.

Mr. MacDonald: You should get to know him better, because, I suggest, he knows more about some aspects of your department than you do.

Hon. Mr. Rowntree: There is nothing new about that.

Mr. MacDonald: I shall read this letter to document it. Here is a letter now which says—what is the inimitable phraseology?—“everything is in order regarding this matter.” Now, here is the letter that was sent to the department on March 23—this week—and I suggest to the hon. Minister that this is solidly documented from people within this firm. So do not let us be pushed aside on this.

To Mr. H. E. Lucas: re York Mills Pontiac Limited, 3501 Yonge Street, Toronto 12.

Dear Sir:

This is pursuant to your letter dated March 9, 1965, concerning the subject employer in which you have stated “Mr. E. Bowyer checked the above place of business and he has assured me that everything is in order.”

For your information, on March 3, 1965, we were advised that a message had been given by The Department of Labour to employees of this employer specifically for the service manager, G. R. MacDonald to notify him that representatives of the apprenticeship branch were expected to arrive there at 9.30 a.m. on March 4, 1965, to make an investigation.

So they were advised of it before that they were going to be counselled, if I may use your euphemistic term. I continue with the letter.

Hon. Mr. Rowntree: I do not like that word, euphemistically.

Mr. MacDonald: You do not? I do not really like the word “counselling,” in the light of what is happening. Continuing with Mr. Wolf’s letter:

On March 4, 1965, we were further notified that representatives of the apprenticeship branch, namely Mr. Bowyer and

Mr. Rutledge had made a hit-and-miss investigation there on that same day but they evidently neglected to scrutinize the authority to work at the MVR branch of some of the employees who were working at the trade at the time.

In spite of their investigation and report we still have good reason to believe that everything was not in order at the time and to suspect this employer may still be continuing—

Now, I beg the hon. Minister to listen to how everything was in order.

1. To employ on their day shift two persons, namely, Ed Nuttall and Don Wilson, to make mechanical body and upholstery repairs to motor vehicles as trimmers which are considered to come under the jurisdiction of class B, MVR tradesmen although it is believed The Department of Labour has not authorized either of them to do so and Mr. Nuttall may have been doing so for years.

2. To employ on their day shift a person, namely, Lorne Refforn, since February 15, 1965—and who may have been employed there previously—to paint motor vehicles which is considered to come under the jurisdiction of class B, MVR tradesmen although he may be colour blind and it is believed The Department of Labour has authorized him to do so.

Maybe this is why we are getting so many red cars these days.

3. To employ on their day shift a person, namely, John Barry who may have an assistant named Andy Ferguson, both of whom may be supposedly employed to do lubrication work and whom, it is believed, have not been authorized by The Department of Labour to work as motor vehicle repair tradesmen but who nevertheless may be performing complete predelivery inspections on new motor vehicles and signing the PDI forms for same as well as other work, such as on brakes and tune-ups which are considered to come under the jurisdiction of class A, MVR tradesmen.

4. To employ on their day shift two persons, namely, Jim Hunter and Jim Rae as service salesmen who, it is believed, are not authorized by The Department of Labour to work at the MVR trade, although part of the responsibility of each may be to supervise the work of at least two apprentices and/or certified MVR tradesmen.

Now just let me interrupt here, Mr. Chairman, because hon. members may be losing the implications of this. All of this is in violation

of the law, if it is correct, and I have reason to believe it is correct.

Hon. Mr. Rowntree: If it is correct.

Mr. MacDonald: Right.

5. To employ on their day shift in their fast service department (a) only three certified MVR tradesmen, namely, Howard Ahrens, Alf McQuigg and Sulo Sopero but (b) as many as five uncertified MVR tradesmen including (1) four apprentice tradesmen, namely, Gordon Weatherington, Brian Hutton, Evan MacDonald, Neils Madsen, as well as (2) a person named Steve Todorovich who may have been working there since 1958 at the MVR trade under the authorization of a blue card issued to him by the apprenticeship branch at that time and who may also have written examinations for a certificate of qualification twice already and failed both times.

Now, just let me pause here, Mr. Chairman, to point to the significance of this paragraph that I have just read. There are only three certified tradesmen and they get five uncertified tradesmen. Now the regulations of the department are that there must be one journeyman for the first apprentice. There must be three more journeymen before you can get a second apprentice in the picture, if I recall correctly. Am I correct on that?

Hon. Mr. Rowntree: I would have to look at that particular schedule.

Mr. MacDonald: I think you have to have up to four journeymen before you can have a second apprentice. Yet, here you had three certified tradesmen and five uncertified tradesmen.

Hon. Mr. Rowntree: I did not, they did.

Mr. MacDonald: They did. Right. This is my complaint. But let me draw attention to the latter part of this. They have specific reference to a man here who has been operating on a blue card since 1958. Now, Mr. Chairman, with the care of the hon. member for Simcoe East (Mr. Letherby) for upholding the law, I can see his approach. But here is a man who has been operating on a blue card unauthorized, allegedly having written and failed the exams and he has been operating since 1958. Now what is the purpose of a blue card? I submit this for the hon. Minister to investigate.

The only thing I can say, Mr. Chairman, is that the hon. Attorney General (Mr. Wishart) found that all the questions from the hon. member for Downsview (Mr. Singer) helped

to get him to know his department. I hope all my questions will help the hon. Minister to get to know this branch of this department.

Hon. Mr. Rowntree: Oh, the hon. member is not very far ahead of me there.

Mr. MacDonald: I continue:

To employ on their combined day and night shifts as many as 12 apprentices and only 20 certified MVR tradesmen at Class A.

In other words, a clear violation of the law.

7. To employ a person named W. Gallant, who may be supposedly employed to do lubricating and undercoating work on their night shift, and who, it is believed, has not been authorized by The Department of Labour to work at the MVR trade, but who, nevertheless, may temporarily be performing mechanical repairs during the afternoon shift on this employer's used motor vehicles in place of an apprentice tradesman, named Roger Cyr, who performed such repairs until recently when he temporarily left to attend the provincial institute of automotive allied trades at the request of The Department of Labour.

8. To employ on their night shift since February, 1965, a person named Rowan Spencer, who may be making mechanical repairs on motor vehicles which are considered to come under the jurisdiction of class A, MVR tradesmen, although it is believed that The Department of Labour has not given authority to do so, unless they have done so just recently.

9. To give apprentice MVR tradesmen work to perform on a flat rate basis and without a certified tradesman with whom to work while certified tradesmen are idle with no work to perform.

10. To neglect their responsibility to maintain safe working conditions by failing to provide their employees with satisfactory safety glasses to use when operating some of the grinders and machine equipment.

Now, Mr. Chairman, that is the catalogue of ten alleged violations and I hope they are not going to be sloughed off in the fashion that some other alleged violations earlier were. The rest of the letter reads as follows:

If the foregoing is an example of conditions which may exist when Mr. Bowyer reports that "everything is in order" and an indication of past practices, and standards of requirements of the apprenticeship branch from persons to write an examination for a certificate of qualification in the MVR trade, and the past performance of

its supervisors and counsellors, it is little wonder that the standards of our trade are so low.

Therefore, we now request that the apprenticeship branch should make another more thorough investigation as soon as possible of the qualifications of each and every one of the employees who are working at the MVR trade for this employer, including those who are working on the afternoon and/or night shift and those who are working in their recently established body and paint shop. And if any violation of the Act is revealed, prosecute—according to section 17 of the Act which does not provide for warnings—the employer in particular and all of the employees who are found to be violating same, or, ensure that they are not violating same.

We further request that an investigation be made into the reasons why this employer was notified in advance of when the investigation was going to be made on March 4, 1965.

Upon completion of the investigation, and action taken by the apprenticeship branch, we would appreciate being advised of same in accordance with our discussion with the assistant deputy Minister of Labour, Mr. T. M. Eberlee, on January 21, 1965.

Now, I will say this to the hon. Minister: I agree that he has to take a look at the correspondence before he can satisfy himself on this. But when he does so, may I suggest to the hon. Minister that he not deal in the irrelevancies as to the alleged lack of representation of this group? I do not care if they represent only one person. What I am interested in is whether the facts as they are spelled out in their letters—from information close at hand, presumably, with their members being on the spot—is this information correct? Because if it is then my case is solidly documented that your laws and regulations have been honoured more in the breach than in the observance.

Hon. Mr. Rowntree: I will be glad to look into the matters to which the hon. member makes reference and see what is going on and see what substance there is to Mr. Wolf's report to the hon. member for reading in the House. There are about 33,000 registered motor vehicle repairmen in the province as of early 1965. I think the records should be clear at this point with respect to what we have done on the inspection system from 1962 to 1965. There has been a percentage increase in the number of inspectors and counsellors

of 525 per cent, and there has been a percentage increase from the year 1964 to 1965 of 45 per cent.

Mr. MacDonald: What is the number though?

Hon. Mr. Rowntree: The numbers? In 1961 there were four; 1962 eight; 1963 twelve; 1964 thirty-five; 1965 fifty.

Mr. MacDonald: They have gone up from four to 50?

Hon. Mr. Rowntree: Yes. I would think 50, and I am speaking now without a look at the work load, but I would think that a staff, a group of 50 constant people, should be able to direct the proper supervision of this repair trade. I will be glad to look into those matters.

Vote 902 agreed to.

On vote 903:

Mr. A. V. Walker (Oshawa): Mr. Chairman, on vote 903, I would like to say a word on this vote.

First of all, I would feel a little inclined to say that this may come as a little surprise to the hon. Minister of Labour on the basis of some of the discussion which we have had, but I believe in giving credit where credit is due, Mr. Chairman—and I think that first of all I would like to publicly congratulate the hon. Minister on the attempts which he is making in regard to the labour situation in this province.

Mr. A. E. Thompson (Leader of the Opposition): Why is he surprised at that?

Mr. Walker: I think this is a statement of fact, that I doubt there is any more difficult portfolio to handle than that of the portfolio of labour. Because this portfolio, along with education and health, touches the lives of so many thousands of our citizens. I think that our hon. Minister is making a very determined effort to see to it that our Department of Labour is run efficiently.

Mr. E. W. Sopha (Sudbury): The hon. member might be made parliamentary secretary after that.

Mr. Walker: Now that I have said that, I will get around to the statement I wish to deal with and that is the matter which has already been referred to by the hon. member for Wentworth East. Of course, Mr. Chairman, this is a very important situation as far as the riding from which I come is concerned. I

would like to speak for a moment on this business of conciliation boards and particularly as they apply to the major industries and unions of this province.

I would agree, Mr. Chairman, that in the smaller industry field the conciliation boards are no doubt doing a satisfactory job, but it appears to me that in the field of our major industries they leave quite a lot to be desired. I had the opportunity of discussing this situation with a judge who happened to be in the city of Oshawa serving on a conciliation board for one of the smaller industry disputes and he expressed the opinion that I am now dealing with, that the convening of boards in the major industries was quite unsatisfactory and, as he expressed it, was somewhat of a waste of time and money.

Last December in the city of Oshawa, as is well known, we did have a strike with the united automobile workers and General Motors. I expressed some very definite opinions on the fact that we had to wait for 17 days for the conciliation board to be set up, and when the conciliation board was set up the meeting lasted exactly 10 minutes. I must say that naturally enough, as the government member for this riding, I took a fair amount of abuse over this situation.

I would like the hon. Minister to give us his views, and I ask for his views particularly with regard to the major fields. I have already admitted that I think that possibly in the smaller industries they are doing something of value, but it seems to me that among our major industries and our major unions it is a pretty hopeless thing as far as these conciliation boards are concerned. It does not appear to me that they are accomplishing a great deal.

I would appreciate the hon. Minister giving his views on this subject.

Hon. Mr. Rowntree: I assume that when you refer to large industries, you include large unions, and I presume you refer to, say, the automobile industry or steel.

Mr. Walker: That is right.

Hon. Mr. Rowntree: Those would probably be the two largest—

Mr. Walker: Possibly the mining industry.

Hon. Mr. Rowntree: Yes. Here is the situation.

I would agree that the entire conciliation process makes its greatest contribution with respect to medium and small sized firms or industries. I think that is the greatest area of its operation and effectiveness, contrary to

what the hon. members for Etobicoke and for Wentworth East said.

The reason that they might not be so effective, or I think it would be accurate to say that their services are not required to the same extent, is that with the experience of large unions and large steel companies and large automobile companies and, indeed, large mines—I am thinking of INCO and Falconbridge—on both counts, whether it be employer or union, you are dealing with a highly experienced group of people who know exactly where they are going.

They are people who, in the broad sense of the word, do not want interference from the government in any way, shape or form. They would rather carry on by themselves.

Now, I would agree that the number of firms in that category would be fairly few, but the number of works involved would be relatively great. I would have to tell you that I have seen no evidence, nor have I heard any debate here today nor since I have been the Minister, that is in the past two and a half years, that would lead me to the view that it would be a desirable thing across the board to withdraw or shorten the present provisions with respect to the various steps in the conciliation process. I say this to you advisedly, because in those large industries it is obvious these people know exactly what is going on at the conciliation board.

I do not think this is the place for me to name names, but we know which groups go through the motions before a board, and that others want to see the board's time period expire and be completed as quickly as possible. But by the same token, I am sure those who have spoken would be aware of the peculiar situation which took place at Stelco in Hamilton during this last round of bargaining. While it is true that that board took a long time, the fact was that the board, by consent of the union and the company, was being used to negotiate the various items that were at issue and had to be determined.

There was another factor having to do with Stelco last fall, in that the pattern of bargaining changed with respect to the subsidiary plant and the position that its affairs were to take in relation to the main plant, as against the previous round at the last contract. These were all things that had a bearing on the length of time that was taken. This was a pretty healthy situation. I did not look upon the Stelco negotiations as being negative in any fashion at all. I think they used the officials of the conciliation board in the sense of mediators, and this is part of the process which we all contemplate. I do not think the

hon. member for Wentworth East was endeavouring to fault that particular conciliation board; I think it has to stand on its own feet in the light of the circumstances that took place.

There was something else that happened, and I simply want to make reference to it without going into detail. By the very existence of a conciliation board and the nominees on that board—the labour, union and employer representatives as well as the experienced chairman—negotiation was made possible. It was fortunate that those three men were available and had been sitting as a board, as was shown when that board sent in its report. This report cannot be taken as a pattern or a precedent; this was a special situation for reasons beyond the control of the parties that reported and the life of the conciliation board was brought to an end. It was at the request of the union, with the compliance and the agreement of management, that I was asked as the Minister to request the members of the conciliation board—even though they had sent in this report terminating their official status—to continue in their efforts in a post-conciliation manner.

This is a most unusual situation, but the point is that even in the case of Stelco, those men who ultimately brought agreement between the parties would not have been there if it had not been for the existence of the conciliation process. I put it to you this way.

It was rather interesting that there were some similar special situations at Algoma Steel. No doubt everyone is familiar with that from what they have read in the papers. But when I look at the number of cases that are settled by bargaining through the conciliation officer, and some among the remainder settled at the conciliation board stage, and then a further group settled at the post-conciliation board stage, I just cannot see the overall advantage of abandoning the conciliation board or indeed interfering with the time period factor in any way at all. I am sympathetic to what the hon. member for Wentworth East had to say about this because he is knowledgeable in these matters. But it seems to me, Mr. Chairman, that the greatest good—and I say this quite frankly—in the interests of achieving industrial peace through collective bargaining can be reached and achieved by leaving the setup as it is at the moment.

On the other hand, if I found in my experience that it was failing, and I do not think it is failing, I would be quite willing to review it at a later date.

Mr. E. Sargent (Grey North): Mr. Chairman—

Mr. Gisborn: Mr. Chairman—

Mr. Chairman: I am sorry, this member has been up a couple of times.

Mr. Sargent: In this vote 903, someone has said that the magic of conciliation can be good or bad depending on the support labour unions have at government level.

Hon. Mr. Rowntree: I did not hear what you said in the last part of the sentence.

Mr. Sargent: I said conciliation can be good or bad depending on the support labour unions have at government level—depending on the policy of government.

Hon. Mr. Rowntree: Yes.

Mr. Sargent: Last night on TV, on *This Hour has Seven Days*, we saw a sorry sight in the documentary film on the Toronto newspaper strike. In this first test The Department of Labour and the Tory government have had with automation, I suggest they have failed miserably in the last 205 days. Last night, Mr. Chairman, we saw proud Canadian workmen, in effect, begging for their jobs back—for the right to work. Granted the ITU have lost their strike, and in spite of the fine efforts of Mr. Fine and the unknown contribution of the hon. Minister of Labour, as far as I am concerned the owners of the newspapers hold all the winning cards it seems, and again we see that big business has triumphed.

We see here the end result of the Robarts government's way of handling its first real test in automation. For nine months it has failed to solve through conciliation what, in the smallest way, is its first real test in automation, and to handle this Frankenstein's monster that is going to be held like a dagger over the heads of all our people who hold jobs in this province.

Hon. Mr. Rowntree: I would like to correct the hon. member on one point, Mr. Chairman. The fact is that there were a number of things said on that documentary which were far from the facts. The computer issue is one of the few issues that was settled within the week after the strike, and today remains settled. There are other issues to keep the parties apart. It is not the computer issue, I tell you that, and the documentary was entirely wrong in that respect.

Mr. Sargent: I grant the hon. Minister—that is the mechanical part of the whole busi-

ness. What we are after is a theme or a policy on behalf of this government on how it is going to face automation in the future. I suggest it is like the fellow who got a job in a lead mine, and asked his boss what his job was, and his boss replied, "To get it out." Mr. Chairman, the hon. Minister of Labour was unable last night, by being at fault in the eyes of these striking newspaper men—

Hon. Mr. Rowntree: I did not hear that on the programme—

Mr. Sargent: They said that the government—

Hon. Mr. Rowntree: The hon. member is quite wrong.

Mr. Sargent: The hon. Minister speaks for the government; I think that is the problem. I am not too knowledgeable about these things—I have a lot to learn—but I think that this could be handled this way: That the hon. Minister decide that this is going to be settled or the government decide that this is going to be settled. The newspaper owners are called together, and the union; and the government says "This cannot happen in Ontario," that we do protect a man and his family against automation. If it has to be done, I suggest that, together with industry and business, we set up a multi-million dollar fund to work out a programme that will protect every man and woman in this province who has a job.

Hon. Mr. Rowntree: Just so that I will understand the position being taken, the hon. member wants direct and absolute government intervention in industrial disputes. I want to get this straight because—

Mr. Sargent: Mr. Chairman, I am speaking for myself—

Hon. Mr. Rowntree: Is that what, in effect, he is saying?

Mr. Sargent: I am not saying that. I am speaking for myself.

I feel, Mr. Chairman, that this government should have a policy in so far as fighting automation at the start, because this is going to be a cancerous thing that will grow from now on. The hon. Minister has proved that he cannot handle one strike in this province—

Hon. Mr. Rowntree: Mr. Chairman, I cannot accept that kind of irresponsible statement. Automation and technological change have been here since the day the wheel was invented; it has been going on as part of social change for generations and generations.

Automation did not start yesterday, nor did the dispute between the two parties to which the hon. member made reference begin overnight nor was strike action taken overnight.

The two parties represent sophistication at its greatest; they represent experience. There is no union organization that has more experience than the ITU on the continent. Indeed it is the second oldest craft union on the North American continent. Similarly, management is experienced.

These are sophisticated areas to which reference was made earlier by the well-informed member for Wentworth East, in which big business does not want intervention. They want to be left to work these things out themselves in industrial disputes. This is the situation.

Now I recognize the hon. member's right to debate the newspaper strike and I would be the last one to comment on it at all. In view of the negotiations which are currently going on and the meetings which are being held, I myself am not in a position to say any more about this strike at this moment than I have.

Mr. Sargent: Mr. Chairman, I appreciate the hon. Minister's position; but going back it will be recalled that the former member for Riverdale, Mr. Macaulay, in the past session gave a great and knowledgeable dissertation on automation and what this government plans to do about it, but all the hon. Minister is doing is talking a good game. Nothing is being done about it and this will continue to grow unless it is nailed down. This thing will not go away, Mr. Chairman. It has to be nailed down and I say at this time that the hon. Minister intervene immediately.

Hon. Mr. Rowntree: Has the hon. member not read the newspapers? Does he know what has happened in his absence from the House? Does he know when the last meeting was held between the publishers and the ITU people?

Mr. Sargent: I am sorry; I do not know that.

Hon. Mr. Rowntree: I suggest that the hon. member inform himself before he engages in debate on a subject that is so vital and important to the people of this province as this one is.

Some hon. members: Hear, hear!

Mr. Sargent: If it is that important the hon. Minister has not thought so for the past 205 days. It was a sorry sight to see these

fine Canadian citizens, our craftsmen, begging to get their jobs back. I think it behooves the hon. Minister to get up and do something about it.

Mr. Chairman, on this vote 903, I have a number of questions to ask the hon. Minister on conciliation.

First of all, under—

Hon. Mr. Rowntree: Is the hon. member going to put the questions one at a time or is he going to put them in bulk?

Mr. Sargent: We will do it my way.

There is an item here under "Conciliation Board, \$209,000." It covers judges per diem living allowance and remuneration to other chairmen and members. How much pay—first of all, living allowances—are judges receiving now?

Hon. Mr. Rowntree: They get \$60 a day expenses.

Mr. Sargent: I did not hear the hon. Minister.

Hon. Mr. Rowntree: It is \$60 a day.

Mr. Sargent: How much pay?

Hon. Mr. Rowntree: An allowance of \$60 a day is all he gets from our department expenses; it has to do with The Judges Act and so on.

Mr. Sargent: It is \$60 a day. Last year I was under the impression that they received \$100 a day.

Hon. Mr. Rowntree: I think that the hon. member is under the wrong impression.

Mr. Sargent: Here is a man, W. H. Dickie, a judge—

Interjection by an hon. member.

Mr. Sargent: He is not a judge? This \$22,230 is at \$60 a day? There are not that many days in a year.

Hon. Mr. Rowntree: The hon. member could not have been at the debate last year because this matter was analyzed in some detail. I will be glad to make reference to it now.

I have the list here of cases during the past fiscal year, from April 1, 1963, to March 31, 1964. The same principle applies: If the per diem allowance is multiplied by the total number of days, and so on, it would be found that there were more days paid for than there

were days in the year. This arises from the fact that under the rules of a conciliation board there are automatic allowances to both the members of the board and the chairman with respect to the writing of the actual report; and there are a few days automatically included in his allowances for which he may claim reimbursement. This man is not a judge—Mr. W. H. Dickie is an experienced man much in demand by both labour and management with respect to being a chairman of boards.

Of all the conciliation boards that were created last year, in 80 per cent of the cases the union and the employer agreed on a chairman themselves so that the department only appoints in about 20 per cent of the cases. Mr. Dickie is much in demand by both labour and management, as I have said. For instance, I could go over a lengthy list of 89 appointments in one fiscal year, or 89 cases where he sat as chairman, which indicates the demand in which he finds himself. We are fortunate that we have men of his calibre in this province.

Mr. Sargent: That works out to 366 days he worked last year.

Hon. Mr. Rowntree: Or more!

Mr. Sargent: Or more! What are the qualifications of a man that will receive this kind of money?

Hon. Mr. Rowntree: Well, it is not the qualifications to receive the money, it is the qualification to be in demand. He probably, and I say this frankly, he probably has those qualities of heart and mind, the ability to apply himself, to absorb detail, to listen to both sides of the case and to serve and conduct himself in such a way that the demand for his services is there. I think it is no more or less than that. It is a very great characteristic in this day and age. His Honour Judge Bennett of Owen Sound is a man of similar character.

Mr. Sargent: Thank you. How many of the conciliation boards you speak of have been appointed by the Minister since he took over the functions to administer the conciliation services from the Ontario labour relations board?

Hon. Mr. Rowntree: I would have to look that up. It would run in the order of several thousand.

Mr. Sargent: How many conciliation officers have been appointed?

Hon. Mr. Rowntree: They are all on our staff. Conciliation officers form the conciliation branch, and it is under that area of operation that an officer is assigned to a particular dispute. This is the branch that was formerly headed by Mr. Louis Fine and is now headed by Mr. A. C. Dennis.

Mr. Sargent: Thank you. How many mediators have been appointed?

Hon. Mr. Rowntree: Are you referring to mediators under the amendment to the Act two years ago?

Mr. Sargent: Does the hon. Prime Minister want to adjourn the House?

Hon. J. P. Robarts (Prime Minister): I thought I would give the hon. Minister a chance to answer this question that he was asked.

Hon. Mr. Rowntree: You understand the difference between mediation and conciliation, I assume? The mediation function is usually performed in this province by conciliators or by conciliation boards. There is provision for a mediator in the Act, but I do not think that it has ever been used.

Hon. Mr. Robarts moves that the committee rise and report progress and ask for leave to sit again.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of supply begs to report it has come to certain resolutions and asks for leave to sit again.

Motion agreed to.

Hon. Mr. Robarts: Mr. Speaker, tomorrow I would like to deal with some second readings on the order paper and then we will return to the estimates of this department.

Mr. V. M. Singer (Downsview): Government bills only?

Hon. Mr. Robarts: Yes.

Hon. Mr. Robarts moves the adjournment of the House.

Motion agreed to.

The House adjourned at 6.05 o'clock, p.m.





ONTARIO

Legislature of Ontario

Debates

OFFICIAL REPORT—DAILY EDITION

Third Session of the Twenty-Seventh Legislature

Tuesday, March 30, 1965

Afternoon Session

Speaker: Honourable Donald H. Morrow

Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, MARCH 30, 1965

The House met at 3 o'clock, p.m.

Prayers.

Mr. Speaker: We are always pleased to have visitors to the Legislature and today we welcome as guests: In the west gallery, a Women's Progressive-Conservative group from Humber riding and students from Rosedale public school; and in the east gallery, students from St. Mary's, St. Vincent's and St. Michael's separate schools, Oakville.

Petitions.

Presenting reports by committees.

Mr. D. A. Evans (Simcoe Centre), from the standing committee on labour, legal and municipal bills, presented the committee's fourth report, which was read as follows: Your committee begs to report the following bill with certain amendments.

Bill No. 41, An Act to provide for the settlement by arbitration of labour disputes in hospitals.

Mr. E. W. Sopha (Sudbury): Mr. Speaker, before the report is adopted, I should like to make it a matter of record to the House and in the presence of some who were present at that meeting of labour, legal and municipal bills this morning.

It was an historic occasion, to speak from the vantage point of a person who reveres the institution of Parliament—I want to take this opportunity of recording the resentment that I felt about the attitude of the persons of responsible positions who came before that committee this morning in an endeavour, in pursuance of their democratic right, to persuade us to do something other than adopt this bill, the hospital arbitration bill, in principle.

Sir, had you been there yourself, you would have seen the most wretched and the most insulting behaviour by people who came under the guise of being responsible union officials. The capacity to insult really knew no bounds. These people were prepared to go to almost any lengths in an attempt to pillory us, the members of the committee who

opposed their point of view and supported the principle of this bill.

I know, having spoken to my colleague, the hon. member for Niagara Falls (Mr. Bukator), who was there with me, that he shares the point of view that I now express. I tell you, sir, without going into some of the types of things said, that when it came to the end of the deliberations of the committee and we were dealing with the bill clause by clause we finished with, I believe it was clause 7—which is a lengthy one and the bill contains in its entirety, I think, 15 or 16 clauses. At that point one of the public, one of the persons who came to make representations professing—and to some degree I think he did speak for the rest of those—he got up and in a grandiose gesture made some remark to the effect that it was no use dealing with us at all, that we were nothing but stupid idiots. He started to proceed out and the rest of them walked out of the committee. Then they waited in the hall and we were subjected to further abuse by some of them as we proceeded out.

Little did they know, it was rather sardonic—if the business was not so serious to relate—it is rather sardonic that little did they know that section 14 of the bill was substantially amended after these representatives of their organizations had left and a very striking principle was enunciated in a new section 14 of the bill. I will not go into the details of that. Had they had the poise to stay and discuss the thing reasonably they no doubt would have had some very trenchant criticisms to make of the new section 14.

But I just want to record that it was a shameful episode in the life of Parliament to have to be here as a representative of the people and to be subjected to the abuse that we were subjected to this morning under the aegis of a committee of this Legislature.

Mr. R. Gisborn (Wentworth East): Mr. Speaker, I opposed the adoption of this bill. Of course I am not going to elaborate at this point; I opposed it in second reading.

But I do not agree in any manner with the sensitivity of the hon. member for Sudbury.

Certainly I think those people, the trade unionists who were there to speak on behalf of the unions they represent and the employees they represent, had a right to feel the way they felt; and I think it is because of the procedures of dealing with legislation of this type.

As we know, this bill had second reading and lengthy debate a week ago today in this House to endorse the principle of the bill and it then went to committee. Many of the trade union leaders were advised that it would be before this committee and of course prepared briefs. Some of them came from long distances, from out of town, and came before the committee to present their opposition to the principle of compulsory arbitration. They found that it was a foregone conclusion, that the members had dealt with it and it had been approved in principle and that they were going to be restricted and confined to dealing with the bill only in the sections of the Act. Nevertheless, they won their point and were able to make their presentation. But they felt from the reception they got from the committee and some of the people who were guiding the bill through that it did not matter much what they had to say; that it was a foregone conclusion that this bill was going to be passed.

Now I know that it is the government's responsibility and the responsibility of hon. members of this House to pass bills in this manner on second reading. But I would think that there should be a change in procedure with bills that are of such an important nature. Where there is a strong protest from a large group of citizens of this province there should be some way that they would have an opportunity to deal with the principle of the bill before it comes before this House.

I remember we had quite a discussion over this particular matter with the police bill where there was an attempt by the government to get the police bill into committee prior to giving it second reading. There was protest against that. I think it is quite right that when a bill is of such importance all parties in this province should have the opportunity to deal with it in principle before it comes before the Legislature, so that the members of the committee would have a real understanding of what the protest is about, and they could better make up their minds.

I had a feeling in that committee meeting this morning that many members of the committee learned something about the intent and the impact of that particular bill of which they were not acquainted before the bill came before them. Therefore I would urge that

whoever is responsible, give some consideration to legislation of such an important nature so that all parties are notified ahead of time and can prepare their briefs and can approach the standing committee as to the principle, as well as to the particular sections of the bill.

I do not agree with the hon. member for Sudbury that these people were stupid and—

Mr. Sopha: I did not say that—

Mr. Gisborn: I am sorry, he implied that a particular member of the trade union movement got up and said something that implied that the committee was stupid. That is right. I do not think that there was anything wrong with that because—

Interjections by hon. members.

Mr. Gisborn: I do not think that there was anything wrong with that because that would have been the impression I would have received if I had been sitting in the union's place and the particular piece of business that they were dealing with was getting so little attention from the committee.

I feel it to be the government's responsibility to try to give the public a better hearing when we have legislation of such an important nature coming before this House so that we all know what their feelings are and we can deal with them in an effective manner.

Report adopted.

Mr. H. E. Beckett (York East) begs leave to present the fourth and final report of the select committee appointed to inquire into and review The Municipal Act and related Acts.

Mr. D. C. MacDonald (York South): Mr. Speaker, on a point of order, may I get some clarification as to what our procedure is now? Are we debating this today, or are we going to have an item placed on the order paper?

Hon. J. P. Robarts (Prime Minister): I anticipated that this might arise and I realize that there will be various members of the committee who might like to speak on this report. I would suggest that the chairman of the committee be allowed to speak this afternoon, and then we will place the report on the order paper so that it can be called as an item of business at the convenience of the House, when other members of the committee may make any comments they wish in regard to the content of the report.

Mr. H. E. Beckett (York East): Mr. Speaker, I first want to thank the members of the

committee who have sat during the years for their keen interest in all the various statutes we had before the committee.

The assistance of recognized authorities on various aspect of municipal legislation and municipal government, Ministers of the Crown, the Clerk of the legislative assembly, and many senior civil servants of various departments of the government, is gratefully acknowledged.

The committee also wishes to thank Mr. James A. Taylor, QC, legal counsel; Mrs. H. G. Rowan, CA, secretary; Professors K. G. Crawford and Stewart Fyfe of the institute of local government, Queen's University, Kingston; and Mr. Robert Curtis, BA, for their assistance and advice.

FOURTH AND FINAL REPORT OF THE SELECT COMMITTEE ON THE MUNICIPAL ACT AND RELATED ACTS

In March 1961, the Legislature set up a select committee of the Legislature to inquire into and review The Municipal Act and related Acts for the purpose of modernizing, consolidating and simplifying such Acts and for making such recommendations as may be necessary for their improvement.

An interim report was made to the Legislature in 1962, chiefly asking leave to continue the work. A second interim report was made to the Legislature in March, 1963, and it dealt with The Municipal Act, The Assessment Act, The Planning Act, The Local Improvement Act, The Municipal Franchise Extension Act and The Voters' Lists Act. A third report was made to the Legislature in 1964, and it dealt with all public parks, with the exception of provincial parks, and The Public Utilities Act.

The committee's study of municipal matters brought to light an avalanche of material which had to be sifted, sorted and used in a pragmatic way. It is trite to say that while good legislation may provide the tools and create the vehicle for sound local government, it does not by itself generate well-administered municipalities. The problem is both legislative and administrative. The people who are being governed are of paramount importance and this thought must be kept constantly to the fore.

It is quite obvious that the emergence of a well-administered municipality, in accordance with our democratic concept, is not a simple achievement. The number of persons who avail themselves of the opportunity to participate in the election of their local councils, often bears witness to this fact. The sphere of local government has con-

stantly expanded until now it not only engages in almost every conceivable social activity, but has become inextricably wedded to individual enterprise.

Less emphasis on the importance of property ownership, and extended franchise and a broader tax base are factors that must be seriously considered in the current operation of municipal affairs. The problem of preserving local autonomy, and at the same time raising revenue locally to finance local needs, permeates the whole fabric of municipal government.

Local self-government must be preserved to protect, nurture and further develop to maturity our inherent belief in political freedom and personal liberty. This fundamental philosophy can easily be overlooked in the scramble for efficiency and expediency if too little emphasis is placed on the means of accomplishing a specific result.

Recommendations for amendments in The Municipal Act are set forth in pages 12 to 54, inclusive, of the second interim report, pages 109 and 110 of the third report, and pages 126 and 140, both inclusive, of the fourth and final report.

The committee dealt with the whole of The Municipal Act, and I intend today to deal with only the following:

At present only those persons living in the municipality initiating the applications for amalgamation and annexation are entitled to vote on the matter, and the committee feels that no application for annexation or amalgamation should be permitted until the matter is referred to and voted on by the people in the municipality applying for the annexation or amalgamation, and also the people in the municipality that it is proposed be annexed or amalgamated.

Section 14 of The Municipal Act outlines the procedure for adjusting municipal boundaries, and the Ontario municipal board has the power to do so by making orders for annexations or amalgamations.

Application for annexation or amalgamation may be made by municipalities, by the Minister of Municipal Affairs and in certain cases by at least 25 inhabitants. The committee felt that the Minister of Municipal Affairs is responsible for the effective functioning of the municipal system. He cannot discharge that responsibility if significant matters, such as boundary readjustments, are placed in the hands of an independent board beyond his jurisdiction. It is his department that has day-to-day contact with the municipalities. His officers have intimate knowledge of local administration and should be in a position to

advise him in such matters. The committee feels that the power of the Ontario municipal board with respect to making decisions regarding changes in municipal boundaries should be transferred to the Minister of Municipal Affairs.

The committee feels that section 34 of The Municipal Act should be amended to extend the right to sit on council to those persons 21 years of age or over who are Canadian citizens and have resided in the municipality for at least one year immediately preceding the date of the election.

Sections 35, 36 and 198a of The Municipal Act deal with the matter of conflict of interest and disqualification from holding public office. You can no more legislate private conscience than you can public morals, but it is possible to guide and direct persons in public office so that they do not become entangled in the net of self-interest. This is especially important today because of the size and complexity of government, which often obscures a possible conflict between public and private interest.

A person serving in a public office must not permit personal gain to come into conflict with public trust. He should at all times act in good faith and in an impartial and even-handed way. However, the standards must not be so stringent and exacting as to disqualify all but deities from holding public office. An earthly and realistic approach is necessary to attract persons of integrity, enterprise and ability.

At the present time a director, manager, treasurer, secretary-treasurer of a company may be disqualified from sitting on a municipal council.

Sections 35, 36 and 198a should be amended so as to emphasize disclosure, not disqualification. The restriction prohibiting a member of council from having pecuniary interest in a contract with a council should be lifted, provided full disclosure is made of his interest and he abstains from discussion of the matter and voting thereon.

It is recommended that any member of the council, commission or board as defined in The Department of Municipal Affairs Act who knowingly fails to disclose any personal interest, pecuniary or otherwise, in any proposed legislation, regulation or matter, and who does not absent himself from the room during consideration or discussion thereof, or voting thereon, automatically vacates his office and is disqualified from holding any public office for a period of two years therefrom.

Several briefs mentioned the large number of spoiled ballots by the use of a mark other

than a cross, and the committee feels that any type of mark placed in an allowed position should constitute a legal marking of the ballot.

Sections 148, 149 and 150 of the Act dealt with vacancies occurring in councils. The procedure for filling the office is different in each section. It is felt there should be a uniform procedure when a vacancy occurs in the office of a member of council and that the council should be able to appoint any person qualified to be a member of a council.

The general principle that municipal councils and local boards should be open to the public is restricted by the exception of certain defined bodies. It is felt that all meetings of municipal councils and local boards should be open to the public except when a resolution in writing is passed declaring that the meeting should not be opened to the public.

It has been suggested that the functions of a board of control might be performed adequately by a committee of council. The establishment of a board of control should be left to the discretion of the council, and councils should be authorized to establish boards of control by bylaw passed by a majority of the members of the municipal council.

The committee feels that legislation should be enacted to enable a council to employ a manager to be known as the municipal administrator.

Section 241 of The Municipal Act deals with judicial inquiries in relation to municipal matters. Section 320 relates to judicial inquiries into financial matters. It is recommended that these sections be combined to provide for uniform procedure for the initiation of an inquiry. The inquiry should be initiated by the Minister of Municipal Affairs, either in his own right or by request of the municipal council or by five per cent of the voters entitled to vote at elections according to the last revised voters' list and/or resident voters' list.

Section 297 provides that the council of each municipality must include in the tax levy the funds required for school purposes and for various boards and commissions. In some instances the council had not jurisdiction over the budgets submitted, and acted only as a collection agency.

The committee believes that the council should be given the right to establish the priority of need for all the services to be provided by it. The committee feels that section 297 should be amended to provide that a local council may amend rates or otherwise alter, with the approval of the appropri-

ate Minister, the estimates of any board, commission or other body for which the council is by law required to levy and rate.

The present law respecting the keeping of separate accounts and special accounts should be clarified to make it plain that not only separate accounts but also separate bank accounts be required.

Part XIX of The Municipal Act sets out the powers for councils to pass bylaws and they are included in sections 377 to 411, inclusive. These sections authorize municipal councils to pass bylaws for specified purposes without being set out in any logical order by subject matter or otherwise, and include the power to license, prohibit and regulate. Certain sections pertain to a certain class of municipality, others to a municipality in unorganized territory, and still others to a municipality having a specified population. The committee recommends that all municipalities be given similar powers under these sections and that the powers be segregated by subject matter.

Part XXII deals with police villages and the committee recommends that the formation and addition of territory to police villages be discontinued. As hon. members know, the hon. Minister of Municipal Affairs (Mr. Spooner) has introduced an amendment to this effect.

The committee recommends that the boundaries of polling divisions for municipal elections be the same as, or as near as possible to, the boundaries of polling divisions for provincial elections; that the present method of preparing the voters' list for provincial and municipal elections be replaced by a system of permanent registration of voters; that uniform election laws apply as near as possible to municipal and provincial elections; and that the co-operation of the federal authorities be solicited with a view to achieving a uniform basis at all three levels.

Sections 379, 395, 399 and 401 of The Municipal Act deal with the matter of limiting the number of public garages and automobile service stations where gasoline is stored or kept for sale; and limiting the number of cabs, buses, motor or other vehicles used for hire, or any class or classes thereof; and limiting the number of victualling houses, ordinaries, and houses where fruit, fish, oysters, clams or victuals are sold to be eaten therein; and limiting places for the lodging, reception, refreshment or entertainment of the public, and limiting the number of licences to be granted and the number of tables that shall be licensed for billiards, pool or bagatelle.

The committee feels that this type of legis-

lation is susceptible to unfair and discriminatory operation and may serve merely to restrict competition in favour of existing business. There is no need to single out these four types of enterprise for the application of a principle of municipal prohibition and these sections should be amended rescinding this right.

Part XX of The Municipal Act deals with highways and bridges. Section 443 sets out the obligation of municipalities to maintain roads and bridges under their jurisdiction. The municipalities are liable for damages sustained by any person by reason of non-repair. Counties and townships must be notified within ten days of the claim for injury and urban municipalities within seven days. The committee feels that notice of the claim should be the same for all municipalities and would suggest ten days notice.

Where there is a dispute between the municipalities as to the liability to build or maintain a highway or bridge or as to the proportion of cost, the committee feels that this should be determined in the county court and tried by a county court judge instead of by a supreme court judge.

Sections 477, 478, 479, 480 and 481 generally deal with the sale and conveyance of an original road allowance which has been closed, and different procedures are therein set up. The committee feels that there should be a uniform procedure for the closing of all highways under municipal jurisdiction regardless of how they became highways and whether or not they had been laid out on a plan of subdivision, and that the bylaw should require approval of the Minister of Municipal Affairs who may refer the matter to the Ontario municipal board.

So much for The Municipal Act.

With regard to The Assessment Act, no local government can function without the necessary funds to carry out the legal obligations and the numerous social responsibilities incumbent upon it, if it is to govern in the best interest of the community as a whole. Representations made to the committee in regard to matters of assessment and taxation far outnumbered any other single subject. Legislation that picks the pocket is quickly felt.

The underlying and persistent fact, which penetrates the whole field of assessment and taxation, is that the number, kind and standard of services that the municipality is now called upon to provide are vastly different from those municipal services provided when the assessment legislation was rewritten in 1904.

The present business tax is an anachronism. The multiplicity of rates currently exists without logic, and the tax itself has no reference to services furnished. Further confusion and discrimination is caused by the necessity of setting two mill rates—one for commercial and industrial taxation and the other for farm and residential taxation.

There has been an increasing tendency to exempt the properties of certain institutions from municipal taxation because of their altruistic objects. Many charitable institutions throughout the province are operated by dedicated and public-spirited people possessing an intense feeling of civic responsibility and pride. It is the feeling of the committee that the local municipality can best judge the public contribution of these institutions, and accordingly the committee recommends that there be no general exemptions from taxation but rather that all future exemptions of properties used by these institutions be left to the discretion of the local council.

A great many of the inequitable assessments throughout the province of Ontario arise out of the reluctance of assessors to employ a current concept of actual value. The present Assessment Act appears to be abundantly plain in this regard, but nevertheless the evidence presented to the committee establishes the unalterable fact that the concept of actual value is seldom employed.

Inequities also appear because of a deficiency of properly trained assessors and assessment commissioners. Common sense and sound business practice may be scarce commodities, but no assessment manual can legislate or impart these qualities. Proper training facilities should be made available to every person who aspires to assess, and the committee feels that it is incumbent upon the province of Ontario not only to provide such facilities, but also to license those persons who become chief assessors in the same manner as municipal auditors are licensed.

Business assessment legislation was enacted in 1904 and has remained virtually unchanged.

The assessed value of the land and buildings occupied is not indicative of either the volume or productivity of the business and it is possible that a tax levied on this base may bear most heavily on those least able to pay. Examination of the assessment statistics in the 1961 annual report of municipal statistics compiled by The Department of Municipal Affairs shows business assessment as 11 per cent of total assessment. By class of municipality the percentages are: cities 12.8;

Metropolitan Toronto 12.6; towns 11.0; separated towns 9.3; villages 8.2, and townships 4.5. It will be noticed that the higher percentages apply to the more urbanized communities. However, the differences in the economies of municipalities of the same class show wide variations. Cities vary from 9.5 to 19.0 per cent, separated towns from 2.0 to 17.4 per cent and the municipalities in the Metropolitan Toronto area from 2.3 to 24.5 per cent.

The tax levied on the business assessment is calculated at the commercial rate. Therefore, the proportion of tax revenue derived from this source is somewhat greater than the proportion of the business assessment to total assessment.

The committee suggests: (a) abolition of business assessment; (b) calculation of business assessment at a uniform percentage of the realty assessment; (c) that businesses be divided into four categories and that the percentages applicable be 30, 50, 60 and 75; (d) that the businesses mentioned be arranged in some logical sequence, possibly alphabetical, with the applicable percentage stated.

The business assessment ranges from 25 to 150 per cent, the latter being assessed against distillery companies.

The committee found that 60.6 per cent of assessments were at less than 35 per cent, the largest number at 25 per cent. I point out that on page 59 of the second interim report we have shown a table for 1961, giving the number of assessments according to the basis of assessment.

The change in the economic status of certain businesses does not justify the present rates and this is particularly valid for the wholesale merchants.

The committee has recommended on page 61 of the second interim report:

- (a) Distillers at 75 per cent.
- (b) Wholesale merchants at 50 per cent.
- (c) Retail coal or fuel oil dealers at 25 per cent.
- (d) All land used for the parking of cars at 25 per cent.
- (e) That every person occupying or using land for the purpose of an apartment building containing more than six self-contained dwelling units shall be assessed for business purposes for a sum equal to 25 per cent of the assessed value of the land occupied or used for such apartment.

Now I would like to deal with the matter of the making of assessments. The committee feels that the making of a yearly assessment is not conducive to equalized assessment and

that a longer period of time should be given, preferably three years.

The present right of appeal to the court of appeal on matters of law should be retained, and appeals should be permitted to the Supreme Court of Ontario in regard to questions of fact, as well as law.

Sections 84 to 88 inclusive of The Assessment Act deal with appeals to the Supreme Court of Ontario. These sections reveal the principle that a person is subject to taxation even though the tax is based on an illegal assessment, resulting from the limitation placed on the times for bringing on appeal. Therefore, there should be no limitation for an appeal from an illegal assessment or taxation.

On vacancy allowances, and so on, prior to 1900 a municipal council could authorize courts of revision to refund taxes to persons of poverty; or through sickness who could not pay.

A few years later the law was amended to give to councils the right by bylaw to authorize courts of revision to make rebates as provided in the bylaw. In 1944 this right given to councils was repealed. In 1945 uniform provisions for all municipalities imposed by regulations. In 1953 these regulations were amended and incorporated in the Act.

The abatement or refund of taxes only applies to certain types of property and these properties must be offered for rent. Representation was made that the abatement should also apply to properties erected for the purpose of sale, but vacant and unsold because of insufficient demand. It was also argued that vacancy allowances should apply to furnished premises used only for a portion of the year even though no effort was made to rent them.

On the other hand representations were made that the present vacancy provisions should not apply to apartment units.

The committee noted that while it is true that vacant property does not require school facilities, garbage collection and other municipal services, vacant property as a rule requires more police and fire protection than does occupied property.

Another matter brought to the attention of the committee was the injustice to owners of some types of property as a result of a change in use during the year of taxation due to the variance between the farm-residential mill rate and the commercial-industrial mill rate. The taxes for the following year on commercial property which is vacant on December 31 are levied at the residential mill rate. If the property becomes occupied during the year of taxation and business assessment

applied against it under the provisions of section 53 the higher mill rate can be applied against both the real property and the business assessment for the balance of the year's taxes. However, no contrary provisions are in force where a property is used for commercial or industrial purposes and its use changes to residential during the taxation year.

The committee feels that no refund or abatement of taxes be permitted because of vacancy or partial vacancy of the premises and in the case of a pipeline no refund or abatement should be made because of its non-use.

That where the use of a property changes from commercial or industrial to residential during the taxation year, the residential mill rate be levied against the assessment for the balance of the year.

With regard to The Highway Improvement Act, the first six parts of the Act relate to highways under the control of The Department of Highways and the committee did not deal with these.

Part VII deals with county roads and their relationships with The Department of Highways and the powers of the county councils in connection with same.

Part VIII provides for the appointment of suburban roads commissions in respect to cities and separated towns. They designate suburban roads which continue to be county roads under the supervision of the county road superintendent. These commissions have existed for half a century. One important reason for their establishment and continuance is the payment of 25 per cent of their expenditures by the cities.

It is felt these commissions create friction between cities and counties, both because of this mandatory contribution by the cities and because the cities feel, with or without justification, that they have little effective say in their operation. If they are abolished, presumably, the county road grant would be adjusted. Abolition of suburban roads commissions would:

(a) Simplify the structure of local government by reducing the number of special purpose bodies.

(b) Simplify county highway administration resulting in better and more economical service.

(c) Remove a source of irritation between cities and counties.

Part IX relates to township roads and their relationship with The Department of Highways and cities and towns in provisional judicial districts.

Part X provides for payment of subsidies to certain cities, towns and villages.

Part XI deals with development of roads.

Part XII deals with roads in territories without municipal organization.

Part XIII contains general provisions such as powers of road superintendents, sidewalks on provincial highways, trees, set back for the planting of trees.

The committee feels that the provisions of The Highway Improvement Act pertaining to highways vested in a county or local municipality and under the jurisdiction and control of a municipal corporation be integrated with the appropriate provisions of The Municipal Act relating to highways.

That the provisions of The Highway Improvement Act vesting powers in a county or local municipality to pass bylaws in regard to various matters as therein set out be transferred to The Municipal Act.

On The Local Improvement Act it is difficult indeed to entirely divorce all of the statutes dealing with municipal matters so as to render them independent and complete in their own right. The fusion of the various statutes would be equally difficult and extremely illogical. However, the rearrangement of the subject matter of The Local Improvement Act, the adoption of the following recommendations and the consolidation of this Act with The Municipal Act, The Assessment Act and The Planning Act would prove to be of some practical value.

There are four methods for undertaking local improvement work: (a) on petition of the owners of lands affected; (b) on the initiative of council, without being petitioned; (c) by the municipal council on sanitary grounds; (d) by the municipal council without being petitioned—through private connections (4) and forced locals (8).

These are confusing and unnecessary but often ineffective. For example, property owners may petition council to construct a work as a local improvement but there is no onus on council to pass the necessary bylaw to undertake the work. The municipal council, however, can initiate the work, but a proper petition can prevent the council from passing the bylaw. Council may, nevertheless, undertake the work by obtaining the approval of the Ontario municipal board.

The committee feels that a single procedure for all local improvement works should be adopted and that the procedure be on the initiative of a majority vote of all the members of council after advertising its intention to do so and after serving notice, either

personally or by ordinary mail, upon the property owners affected, provided that no such bylaws shall come into force and effect without the approval of the Ontario municipal board.

The committee feels that the following recommendations should be implemented:

That The Local Improvement Act be amended to permit the cancellation of an assessment against frontage which subsequently becomes flankage.

That cash contributions toward the cost of a local improvement work may be applied against an owner's share, or in any way that might be agreed upon between the contributor and the corporation.

That section 34 of The Local Improvement Act be amended to include watermains, and to provide that the abutting lands which receive no immediate benefit may subsequently be assessed in an area on a frontage basis, if at some future time they do benefit from these works.

That lands benefited by, but not abutting directly on the work, be assessed either on an area basis or a frontage basis.

That the local improvement procedure be permitted where a sewer or watermain has been constructed other than as a local improvement, but which work subsequently benefits abutting lands, and to provide that these lands may be assessed either on an area or a frontage basis.

The first planning Act was passed 1946 but it can be traced back to 1913.

Our heritage of freedom of activity, sanctity of property and a general predilection against government regulation and control has no doubt contributed to the citizen's suspicion of modern planning technique.

A rapidly increasing population, and the automobile, have forced the horizontal expansion of our communities with the resulting myriad of problems. Distance is now measured by minutes rather than miles in the physical movement of people. However, roads, sidewalks, sewers, watermains and the other public utilities cannot be constructed and financed in minutes. It is imperative that effective planning legislation be available to local municipalities to control and direct the development of their communities.

A planning board's function is to recommend to council—except in the matter of consents to divide a parcel of land—and it extends from official plans to zoning bylaws. The board must rely heavily on its professional staff. The boards do not have the close contact with the municipal inhabitants

that the local council has. This is so in spite of the fact that The Planning Act provides that every planning board shall hold public meetings and publish information for the purpose of obtaining the participation and co-operation of the inhabitants of the planning area. Except for joint planning areas, there is little merit in creating a planning board as a distinct legal entity apart from the municipal corporation.

The committee feels that planning boards as now constituted should be dissolved and that the present function of these boards be exercised by the local municipal council, county council or a committee of either council.

The committee feels:

That the adoption of an official plan, its amendment and repeal should rest completely with the local or county council on the basis of a majority vote of all members of the council, subject to approval of the bylaw by the Ontario municipal board.

That before an official plan is adopted or amended, notice should be given to the people of the planning area by publishing a copy thereof in at least one newspaper having a general circulation in the planning area, each week for at least three weeks before the hearing, stating the day, time and place of the meeting at which the plan will be discussed.

That municipalities may, with the approval of the Ontario municipal board, buy, sell or lease land for the purpose of developing any feature of an official plan.

That municipalities may charge a fee on an application for an amendment to an official plan.

The committee feels that the establishment, alteration or dissolution of redevelopment areas by municipalities which have official plans be subject to the approval of the Ontario municipal board rather than the Minister of Municipal Affairs.

The committee also feels that the municipal clerk should not be required to lodge with the Minister of Municipal Affairs certified copies of a subdivision control bylaw, or a bylaw deeming plans of subdivision not registered, and that the consent of the Minister not be required for the alteration or dissolution of an area of subdivision control established by the municipal council.

Mr. Speaker, on page 90 of the second interim report, the committee made the following recommendations:

That the right of the Minister of Municipal Affairs to impose zoning restrictions be withdrawn.

That there shall be a public hearing before the council or a committee thereof after due notice to all persons affected by the proposed bylaw.

That the municipality or any person whose property is affected by a restricted area bylaw be given the right to make application to the Ontario municipal board to extend a temporary approval of such bylaw, and that notice of the application be given as directed by the Ontario municipal board.

That before a zoning bylaw is passed or amended, or before an application is made to the Ontario municipal board to extend the temporary approval of a zoning bylaw, a public hearing shall be held by the council after due notice to all the persons affected.

Local boards of health are administrative bodies charged with the duty of carrying out The Public Health Act. In practice, the duties are performed by the medical officer of health and his trained staff. The board does not appoint the medical officer of health; it is done by the council. The council has budgetary control.

The committee feels that The Public Health Act and regulations be amended so as to delete the reference to local boards of health and substitute the medical officer of health; that local boards of health be dissolved; that the provisions relating to the formation and operation of health units remain, but that the authority to constitute a board of health in a health unit or a separated local board in a separated health unit, be repealed.

There is an abundance of legislation in the province pertaining to parks and recreational facilities. This legislation may be found in numerous different statutes, and it is administered by almost as many different government departments. We have authority for parks under:

(a) The Municipal Act under The Department of Municipal Affairs.

(b) The Public Parks Act under The Department of Municipal Affairs.

(c) The Community Centres Act—Department of Agriculture.

(d) The Parks Assistance Act—Department of Lands and Forests.

(e) The Department of Education provides community programmes.

(f) The Department of Travel and Publicity makes grants for museums.

(g) The Public Health Act looks after the operation and supervision of swimming pools.

(h) The Athletics Control Act, under The Department of Labour.

On page 116 of the third report the committee recommends:

That The Public Parks Act, The Community Centres Act and The Parks Assistance Act be integrated with the appropriate provisions of The Municipal Act—section 377, para. 69.

That a parks and recreation branch be established under the direction of the Deputy Minister or a branch director of The Department of Municipal Affairs.

That all programmes and services afforded to municipalities by the various statutes in regard to parks and recreation be administered by a parks and recreation branch of The Department of Municipal Affairs.

A public utilities commission is authorized by the provisions of part III of The Public Utilities Act.

The function of a public utilities commission is the control and management of one or more utilities, which function is only administrative and is actually performed by its staff. The commission is a statutory agent of the municipal corporation that is responsible for the acts of the employees or servants of the public utilities commission. The municipal corporation provides the funds for the capital works. Agreements with the Ontario water resources commission and the Hydro-Electric Power Commission of Ontario are made with the local municipal councils.

It is the local municipal council that plans its municipality and through the machinery of the official plan and the zoning bylaws determines not only the nature of the development of the municipality but also the phasing or sequence of development. The capacity and location of public utilities are therefore determined by such matters as planned population densities, land use and other criteria under the jurisdiction of the local municipal council.

There appears to be no reason why the administration of a public utility should not be carried out by a department of the municipal corporation. Such a step would also eliminate the duplication of staff such as accounting personnel and vehicle maintenance and capital equipment connected therewith.

The committee feels that the functions of a public utilities commission can be performed by the local council or a committee thereof; that the powers given to local municipalities and restrictions imposed thereon by The Public Utilities Act be integrated where possible with the provisions of The Municipal Act relating to similar matters; that the powers given to companies owning or operating public utilities and the restrictions im-

posed thereon be transferred to The Municipal Act.

We have on the statute books The Trees Act which gives the councils of counties and local municipalities power to pass bylaws for acquiring lands for forestry purposes. The council of a township may enter into agreements with the owners of lands located in the township providing for, among other things, the reforestation of a portion of such lands. Provisions are also made to restrict the cutting of trees under certain circumstances and to penalize persons responsible for the injuring of trees.

The committee recommends that The Trees Act be repealed and its provisions incorporated in The Municipal Act under a new part, entitled "Trees"—I would refer to the recommendation on The Municipal Act, section 473.

With regard to committees of council, the committee gave considerable study to the distribution of the responsibilities in local government between municipal councils and the local boards, commissions and special purpose bodies. In addition to non-elected boards—such as planning boards, parking authorities, community centre boards, boards of park management, public library boards, boards of health—there are the elected school boards and public utility commissions; there are also intermunicipal bodies, such as suburban roads commissions, health units, conservation authorities and homes for the aged boards.

As the population of the province has increased and as communities have grown larger, local municipalities have become involved in an expanding range of functions. One result has been the creation of an increasing number of committees, boards, commissions and special purpose bodies. The whittling away of the responsibilities of elected councils, and the transfer of such responsibilities to those other bodies has had the effect of fragmenting authority and has resulted in a lessening of accountability to the electorate and a lack of co-ordination of the various activities.

The committee is convinced that overall responsibilities should be restored to the elected councils, but at the same time, it recognizes the necessity of delegating certain duties for purposes of practical administration. Although the use of committees by municipal councils is practised generally throughout the province—I refer the House to Appendix M—they are given recognition in The Municipal Act only with respect to the payment of their members. It is paradoxical that councils can create boards and

commissions over which they have little or no control which have powers the councils cannot grant to their own committees over which they have complete control.

The committee is of the opinion that more of the municipality's business should be performed by council through the committees thereof. Councils should have authority to decide which of their powers should be delegated to their committees and under what conditions such powers should be exercised.

The committee recommends:

(1) That councils of all municipalities be given the authority to delegate to committees thereof, powers at least equal to those which can be exercised by boards of control and special purpose bodies.

(2) That the requirement for the establishment of boards of control in certain circumstances should no longer be mandatory.

I would like now, Mr. Speaker, to deal with non-elected local boards and commissions.

Municipal legislation provides for the establishment of a variety of non-elected local boards and commissions. Some a municipal council must appoint, as in the case of a local board of health if the municipality does not form part of a health unit; some a municipal council must provide for under certain circumstances, as in the case of a public library board; and with respect to still others the municipal council is free to decide whether or not they will be created.

The number of members appointed to the various boards vary. The council appoints all the members to some boards, but share the appointing with other bodies in the case of library boards and suburban roads commissions. The head of the municipality is a member of planning, parks, library and health boards but cannot sit on parking authority or suburban roads commissions.

There is also considerable variation in the term of office on these boards as we have set out on pages 156 and 157 of the fourth and final report. There is also wide variation in the qualifications required of persons appointed to these boards. In the case of planning boards and suburban roads commissions, no qualifications are specified; for parking authorities and community centre boards, under both The Municipal Act and The Community Centres Act, a member must be qualified to be elected a member of the municipal council. Members of library boards must be British subjects, at least 21 years of age and residents of the municipality. Members of local boards of health and of one type of parks boards are required to be resi-

dent ratepayers; while the members of an alternative type of parks board are required only to be residents or ratepayers.

It does not appear logical to have such a variation in the qualifications and the committee is of the opinion that the qualifications should be made uniform for members of all bodies; namely, that the appointee be qualified to be elected as a member of the municipal council. If these qualifications for membership are applicable to parking authorities and community centre boards they would appear to be equally applicable to members of planning boards and suburban roads commissions. On page 159 of the fourth and final report we have set out the council representation other than the head on the different boards and commissions.

It is understandable that over the years the process of piecemeal amending and changing legislation has resulted in anomalies and an illogical pattern which, when looked at as a whole, seems hard to justify. Why, for instance, should members of council be qualified as members of planning boards or health boards but for some unknown reason be disqualified to be a member of a parking authority? Perhaps, more absurd is the situation under The Public Parks Act which provides for two alternative methods of setting up a parks board. If one method is chosen not only may council members be members, but if the number of members is five or more then at least two must be council members.

In the case of the two bodies where the appointment of the members of a board is shared with other bodies, namely, library boards and suburban roads commissions, members of council, other than the head in the first instance, and all members of councils in the second, are disqualified.

If a council is to have an effective liaison with the various bodies in the municipal organization for which it has financial and other responsibilities surely the most effective way is through direct representation on these bodies. The fact that the existing provisions relating to these and other bodies from which council members are barred may have been of long standing is no reason why they should not be looked at carefully at this time to determine if there is merit in removing disqualifications.

There has always been some uncertainty as to whether or not an appointing council has a general power to recall an appointee and to appoint another in his place. This can be done in respect to the suburban roads commissions and maybe by the council in connection with the board of health.

It is recommended that municipal councils be authorized to replace their appointees to all non-elected boards except for educational and courts of revision.

The committee recommends:

(1) That the qualifications of every person to be a member of a non-elected local board or commission be the same as the qualifications of every person to be elected a member of the council of a local municipality.

(2) That members of council be permitted to sit on all non-elected local boards and commissions.

(3) That there be legislation permitting remuneration for all members of non-elected local boards and commissions.

(4) That there should be uniform legislation dealing with conflict of interests which should apply to all non-elected local boards and commissions.

(5) That the provisions of The Municipal Act, section 144, relating to a member of a municipal council vacating his seat, should apply uniformly to all non-elected local boards and commissions.

(6) That permission for prolonged absence from meetings emanate from the appointing authority rather than the board or commission of which the person is a member.

(7) That the authority which appoints members to a non-elected board or commission be given the power to recall its appointees and to fill all vacancies thereby created.

The activities of municipalities are determined not only by what powers are granted to them but also by the manner in which they may be exercised. Powers are often given in a manner which discourages experimentation and makes for cumbersome administrative and financial procedures.

At a time when municipalities are being expected to provide a broader range of services to adapt more quickly to changing conditions, this makes it more difficult to carry out their responsibilities.

It has become common in recent years to specify that certain powers may be exercised only with the approval of the Ontario municipal board, The Department of Municipal Affairs, or some other department or agency.

The committee believes that, while this procedure is essential in some cases and desirable in others, it should be reserved for matters of importance. It should not be used as a device whereby the judgment of a civil servant or a board is substituted for that of a body of duly elected representatives. If approval is required only in matters of im-

portance, there is a greater probability that approvals will be neither given lightly nor arbitrarily withheld. As a result, a source of irritation between the two levels of government will be minimized.

In many cases municipalities employ officials who are at least as well qualified as the civil servants who must approve the decisions of municipal councils. The result is that a great deal of time is spent by provincial civil servants scrutinizing the work of their municipal counterparts, with a proliferation of paperwork on both sides. The effect is to diminish responsibility of the local governing body, and to introduce a further element of delay, uncertainty and inflexibility in what is often already a drawn-out and unpredictable process.

The committee recommends:

(1) That all legislation affecting municipalities be written in as general terms as possible, and that restrictions on, or detailed provisions relating to, the use of powers, should only be provided when:

(a) It is essential that there be uniform practice in all municipalities.

(b) It is obvious that there will be serious undesirable results for other municipalities or the province if powers are misused or abused.

(c) The powers could unjustly affect the rights of individuals if not used properly.

(d) There is a danger that the power of the electorate to control the council and officials would otherwise be impeded.

(e) The provincial government, through a specific grant, is paying a major share of the cost of an activity or project.

(2) That when approval of a provincial department or agency is required, the department or agency responsible should state clearly its policies and administrative practices for the information of both the municipalities and the individuals who may be affected, and where approval is not given the reason should be stated.

(3) That greater use be made of permissive, rather than mandatory legislation, so that municipalities will have greater freedom to work out procedures and arrangements appropriate to local circumstances.

An effective system of local government is essential if the need for services to local citizens and communities is to be met efficiently, at reasonable cost, and in accordance with local wishes. Moreover, government activities today are so complex that many of the programmes of the provincial and even the federal governments cannot be properly carried out without an effective system of

local government. Many of the difficulties in carrying out such functions as slum clearance, urban renewal, town planning, pollution control and area development arise as much from the complexities and fragmentation of local government as from any other source.

The provincial government must assume a large measure of responsibility for maintaining an effective system of local government, both in the interest of furthering its own programmes and because only the Legislature has the legal power to change the system. The municipalities—because they are constitutionally subordinate, functioning under and within provincial statutes—have only a limited power to alter the structure and organization of local government.

The growing complexity of local government activities, the extent to which many functions affect or are affected by developments outside the local municipality, the need for more highly qualified staff, the increasing cost of many services and the difficulty of dealing with some problems on the basis of the smaller existing municipalities, all point toward the need for larger units of local government in some circumstances and for some purposes. More particularly, larger municipal units would:

- (a) Facilitate the provision of services that require large areas.
- (b) Facilitate agreement on common policies and the co-ordination of activities.
- (c) Eliminate the justification for some special-purpose bodies that have been created to deal with problems extending beyond the limited area of local municipalities.
- (d) Make it more feasible to employ more highly qualified staff and staff with specialized qualifications.
- (e) Provide a unit that is stronger financially.
- (f) Reduce competition for commercial and industrial assessment.
- (g) Enlarge the tax base, and thereby reduce inequalities in the burden of taxation.

The need for larger units of local government is most pressing in dealing with regional problems and boundary adjustments of urban municipalities. There are many small municipalities that can only be expected to supply a limited range of services to the standard being demanded today. In the long run, the alternatives to some consolidation would appear to be the transfer of responsibilities to larger units of local government or to the province.

Much has been said of regional government. More has been said of regional planning. One

cannot function well without the other. While a great deal of lip service has been given to the regional concept, it is difficult to say with any degree of certainty, what is meant by "regional." This is understandable because what may be an ideal unit for one function may not be an ideal unit for another. Thus, while a watershed is a desirable unit for water conservation, pollution control and possibly water supply and sewage disposal, it may not be satisfactory as a unit for highway purposes or town planning. Geographical and topographical features, as well as economical factors, determine in part the physical limits of a community. The solution of regional problems is made more difficult because they are the concern of both the provincial and local governments.

Urbanization of the province has taken place at an extremely rapid rate. At the turn of the century the population was almost equally divided between urban and rural dwellers but now it is predominantly urban. The table shown in the report reveals that the proportion of urban dwellers increased from 52.6 per cent in 1911 to 77.3 per cent in 1961.

It can be seen from these figures that while in 1961 the rural population comprised 22.7 per cent of the total population, only 35.8 per cent of the rural population was a farm population. In other words, 91.9 per cent of the total population was "urban" or "rural non-farm" population.

As the population becomes urbanized, pressures are exerted for types and standards of services never before expected. Economic prosperity makes these demands realistic. Existing municipal boundaries make the fulfilment difficult. Larger units of government are sought through boundary expansion, resulting in annexation or amalgamation proceedings. The committee shows a table in its report that reveals that of a total of 32 cities in the province, 23 have had substantial adjustments in their boundaries from 1951 to 1963.

I would ask hon. members to check the table on page 172, which shows the percentage of acreage increase of the 23 cities mentioned. The increase is from 20.1 to 1,842.7 per cent.

Regions must be studied individually in terms of population, logical planning areas, watersheds, economic and social conditions and other relevant factors, to define suitable boundaries for larger units of local government.

As a practical start, the committee recommends adoption of the county, in whole or

in part or with additions thereto, as the basic unit of regional government.

The committee gave a great deal of consideration to the inclusion of cities and separated towns as part of the regional unit. It was thought that they might create a strong nucleus and give added vitality to the whole. The larger area would also give greater scope to planning through the natural extension and co-ordination of existing facilities, and would eliminate the constant threat and fear of annexation or amalgamation.

The table shows that in the 23 counties affected—city of Toronto excluded—the assessed population of the municipalities excluded from the county unit as a percentage of the total assessed population of the county, varied from 17.7 to 80.8. Fourteen ranged from 40.4 to 68.8 per cent.

Cities and separated towns should be included in the larger unit of government and this would bring about an adjustment of provincial grants.

A basic principle of our democratic way of life is representation by population, which both the federal and provincial governments are applying in their redistribution. Representation on many of our county councils is inequitable, as shown in appendix O. For example, in one county comprising 15 municipalities, 37.5 per cent of the total population lives in one municipality, which has 44.7 per cent of the taxable assessment of the county but has only four of the 22 votes in the county council. In another county, a municipality with a population of 70,000 and 61.7 per cent of the total taxable assessment has four votes, while a municipality in the same county with a population of 645 people and 0.2 per cent of the total taxable assessment has one vote.

A member who is elected to a local council is primarily concerned with the activities and affairs of that council. He is sensitive to the wishes of the people who have elected him to that office and has them in mind when he becomes involved in the decision-making process. If at the same time, by virtue of his office, he is a member of another body, that other body is of secondary importance. There is an inherent conflict between the interest of the people he represents directly and the interest of the larger community that he represents indirectly.

Democracy in its best form emanates from the direct election of representatives at all levels of government. This method is adopted in elections at the federal, provincial and local municipal level. If the regional government is to adhere to this pattern, the regional councils should be elected directly by the

people, as nearly as practical on the principle of representation by population. This should be accomplished by the use of a ward system. Ward boundaries should follow as nearly as possible the boundaries of constituent municipalities, although it will sometimes be necessary to combine or divide local municipalities to achieve equality of representation.

As the area of local government is enlarged and administration of community services becomes more complicated, members of the regional council should have a longer term of office to understand the complex municipal operation better, and they should be elected for at least three years.

The regional council should elect one of its members as its head who should hold office throughout his term.

The problem of assigning powers and duties to the regional government must be solved by a study of each individual area before any specific allocation could be made. Certain basic responsibilities would be assigned immediately to the regional councils, such as assessment, taxation, planning, arterial roads, public health, hospitals, welfare and policing.

Jurisdiction over storm and sanitary sewers, sewage disposal plants, garbage disposal, pollution control, regional-type parks and fire protection could be assumed by the regional council for all or part of the larger area.

Pages 177 to 184, inclusive, deal with all these responsibilities and recommendations are made for each case.

On page 184 of the fourth and final report, the hon. members for Yorkview (Mr. Young) and Downsview (Mr. Singer), members of this committee, have expressed their respective views on a particular feature of regional government, and I quote:

Mr. Fred M. Young feels that once a regional government is set up present municipalities or combinations thereof might become boroughs or wards of the region. While there might be certain flexibility in financial administration as far as the wards or boroughs are concerned, ultimate financial control should rest with the regional government.

Mr. Vernon M. Singer does not concur with recommendation 5, on page 185 which refers to the text on pages 174 and 175. He feels if a regional government is to include a number of local governments in its area of responsibility, each head of such local government must, in his opinion, by virtue of his office be a voting member of such regional government. To ignore the democratically elected head of a local government in the manner suggested in this report

would create from the beginning such a source of irritation that the success of regional government could well be in question.

Now I would like to summarize our recommendations pertaining to regional government:

1. That larger units of local government, designated as "regional," be established with suitable boundaries having consideration to population, assessment, local planning areas, watersheds and economic and social conditions.
2. That as a practical start the county in whole or in part or with additions thereto, be adopted as the basic unit of regional government.
3. That cities and separated towns be included in the regional governments.
4. That the qualifications for election to the regional councils be the same as for election to municipal councils.
5. That the members of the regional councils be elected directly by the people on the basis of wards, which should be, as nearly as possible, equal in population.
6. That the term of office of the members of the regional councils be not less than three years.
7. That a regional council should elect one of its members as its head who should hold that office throughout his term.
8. That the regional council be given the powers of assessment, taxation, planning, arterial roads, public health, hospitals, welfare and policing.
9. That the regional council may assume any storm and sanitary trunk sewer, sewage treatment plant, trunk watermain, water purification plant, regional type parks and fire services and equipment for all or part of the larger area.

Finally, Mr. Speaker, I would like to mention continuing committee activity. The committee is impressed with the fact that municipal problems and the provincial-municipal relations in the province have been under more or less continuous study for many years. There was in recent years a provincial-municipal relations committee studying the problems suggested by its title, which in turn was succeeded by the municipal advisory committee. The select committee on The Municipal Act and related Acts does not feel that it has by any means covered the whole field of municipal law and local government due to its many complexities and ramifications.

The amount of local government activity

is increasing rapidly, as can be seen by the increase in municipal tax levies, gross debenture debt and expenditure, shown in the table on the following page. As shown on page 187, hon. members will note that the tax levy of the municipalities has risen from \$111,085 in 1941 to \$774,938 in 1963, and the gross debenture debt outstanding for the same years has risen from \$335,420 to \$1,830,909.

The increase in municipal expenditures is due partly to increasing population and changes in the kinds and standards of services expected by the public. These factors have helped to increase the number of urban municipalities and special purpose bodies. They have brought about changes in the responsibilities of local government and changes in the administrative and financial procedures of local government.

It is difficult to obtain an overall picture of the present structure of local government in the province; how it got to be that way, in what direction it is evolving and what factors are forcing changes. Research on matters affecting local government should be intensified and it should not be done solely within government departments.

There should be a continuing study of the legislation affecting municipalities. It is not the kind of study suitable for the committee of the Legislature. Nor is it one that could usefully be assigned to The Department of Municipal Affairs. The department is expected to carry out policies of the government and not to call attention to their own possible shortcomings or the failure of the government to deal with problems. Neither is the Ontario municipal board a suitable body for such study because it is already involved with the municipalities in many aspects of local government and like the department it would be in the position of a judge in his own cause.

One solution might be the appointment of a committee of five or seven members who have practical and special knowledge of municipal affairs. The chairman and committee members should be appointed by the government. The staff of the committee should be attached to the Prime Minister's office and this committee should report directly to the Prime Minister and the Executive Council. Problems in the municipal field are constantly arising and if unattended to will reach a point where drastic action will have to be taken.

It would be better to meet the new problems as they arise and at the same time deal with those problems which, neglected and unnoticed, have accumulated over the years.

Hon. Mr. Robarts moves the adjournment of the debate.

Motion agreed to.

Mr. Speaker: Motions.

THE LEGISLATIVE ASSEMBLY ACT

Hon. Mr. Robarts moves, seconded by hon. J. N. Allan (Provincial Treasurer), that a select committee be appointed to consider Bill No. 80, An Act to amend The Legislative Assembly Act, and to report to the assembly as soon as may be convenient during the present session; the said committee to have full power and authority to call for such persons, papers and things as the said committee may deem necessary for its proceedings and deliberations; the committee to consist of seven members, as follows: Mr. Bales, chairman, and Messrs. Apps, Farquhar, Gisborn, Henderson, Rollins and Whicher.

Mr. MacDonald: Mr. Speaker, before that motion is put, may I have some clarification, on a point of order? Are we going to debate second reading of the bill before it goes to committee?

Hon. Mr. Robarts: This is the period when motions are accepted in the order of the business of the House.

Motion agreed to.

THE PUBLIC SERVICE WORKS ON HIGHWAYS ACT

Hon. C. S. MacNaughton (Minister of Highways) moves that Bill No. 66, An Act to amend The Public Service Works on Highways Act, now on the list of bills for consideration by the committee of the whole House, be referred to the standing committee on highways and tourism.

Motion agreed to.

Mr. Speaker: Introduction of bills.

Mr. Sopha: Mr. Speaker, before the orders of the day, I have a question addressed to the hon. Minister of Mines (Mr. Wardrope), and it is as follows:

As related in the press, could the hon. Minister enlighten the House how it was that the editor of the *Northern Miner* got "the very definite impression" that the hon. Minister considered Windfall assays—

Mr. Speaker: Order!

Mr. Sopha: —very important last July?

Mr. Speaker: Order! This does not seem to be the question that the member gave notice of to the Speaker's office.

Mr. Sopha: On the contrary, sir, in essence it is exactly the same—

Mr. Speaker: I would ask the member to state the question as submitted to me before 12 o'clock.

Mr. Sopha: With the greatest respect, sir, you will find that the question I submitted will be in essence the same one that I just read.

Mr. Speaker: The member is supposed to state the question that he submitted to me before the hour of 12 o'clock.

Mr. Sopha: I did not draw it; it is not very intelligibly drawn.

How did the editor of the *Northern Miner* get the very—no, the word "very" is not there—the "definite impression" that the hon. Minister considered Windfall assays very important last July?

Hon. G. C. Wardrope (Minister of Mines): Mr. Speaker, I got notice of the question from the hon. member for Sudbury. My answer is as follows:

In keeping with my responsibilities as Minister of Mines, I have never spoken to anyone for publication, nor have I ever had any specific particulars to furnish about Windfall drilling results. At the time of our discussion, when Mr. Brown called me on the telephone, to my knowledge no assay had been made, and I so informed him. Any conclusions drawn by Mr. Brown were his own.

His article was apparently written when the speculative fever, against which warnings were issued, was reaching its height and rumours by the hundreds were multiplying overnight. Newspapers and mining publications contained many articles on this speculative mining project. It is reasonable to assume, therefore, that contacts he made with a number of people were, no doubt, the reason for the opinions expressed in the article, for which, in the final analysis, the author must accept the responsibility himself.

Mr. Sopha: May I ask a supplementary question, Mr. Speaker?

Hon. Mr. Wardrope: If the hon. member gives me supplementary notice of it, I will reply. Mr. Speaker, I would prefer it that way.

Mr. Sopha: Well, that is an interesting rejoinder. I want to know if the hon. Minister contributed to the rumour? Did he contribute to the rumour?

An hon. member: Becoming like the others —arrogant.

Mr. B. Newman (Windsor-Walkerville): Mr. Speaker, before the orders of the day, I have a question for the hon. Minister of Highways, notice of which has been submitted to him.

Will The Department of Highways act on the coroner's jury report that found that buffer guide rails on the median strip of the Macdonald-Cartier Freeway could have prevented a fatal accident?

Hon. C. S. MacNaughton (Minister of Highways): Mr. Speaker, the answer to the question of the hon. member is as follows:

The Department of Highways will consider the recommendations of the coroner's jury when the inquest report is received from the office of the supervising coroner for Ontario. It must be realized, however, that the amount of construction now taking place on the Macdonald-Cartier Freeway in the Toronto area makes it impractical and impossible to erect a buffer guide rail while this construction is taking place. As sections of the highway are completed, a special type of steel-beam guide rail is being erected in narrow medians.

In locations similar to the location where the fatal accident occurred on December 17, 1964, where the median is wide, we do not find it feasible to erect a guide rail, in view of the fact that most motorists tend to gain control of their vehicles in the event they enter the median. If a barrier were erected in a wide median, practically all cars out of control and entering into the median would crash into the barrier before drivers would have had the opportunity to regain control, thereby increasing the frequency and, in most cases, the seriousness of the accidents, Mr. Speaker.

Mr. Newman: Thank you.

Mr. S. Farquhar (Algoma-Manitoulin): Mr. Speaker, before the orders of the day, I have a question I should like to direct to the hon. Minister of Energy and Resources Management (Mr. Simonett), notice of which he has received, and which is as follows:

On what information did the general manager of the Ontario water resources commission base his statement yesterday that detergent foam is not harmful to water supplies?

Hon. J. R. Simonett (Minister of Energy and Resources Management): Mr. Speaker, the presence of detergent foam on rivers and streams in the province has caused much criticism lately. The commission, for some time has analyzed what it considers to be critical streams throughout the province for the level of detergent, and the results of these analyses indicates that the concentration of detergents is below the limit that is toxic to fish, aquatic or other forms of life.

Mr. K. Bryden (Woodbine): Mr. Speaker, I have a question for the hon. Minister of Health (Mr. Dymond). I notice that he stepped out of the House a few moments ago and does not seem to have returned as yet, but I will read the question and he can answer it on another occasion.

When is it expected that the transfer of Sunnybrook hospital from The Department of Veterans' Affairs to the University of Toronto, will be effective?

Mr. Speaker: Orders of the day.

THE MINING ACT

Hon. G. C. Wardrope (Minister of Mines) moves second reading of Bill No. 42, An Act to amend The Mining Act.

Motion agreed to; second reading of the bill.

THE MUNICIPAL FRANCHISE EXTENSION ACT

Hon. J. W. Spooner (Minister of Municipal Affairs) moves second reading of Bill No. 63, An Act to amend The Municipal Franchise Extension Act.

Motion agreed to; second reading of the bill.

THE DEPARTMENT OF MUNICIPAL AFFAIRS ACT

Hon. Mr. Spooner moves second reading of Bill No. 67, An Act to amend The Department of Municipal Affairs Act.

Motion agreed to; second reading of the bill.

THE LOCAL IMPROVEMENT ACT

Hon. Mr. Spooner moves second reading of Bill No. 68, An Act to amend The Local Improvement Act.

Motion agreed to; second reading of the bill.

THE PUBLIC UTILITIES ACT

Hon. Mr. Spooner moves second reading of Bill No. 69, An Act to amend The Public Utilities Act.

Motion agreed to; second reading of the bill.

THE CANCER ACT

Hon. M. B. Dymond (Minister of Health) moves second reading of Bill No. 74, An Act to amend The Cancer Act.

Motion agreed to; second reading of the bill.

THE HOSPITAL SERVICES COMMISSION ACT

Hon. Mr. Dymond moves second reading of Bill No. 75, An Act to amend The Hospital Services Commission Act.

Motion agreed to; second reading of the bill.

THE PUBLIC HOSPITALS ACT

Hon. Mr. Dymond moves second reading of Bill No. 76, An Act to amend The Public Hospitals Act.

Motion agreed to; second reading of the bill.

THE PRIVATE HOSPITALS ACT

Hon. Mr. Dymond moves second reading of Bill No. 77, An Act to amend The Private Hospitals Act.

Motion agreed to; second reading of the bill.

THE MUNICIPAL FRANCHISES ACT

Hon. Mr. Spooner moves second reading of Bill No. 79, An Act to amend The Municipal Franchises Act.

Motion agreed to; second reading of the bill.

THE LEGISLATIVE ASSEMBLY ACT

Hon. J. P. Robarts (Prime Minister) moves second reading of Bill No. 80, An Act to amend The Legislative Assembly Act.

Mr. D. C. MacDonald (York South): I would like to speak briefly on the second reading of Bill No. 80. I want to say at the outset that the New Democratic Party supports the principle of an increase in the indemnity. There are differences of views

on this issue within our ranks and we have always taken the view that on a basic matter on which there is a difference of views there is a right to express that difference of view in this House and it will be expressed. We also have reservations with regard to the procedure that has been adopted in arriving at the size of the increase and I want to reiterate today a recommendation that we have put before this House at an earlier stage on behalf of our group but which this government has not seen fit to consider at least in this instance.

Now, Mr. Speaker, during the last week of the election campaign in 1963, when I was addressing a ratepayers' meeting in my own constituency, my constituents had come out in full force from all parties and among their numbers was a good Conservative who asked me in the question period at the end of the meeting, "What is your stand on the increase in the indemnity?"

I stated then, Mr. Speaker, that in our view in the New Democratic Party the job of a member of this Legislature was increasingly becoming a full-time job, but that what was most needed at Queen's Park was an opportunity to be able to fulfil the duties on a full-time basis. I reiterated what I have said for quite some time regarding the necessity for longer sessions. I mentioned the need for greater facilities to be able to do the job, whether it be on the government side or on the Opposition side of the House, and I said that when and if all of these things are done I felt that a member of the Legislature was entitled to get an income commensurate with what he would get in other phases of life in our country—in industry, for example.

Now, I want to report to the House that in my view many of these items, which we have been insisting were of higher priority than an increase in the indemnity, have now been met, at least in part; sometimes in whole. I just want to detail this, Mr. Speaker.

We have been insisting for quite some time that if the legislative arm of government, was going to fulfil its role in a day and age when the executive arm of government was becoming more and more powerful, then adequate facilities, indeed adequate accommodation, had to be made available for the Opposition members particularly—and I have no objection to saying this to the government members—for them to be able to fulfil their job in an efficient businesslike manner.

I want to say that I think that this government has moved, and here I will say without qualification, ahead of any other province in this country on this issue. I doubt whether it

is further ahead than the situation in Ottawa—there is some dispute as to whether or not Opposition parties have adequate research staff, I do not know at what level it is now being provided and whether or not Opposition parties are happy—but I will say that this government has moved to provide the accommodation and the facilities for doing the job, and particularly for research, in a fashion on which I for one am willing to congratulate them.

No doubt in the future, as time goes on, we are going to change our thinking and say that more should be done. One of the interesting commentaries on government in the British parliamentary tradition is the fact that even in the 20th century, when government has become big business, the tendency has been to regard membership in Parliament as being almost like the contribution made by nurses—it is done for public welfare and in the public good, but not to be done on a businesslike basis.

I remember the first time I had the opportunity, for example, of viewing how that mother of parliaments operated, that I was astounded to find members of the House, in some instances men who were distinguished members of the House, sitting in the window-well while dictating letters to secretaries who then went out to some place unknown to type these letters. Now, this kind of situation is a hangover from days gone by that, in my view, is utterly ludicrous. Only now in most of these governments of western countries are we beginning to recognize that government is big business, it is the people's business, and it should be run efficiently, and the members should have adequate office space and they should have the normal requirements for carrying on a business in an office. And as far as we are concerned this is the degree of progress that has been made for which we want to acknowledge our appreciation.

I draw this to your attention, Mr. Speaker, by contrast. The members of the select committee on consumer credit, with whom I journeyed to the United States to investigate this topic a few months ago, were very impressed with getting this up-to-date picture: that in the United States every elected member of Congress, whether it be the House of Representatives or the Senate, is immediately provided with a minimum of \$70,000 and up to \$200,000 for his own personal staff.

Indeed, I turned on the TV one morning while I was shaving and listened to one of these morning programmes interviewing young Tunney who had just been elected to the House of Representatives in California,

and they were asking him how he liked fitting into the Washington scene, and he said he was enjoying it, except it was rather difficult. He said, "Immediately I have to hire a staff of nine."

Now, I am not going to argue that this is what we should have in Canada at the federal level or at the provincial level, but I would just point out, for example, that here in the province of Ontario the amount of money being provided to Opposition parties is about the equivalent of the minimum provided to one Congressman in Washington. So while I am appreciative of the progress made I think this is only a step in the right direction, and a step that should have been taken a long, long time ago if we are going to handle the people's business efficiently.

There is a second item that we have been specifying for years and that is the necessity of this House meeting for an adequate length of time. The hon. Prime Minister said at one point last year that I was interested in long sessions for long sessions' sake. I have said to him before and I repeat now that I think he was in error. I am not interested in long sessions just for the sake of sitting here. But I think the kind of attention that is being given to the business of the House this year—indeed the kind of attention that was not given last year and which created difficulties for nobody more than the government—suggested that we should be sitting for a longer period. I have used the term, a minimum of four months—that is a 16-week period—and I think it is now obvious in the present session that we are going to reach that and I would suggest to anybody who examines it, that the work load of this House is so developing that this is going to become a regular pattern.

Now on these two scores, I would say that the higher priority items that must be considered ahead of, or at least along with, an increase in the indemnity have been considered and have been met.

There is a third item which is not a factual item, therefore it is a matter of judgment and presumably there will be argument in every session as long as this Legislature meets. That is with regard to how the business of this House is handled. We have made many comments before in this connection. I was very interested yesterday to see that the hon. Minister of Energy and Resources Management (Mr. Simonett) introduced a bill that had an explanatory note on the front of it and the date on the bottom of the explanatory note was December 21—if I recall correctly—1964. In other words, this bill has been

ready since December 21, and I have a suspicion that many bills have been ready, and why they were not introduced in the House I do not know. Why so much of the work load is held until the latter part of the session, when you get into the major estimates, I do not know. Now I am not going to detail this any further. My colleague, the hon. member for Scarborough West (Mr. S. Lewis) did it last week. Interestingly enough, there seems to be some change in the approach in terms of getting more business before the House.

I reiterate this one other point however; I have some difficulty in figuring why the government is so reluctant to consider the proposition of a specified hour, once or twice a week, for private members' bills and resolutions. I am convinced, the more I view and sense the atmosphere in this House, that if there was an opportunity of this kind for presentation of bills, not only by members of the Opposition but by members on the government side of the House, that there would be an added incentive to give thought to new projects, to present them and to lead in public discussion of them. Indeed to do the kind of thing—if I may take one example—that Frank McGee did on the bill with regard to capital punishment in Ottawa. He played a very major role in bringing this issue perhaps to a final conclusion in this country. I think this is the kind of thing that can and should be done, and I am puzzled as to why the government is so reluctant.

I can understand the government's general reluctance to copy Ottawa, because I think what has happened in Ottawa in recent years has brought parliamentary institutions into greater disrepute in this country than any other sequence of events for quite some time. But on this particular item, I suggest to the hon. Prime Minister it is worthy of emulation.

Now while supporting the proposition of an increase in principle, Mr. Speaker, I want to conclude by moving an amendment. I am suggesting that this House should give consideration to the proposition that the decision as to the level of the indemnity should not be a decision of those of us who are going to benefit from it. We have presented our views on this. I think I am correct in stating that this is a new idea that has not been tried in any other Legislature or Parliament of which I am aware. For precisely the same reason that, generally speaking, governments across this western world are now moving to have redistribution considered by independent committees—and I trust considered adequately when they are—for the very same reason, I think this issue, which is essentially a

political issue. It involves us personally, and therefore we have some conflict of interest. I think it is highly appropriate that it should be referred to some independent body. Indeed, I suggest to the House that it is invidious that we should be deciding the level of our income which we are going to take out of the public Treasury.

This could be done very quickly, this is not a lengthy procedure. I made this proposal privately to the hon. Prime Minister some three weeks or more ago. I am convinced it could have been done in the interval, it would take no more than a week or ten days. It was made publicly in the House, but I want to put it on record again because I suggest that, if not now at some time in the future, this is the procedure that should be adopted for deciding on what the level of indemnity will be.

I agree with the hon. Prime Minister that in the final analysis we have to take responsibility because we have to pass the bill; just as in the final analysis we are going to have to take the responsibility on redistribution because the bill will have to go through and have the support of this House. But that does not mean that you cannot have an independent assessment of it. I think it would be in our interests, and for our good, that this should be done, as well as for the public interest in light of the growing tendency for rather a cynical attitude towards those in public life.

Therefore, Mr. Speaker, I move, seconded by the hon. member for Fort William (Mr. Freeman) that the motion be amended by striking out all the words after "that" and substituting the following:

In the opinion of this House the question of the indemnity and expense allowances of members should be referred for study and recommendation to an independent committee consisting of representatives of agriculture, labour, industry, under the chairmanship of a Justice of the Supreme Court of Ontario.

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, may I suggest that this amendment is out of order on second reading and any amendment that is to be made in the bill would have to be made in the committee stage.

Mr. K. Bryden (Woodbine): Mr. Speaker, speaking to the point of order, I would point out to you, sir, and to the hon. Prime Minister, that this does not make any amendment in the bill. This is an amendment that I think is quite well covered by May's description of

a reasoned amendment; it is not directed to any specific provision, it is directed to the principle of the bill.

I do not happen to have May with me because I did not anticipate that a point of order would be raised, but if anyone takes the trouble to consult May I think he will find that under the heading of "Reasoned amendments" May indicates that one type that is in order is the type that asks for further study of a matter by committees or commissions, and so on. This is exactly what this amendment asks for. It proposes that the House get further information before making a decision on the principle of the bill. That is entirely in order under the heading of "Reasoned amendments" and I submit, sir, that it should be so ruled.

Mr. Speaker: I am of the opinion that the amendment is out of order on the grounds that there has already been a motion placed before the House that this bill be brought before a select committee of the House, which has already been named. In view of the fact the bill is to be presented to this committee for further study I am of the opinion that it is not necessary to have it referred to another committee as suggested in the amendment.

Mr. MacDonald: Mr. Speaker, this is a rather interesting piece of reasoning in that I rose when the Prime Minister's motion was put with regard to the setting of a select committee and said; "Does this preclude second reading? Is it going to this committee before second reading?" The hon. Prime Minister assured me that second reading would come in the normal course of events. Therefore, I would suggest to you we can do as May has traditionally laid out in the normal course of events, on second reading.

Mr. Speaker: This is my ruling at the present time, and should I wish to reverse it after looking at May, I shall make a further ruling on the matter.

Mr. Bryden: Mr. Speaker, may I ask then if the vote on the matter will be deferred until such time as you have finally made your ruling?

Mr. Speaker: Yes.

Mr. Bryden: Mr. Speaker, may the debate now continue on this matter or would you rather have everything deferred until—

Mr. Speaker: I think perhaps it would be in order for the member to continue if he has some remarks to make on second reading of the bill.

Mr. Bryden: Mr. Speaker, I had hoped that when the hon. Prime Minister moved second reading of this bill he might have seen fit to give some explanation of what seems to me to be the headlong speed with which it is now being moved through the House. It was introduced—

Hon. Mr. Robarts: Mr. Speaker, on a point of order, I must say that I consulted with the hon. leader of this hon. member's party in connection with the procedure to be followed with this bill and if there was any suggestion that it was being hurried through the House, that suggestion could have been made to me and it would have been delayed. I really do object to this approach.

Mr. Bryden: Mr. Speaker, I would point out to you and to the hon. Prime Minister that the bill was introduced for first reading yesterday. It comes up for second reading today. It has been rare in my experience—

Mr. Speaker: Order. I think the member must remember that we are on the second reading of this bill and I would hope that he would confine his remarks to the principle of the bill, as to whether this increase should be made or whether it should not, and not to delve into matters of procedure.

I think perhaps he should stick to the principle of the bill in whatever remarks he has to make.

Mr. Bryden: Mr. Speaker, this strikes me as an unusually narrow interpretation of what is permitted in discussion of the principle of a bill. Surely the manner in which it moves through the House relates to the principle of it and is a matter that is suitable for comment. Whether or not the hon. Prime Minister or anybody else in this House agrees with my comments is not the matter at issue.

I suggest to you, sir, that surely it is appropriate for me to note that this bill is moving ahead with much greater speed than most bills in this House. In fact it has been unusual for bills to be printed and distributed immediately after receiving first reading. This has happened in this case. It is therefore quite in order, I concede, to move ahead today if the government so desires, but I had hoped that there might be some explanation of the urgency. However, I will not pursue that point any further, Mr. Speaker. I would like to turn to another aspect of the matter.

I think, sir, that in considering the principle of the bill it is appropriate to put the question of indemnities into its proper setting. We will all recall that in the summer of 1963 the Parliament of Canada passed legislation

increasing indemnities and allowances of that body. I do not consider it proper or necessary for me to comment on the decision Parliament made. It is well known, however, that the decision caused a great deal of public concern and objection and it became a factor in the Ontario general election campaign of 1963, which followed almost immediately after.

I can certainly say for myself, that when I was campaigning and trying to persuade people to vote for me I ran into this question of the increase for the federal members, and more particularly the size of the increase, more than any other issue I have ever encountered in all my experience. When speaking to people at their doorsteps, as I do frequently, I have never had an issue raised so often as that one.

It became an issue in the campaign. We could not in any way be held accountable for what the federal Parliament might have seen fit to do but the question was raised, I suppose not unnaturally, as to whether or not we in this House, assuming we were re-elected—or those of us who might be re-elected along with members elected for the first time—would upon our election put through an increase in pay. This matter I imagine was put to a great many politicians.

As my hon. leader has already indicated, it was put to him at a rather critical time in the campaign. He indicated the answer he gave. It was also, I judge, put to the hon. Prime Minister during the course of the campaign. He made a statement about it that was widely reported in the press: I asked the clipping service to get me a press copy of the statement attributed to him.

It is rather interesting that when you ask for a specific item from our very efficient clipping service, they usually give you a whole page of clippings, many of them not particularly related. In giving me the particular one, I was interested in the service followed the same procedure and I found right next to it a rather interesting item which I think provides a background for the item to which I am particularly interested in referring. This preliminary item appeared in the *Toronto Telegram* for August 30, 1963, under the headline: "Robarts Kissing and Missing." The concluding portion of the story stated:

A retired school teacher welcomed the Premier with a remark that he had worked for him when the London lawyer was Minister of Education.

"When did you retire?" asked the Premier.

"In 1954," came the reply.

"Well, you did not work for me," retorted Premier Robarts, "I was not in the Cabinet then."

Aides winced. "He is just not a politician," one complained, "he is too darned honest."

Mr. Speaker, against that background of suggested excessive honesty on the part of the hon. Prime Minister I would like now to refer to the item in which I am primarily interested. It also appeared in the *Toronto Telegram* the next day, on August 31, 1963, and the headline on this occasion was "No raises for MPPs in Ontario." This story was datelined Barrie, and was indicated as a staff story. The first two paragraphs read as follows:

Premier Robarts has no intention of letting MPPs vote themselves a pay increase if his Conservative government is returned to power September 25. "I have no plans at all to increase members' salaries after the election," he told newsmen last night, "nor have I made any commitments."

Interjections by hon. members.

Mr. Bryden: Various and sundry hon. members are asking me what is wrong with that. I have not suggested that there is anything wrong with it at all.

Interjections by hon. members.

Mr. Bryden: I do not read things just because I think there is something wrong with them. There was quite a lot I liked about that item when I read it at the time. I thought it was a fair and honest statement by the hon. Prime Minister.

Mr. R. M. Whicher (Bruce): What date was that?

Mr. Bryden: That was August 31, 1963. The hon. member for Bruce will recall that all of us were engaged in an effort to persuade the electors that we were worthy of election to this House, and some electors at any rate were raising the question as to whether or not we would, upon our election, vote ourselves an increase in pay. In answer, I presume to a question by a newsman or someone, the hon. Prime Minister made a statement which was reported as I have just read in the *Toronto Telegram* and was reported in similar vein by most of the newspapers of the province.

The hon. leader of the New Democratic Party has already indicated the way in which

he answered the same question. I may say his answer also was featured in the press, and perhaps from the political point of view it was not as expedient an answer, because it indicated that under certain circumstances he considered an increase in the indemnity would be appropriate. He did not say: "I have no plans" or "I do not believe that an increase is in order." He said that he thought that if certain other conditions were met an increase might be in order.

Hon. Mr. Robarts: Would you read my comments again, please? I have not got that particular clipping; I just want to hear what I am reported as having said.

Mr. Bryden: Yes. Well, the first paragraph I read is not attributed as a statement to you, but the second one is and I will read only that part:

I have no plans at all to increase members' salaries after the election—nor have I made any commitments.

Now then, Mr. Speaker, I do not care to get into any semantic argument as to the meaning of those words.

Hon. Mr. Robarts: You just misquoted me three minutes ago, that is why I asked you to read it again.

Mr. Bryden: When did I misquote you?

Hon. Mr. Robarts: I will check it in *Hansard*.

Mr. Bryden: At any rate the statement was on the record. I had already put it on the record so that there could not be any possibility that anyone would misunderstand what I was attributing to you. I am not going to get into a semantic argument as to the precise legal meaning of the words. I am going to suggest, however, that the public of Ontario took those words to mean—and I believe quite legitimately took them to mean—that there was not going to be any increase in the indemnity as far as the hon. Prime Minister was concerned until a long time after the election.

I will say right now that I do not think a person is held forever to a statement he makes. Circumstances change in time, and after a lapse of time it may be that a commitment or statement could be reconsidered. However, I think that the people of Ontario believed and were entitled to believe that there was to be no action for a long period of time, certainly for a couple of years, anyway, on the question of indemnity. I will

come back to that in a moment but I think it is at least fair to say that much, whether one reads any more into the Prime Minister's statement or not.

I think also, Mr. Speaker, that it should be borne in mind that when the members now sitting in this House were running for election in August and September of 1963 none of them were dragooned into running. They all knew, or certainly were in a position to find out if they did not know, what the indemnity and allowances for elected members of this House were. That is a matter of a public statute, the information is available to everybody. So all of us knew, I knew, and I submit every other member of this House knew, what the pay and conditions of this job were at the time of the election.

I will say for myself that nobody forced the job, if you can call it that, of MPP upon me. On the contrary, I actively solicited support. I asked people to make me an MPP, I appealed to them to send me down here so I could serve under the pay and conditions set forth in the statute with which I was fully familiar; and I believe that all other hon. members did the same thing. I do not think any of them were forced by the electors to come down here at the time of the last election.

Mr. L. Troy (Nipissing): We still have hopes though.

Mr. Bryden: One hon. member says that they still have hopes. I presume that some of them thought that the statement made by the hon. Prime Minister, which I have referred to, was made with tongue in cheek. I do not believe it was; I certainly thought at the time he meant what he said, and I must say that I had thought so right up until quite recently. However, I am in some doubt now.

The hon. Prime Minister, in describing the bill yesterday on first reading, made reference to the fact that in his opinion some highly qualified people may be discouraged from running for this House by the amount of indemnity and allowance that is now provided for in The Legislative Assembly Act. I do not know where that leaves those of us who are here. Certainly, we were not discouraged. I do not know that a higher indemnity will encourage a higher quality of candidate to run, but at any rate those of us who are here now, whatever our qualifications may be, apparently were satisfied with what was proposed—or I think that was the impression we gave to the electorate.

As I said at the beginning, I do not see what is the great rush about this matter. I

will state, Mr. Speaker, that although I certainly have never suggested that the indemnity should be increased, I know there are a great many hon. members—in fact, I would say an overwhelming majority of them—who have a different view. I will concede this much to them, that I think arguments can be made in favour of the principle of an increased indemnity and expense allowance for members of this House. I would say that some pretty strong arguments can be made in favour of that principle starting as of right now, or approximately a year and a half since the last election. I can see arguments in favour of it. I am not even going to try to dispute the arguments; I think that fairly strong arguments can be made.

But I have very grave doubts, Mr. Speaker, whether legitimate arguments can be made to support the amount of the increase proposed in Bill No. 80. The increase in the indemnity proposed in that bill is 60 per cent. The increase in the expense allowance is 50 per cent for members in Metropolitan Toronto, and 100 per cent for members outside that area. I do not know whether there is any possibility that secession moves might be started to have certain constituencies secede from Metro Toronto, if and when this bill should go through. But at any rate, whether the member is in Metro Toronto or outside Metro Toronto, the bill proposes that he should get what I would consider to be an extremely large increase in both his indemnity and his expense allowance. I think with regard to most members, that if we let the facts be known, the expense allowance to a very considerable degree is merely an income-tax-free supplement to the indemnity.

However, I am not going to make a big argument as to the appropriate amount of any increase that might be considered, Mr. Speaker. I have indicated my doubts about it, but I do not think it is necessary or appropriate for us to debate that particular point here, because I believe that the proper way to deal with the matter is along the lines that my hon. leader has already suggested.

I put forward a statement on his behalf when he happened to be unable to be here two or three weeks ago, suggesting the manner in which it should be handled. Our hon. leader has now moved an amendment to the motion for second reading, which would give this House an opportunity to vote on that principle. I hope that you may in your wisdom, Mr. Speaker, see fit to rule it in order, because I believe that it is in order. But whatever your ruling may be when the time comes, I would suggest to the hon. Prime

Minister and other hon. members of the House that this is the proper way to deal with the matter—both the question as to whether or not an increase is justified at all, and the question as to how much it should be if it is justified.

After all, we in this House are in quite an unusual position when it comes to the delicate question of remuneration for our services. There are very few people in this country who are able to determine unilaterally what their remuneration should be. We, as matters have been up to now, are in that position, and until now that is the only way we have been able to devise to determine this question. But the people who are going to get the increase, obviously have an interest in the amount of the increase. They may look at it as dispassionately as possible; they may be honestly convinced that a particular figure is appropriate.

That may be, but they are still in a most unusual position. It is not usually considered good practice for people to make a decision from which they alone will be the beneficiaries, or indeed from which they will benefit in any way.

So what is wrong with the proposition of seeking the advice of an independent committee, whose members will not in any way benefit from any change that may be made in The Legislative Assembly Act? It could include representatives of the major producing groups in the province—one of each from farmers, labour and industry, say, with a judge of the supreme court as chairman. Let them review the whole question; and let them give us their advice as to whether or not they think a change in the amount of indemnity is justified in all the circumstances, and if so, what amount of increase is justified.

That surely is a reasonable and sensible way of handling this type of question. It gets us out of the position where we are simply making the decision by ourselves, and a very invidious type of decision I think it is to have to make. It may be that the committee would decide that under all the circumstances no increase is justified, and I would say that if it made such a recommendation to us we should accept it. On the other hand, it may suggest that an increase of the full amount proposed by Bill No. 80 is in order, and in that case we would accept that; or it may suggest that some smaller amount is in order. I think we should refer this to an outside body and accept its recommendation. I do not think the committee should have any power to make a final decision in

the matter, but we can accept its recommendation, whatever it may be, and to act upon it, in our responsibility as legislators.

I think that only if procedures of this kind are developed with regard to the indemnification of members, will the public feel genuinely satisfied that any increase that may be granted is fair and reasonable. There is far too much cynicism with regard to parliamentary institutions among the people of this country at the present time. I am not saying it is particularly the fault of this House or of any body, I am merely reporting it as a fact. I am alarmed at the cynical attitude that many people take toward their elected representatives. Heaven knows, none of us is an angel, but I think most of us are honestly trying to do a job. Yet there is a considerable degree of cynicism with regard to elected members and one attitude that one frequently hears expressed is, "Oh, well, just leave those fellows alone and they will look after their end." That is exactly the impression we are going to create here if we proceed with this bill through this House without any outside advice—that now we are safely removed from an election we are looking after our end and making sure that we get a nice melon for ourselves.

I think it is unfortunate to contribute to that impression. I think the impression could be eliminated almost entirely if the procedure proposed by my hon. leader in the amendment which he has put before the House, sir, and on which you are reserving judgment at the moment, were followed. Frankly, Mr. Speaker, I cannot understand why other—

Mr. L. M. Reilly (Eglinton): Mr. Speaker, I wonder if the hon. member would permit a question. I was wondering whether he was speaking personally now or whether he was speaking on behalf of his party.

Mr. Bryden: Well, Mr. Speaker, when I speak, I speak always for myself, but I do not think there is any conflict between what I have said and statements that have been made on behalf of my party. One statement that I had the privilege of making myself, on behalf of the leader of the party and the party, was that this matter should be referred to an independent body of exactly the type described in the amendment proposed by my hon. leader. I think what I am saying is quite in line with any statements my party has made, but as always I am speaking for myself. I take responsibility for anything I say and I do not hold anyone else responsible in any way.

Now, then, Mr. Speaker, although there

seems to be a little restlessness among certain hon. members of this House and I would take it a certain degree of disapproval of what I have said, I was under the impression that I had been stating my opinion in about as mild a way as possible. I even conceded to my colleagues that in my opinion there are good arguments in favour of an increase, and I stated what I think is the reasonable proposition that some independent body should be asked to advise us as to what might be an appropriate increase. I think those are reasonable propositions and were stated, I think, very mildly. I now want to go on, Mr. Speaker, to say that one feature of the package that is put before us is, in my opinion, totally objectionable. I am not prepared to make any compromise on it at all and I am now speaking for myself. I am not saying I am not speaking for others, but I am certainly speaking for myself.

Under this bill, if it passes in the form in which it is now before the House, the quite large increase in indemnity and in expense allowance will not become effective when the bill passes or at approximately that time. One could say, at least in my opinion, a reasonable time would be for it to come into effect on April 1, 1965—the beginning of a new fiscal year. But no, it will not come into effect at that time at all. That is not the proposition that is put before us. It will, if this package is accepted, be deemed to have been in effect as of April 1, 1964; one year less one day ago.

Mr. Speaker, I think that is a thoroughly objectionable proposition and I think it is one that will greatly contribute to such public cynicism as may exist with regard to legislative assemblies and the members thereof. If the government and other members had felt that the pay increase contemplated in this bill ought to have come into effect a year ago, I submit they ought to have brought the legislation in a year ago and to have let it then be considered by the House and by the people. But of course a year ago was only about six months after the last election, so it was rather a ticklish issue then. We had a statement from the hon. Prime Minister that—and I quote him as he was quoted in the *Telegram*:

I have no plans at all to increase members' salaries after the election.

No plans at all. Well, I will think that the public could be persuaded that if he develops plans a couple of years after that time, these would not be affected by the statement he made. But only six months after he said, "I have no plans at all," I think it would have

looked rather peculiar to the public that he had suddenly developed plans. It would have looked to the public, and it would have looked to me if it had been done at that time, that the pledge stood, or the statement stood—it was not really a pledge—the statement stood only until after election day. That is the way it would have looked and I would think it regrettable that the people of the province should develop the attitude that any statement by the Prime Minister of this province or any other responsible spokesman for any party in this province would be subject to revision so quickly, so soon after the embarrassing situation had passed away. But that is the way it would have looked if it had been brought in at this time last year, about six months after the election.

So nothing was brought in last year. There were some rumours in the press, I do not know if there was anything in them, that there were rumblings among some of the back benchers for a pay increase. I do not know if such things took place at all. I certainly participated in no conversations of any kind relating to a pay increase. But nothing was done. There was no proposal put to the people or to us that the pay should be increased. So now, a year later, we accomplish the same thing, if this bill is passed, as if we had passed the legislation a year ago. But we take the action, we make the overt move, a year and a half after the election and two years or so before the next election. In other words, we give people time to forget about the statement that the hon. Prime Minister made during the election campaign and then we go ahead and do what he said would not be done.

Mr. Speaker, I simply cannot accept that principle under any circumstances. I object strenuously to this feature. I would believe that if we did adopt a procedure of referring this matter to an independent committee, no committee would recommend what amounts to retroactivity for a full year. Trade unions always try to get retroactivity in their union contracts when there has been a long delay in negotiations, and this is reasonable when one is negotiating a contract. If the negotiations are protracted and delayed it is obviously desirable to try to get any benefits that may be provided made retroactive to the time when the negotiations ought to have terminated. But this is not the situation we are in here. There have not been any negotiations, at least none that have been open and above board and out where everybody can see them, there have no doubt been discussions as to what the government should do, but there have been no negotiations.

We unilaterally decide that we are going to raid the public Treasury for an increase for an entire fiscal year that has now passed. None of us starved to death during that year, we are still alive, we are still carrying on, there is no reason to believe that we need the increase for a year that has now passed and we have now got through. This, in my opinion, is nothing but a raid on the public Treasury by people who ought to be the watchdogs of the public Treasury. I, personally—speaking for myself—will not participate in it. I want nothing to do with it.

One of the newspapers said today that “the members of the Legislature”—note the tone of cynicism that is already creeping into public comments—“The members of the Legislature are providing themselves with a \$3,000 Easter egg.”

This is a sheer windfall. We certainly did not anticipate it when we embarked upon this year and I may say the newspaper concerned understated the case. It is not a \$3,000 Easter egg, it is a \$4,000 Easter egg for members in Metro Toronto and a \$5,000 Easter egg for all others. I am sure that there are many people in the province who would like to receive such Easter eggs, but I do not think there are any in the position where they can get them out of the public Treasury.

In past years, Mr. Speaker, we have had a relatively small group of superannuated teachers and widows of teachers appear before us proposing that something should be done to assist them, and I may say that their need is very much greater than ours. I think their income as far as pensions is concerned is something like \$600 a year.

They have made proposals which were estimated a few years ago as costing in the first year \$1 million, and declining amounts thereafter since these ladies are elderly and a few of them die off every year with no new ones joining their ranks. I will give credit to the private members of the House, I think they invariably agreed with the proposals from these ladies, and the proposal they made to assist them in their dire need, calculated a few years ago, would have cost \$1 million, in the first year, and declining amounts thereafter.

This Easter egg that is proposed by Bill No. 80, by my calculations will cost approximately \$500,000. I would suggest to the hon. Provincial Treasurer (Mr. Allan) that if for the current fiscal year terminating tomorrow he has \$500,000 he did not anticipate spending but he feels he can spend notwithstanding, then perhaps it would be better if he gave it

to those elderly or retired teachers and widows who served this province so well in the past and who are now being treated so shabbily. I would certainly be happy to see anything proposed for me from this melon go to them.

It seems to me that there is no excuse at all for any member of this House to accept this completely unanticipated windfall, whatever justification there may be with respect to the rest of the bill, and as I have said, my views on the parts of the bill are not strong. I think there are arguments in favour of the general principle of the bill, but I would suggest, Mr. Speaker, the specific feature I have just mentioned makes a mockery of the statement that the hon. Prime Minister made during the election campaign and which I have already read to the House; it makes a mockery of it. I for one would not like to see the hon. Prime Minister placed in that position.

As he knows, and as everybody knows, I do not usually support him. But I think we should consider the office and public respect for the office. I would say that I do not like to see the office made into a mockery, and that is what is happening by this proposal for a pay increase, retroactive for a solid year.

Mr. E. W. Sopha (Sudbury): It is not retroactive.

Mr. Bryden: The hon. member for Sudbury now wishes to get into a legal tussle with me. I do not think it is necessary to bother with that, Mr. Speaker, I will leave any reasonable person to decide what it amounts to. We are to get an additional amount, 60 per cent extra on our indemnity and 50 to 100 per cent extra on the allowance. We are to get it on the last day of the session and we are now discussing it in principle on the second last day of the session. I do not know when it is going to be paid to the members, but we are now at the end of the fiscal year. Is that not for all practical purposes, the same thing as what we refer to when we talk of retroactivity?

I do not believe there has ever been anybody in the world who has been so fortunate as to get a 60 per cent pay increase made retroactive for a solid year. If there are any people that fortunate, I would like to know who they are. None of them are in my constituency, I can tell you. I do not think that we by virtue of our capacity to vote public moneys in this House should put ourselves in such a favoured position.

Therefore, Mr. Speaker, in concluding my remarks I would like to appeal again to hon.

members to follow the procedure proposed in my hon. leader's proposed amendment, whether or not it is in order.

What is wrong with it? If hon. members plan to vote against it, I would like to hear them explain why they are voting against it. What is wrong with it in principle? It does not remove from us the ultimate responsibility of passing on this matter. All it does is to refer it to an independent body for advice, for recommendation. Now that surely is a practice that is frequently followed and is particularly applicable in this case; so why not?

If hon. members are not willing to accept this proposition, I suggest to them they should get up and say why they do not think it is acceptable. Are they afraid that the independent body would decide that the amount of the increase proposed in this bill is not appropriate? If they are afraid of that, then I would submit that is all the more reason why the thing should go to a committee. Let us have somebody make an independent assessment and report their views to this House for such action as we may subsequently wish to take.

In particular, Mr. Speaker, and this is the point on which I really object to the principle of this bill, I am unalterably opposed to the attempt to make the increase effective for the whole of a year that is now in its second-last day. I cannot see how that principle can be justified at all. If there are any hon. members who think it can be justified, I would suggest that they should get up and state their views to the House.

Mr. A. B. R. Lawrence (Russell): Mr. Speaker, I was not planning to speak but I would like to make a few remarks in reply to the hon. member for Woodbine.

The first thing that occurs to me is this, I think the only thing that would satisfy him would be if he were paid by the word.

The second point, Mr. Speaker, that comes to my mind, and it has been made before, is that as I see it in essence we are not being remunerated here for services rendered, rather we are being indemnified, as I understand it, for loss of income to ourselves. It would seem to me that when we come to the question of whether this should be turned over to a committee of experts or not a fine distinction, but a very important one, I suggest, between remuneration and indemnity might be borne in mind.

It seems to me that there is no group of men, 108 or less or more, who are as sufficiently aware of what we are losing individually as we, comprising as it were a committee of ourselves. We know what it

costs us to be here. I doubt if there is any group of experts that could be put together that would know more intimately what we are losing by being here than we do ourselves.

Now, sir, beyond that there is another thing that concerns me slightly about this committee approach, and I am going to be brief, and it is this. If we have a committee taking over the question of what our indemnity is to be and if we are necessarily to have a much longer session, there seems to me something akin to a civil service atmosphere gradually encroaching upon what I think ultimately are the liberties of the members of this House. We are not civil servants.

There are a group in the House who comprise the government and are members of commissions. There are a group in the House who by virtue of their talents carry the load for the Opposition parties. But there is also another group in this House which is entirely different, a group of which I am a member. I would call this, if I might, the jurymen of this House, who are not civil service workers for dollars and cents on a daily or annual basis. We are essentially, as I say, in my opinion akin to jurymen who sit and listen to the wisdom or otherwise of those in Opposition in leadership and those in our own party in leadership. Therefore I would suggest that the civil service approach, the salary approach, is not the proper one that should be tagged upon us.

The other is the indemnity approach, and it is a practical one.

I can honestly say the only comments I have had from constituents of mine are as to the ridiculously low figure that the indemnity consists of.

Finally, sir, I should like to speak on the question of the retroactive effect. If I am right on the first point—and there is nothing original in it—that this is, and should be kept in mind as being an indemnity for loss, then I see nothing wrong at all in indemnifying us for the loss which began to run when we picked ourselves up from our businesses and our homes in January, 1964. We started to need indemnity, if indemnity is needed at all, to replace lost income as of January, 1964. On that basis, I think it logical and not improper to have a retroactive effect built into the Act.

Beyond that, and in closing, sir, I hope I speak for other members in this House when I say that phrases such as "raid on the public Treasury," and "splitting up a melon," lie very ill with some of us. I can simply say that, as one elected representative, I resent them, sir.

Mr. N. Davison (Hamilton East): Mr. Speaker, I would like to say a few words on this bill. First may I say I support the decision of my hon. leader, that I feel that this should go to an outside committee. I do not feel that we should be the people who raise their own salaries. I do feel that this should go to a committee and I hope that the people on the other side would send it there.

But I would like to take a look at some of the things that have gone on even since I have been a member. I was elected in 1959. When I came here in 1959, the first year that I was in the House, the then Prime Minister put a raise through—and that would be in 1960. I did not hear anybody, not a soul in this House, oppose it at that time.

If hon. members want to call it retroactive—I do not call it retroactive—but if they want to call it retroactive, I think everybody in this House accepted retroactivity at that time.

As a trade unionist, it is something I have always fought for in negotiations. I think it is something that is needed. I mean, if we need the raise, and no matter how much the raise is, do we need it for tomorrow and not for yesterday?

I feel that as far as the members of this House are concerned, they have been underpaid for quite some time. I feel that opportunity should be here for anybody in Ontario to run for a seat in this Legislature, and I do not feel, Mr. Speaker, that they should have to go out and take another job to be able to do that. I have a feeling that this is pretty well a full-time job, and I am quite happy to see it.

Again I am not saying that I am satisfied or dissatisfied with the amount, but I am quite happy to see that there is a raise going for the members. The only thing that I do object to is that I do not think we should be putting that raise through ourselves. I think it should go to a separate committee.

Mr. A. E. Thompson (Leader of the Opposition): Mr. Speaker, we in this House have to make decisions, and I believe strongly that one of the decisions that we have to make is in connection with this legislation, because in the final analysis we are the people who are going to have to decide what the pay increase or otherwise will be. We can come up with approaches and suggest that we will pass it over to independent commissions, or to do other things, but it comes down to us having to decide ourselves what it will be in the final analysis. The people who are going to decide whether we made

the right decision, are the electorate, and they will decide.

I believe very strongly, sir, that the role of the person in this House today has increased. Those of us who have been here for six years or for 40 years, all recognize the enormous complexity of government that is developing. This requires time and energy on the part of the members, increasingly so. It requires knowledge by the members, so that from our side we can present penetrating and incisive suggestions and questions to the government in order that the business of the House will be examined fully and accurately for the public.

One of our concerns on this side was: would we get the tools by which we could do the best job that we can for the people of Ontario as an Opposition? I want to say, sir, that we have discussed both the indemnity increase and also the need for research staff with the hon. Prime Minister on a number of occasions. We have told him, from our point of view, that before we would accept an indemnity increase, we would want to have the tools of research so that we could play a more efficient part in this Legislature. The hon. Prime Minister agreed to this, and I would say, sir, that I want to congratulate the hon. Prime Minister, because I think he has taken a forward step in connection with the recognition of the Opposition role, which is away ahead of any other provincial government across Canada.

We now have the tools to provide research. We now have increasing complexity of government, and therefore an increasing time that the members have to take for the affairs of government. Some people may suggest that we are here for only a certain length of time, but let me assert again that all of us know if we are doing the job that we are sent here to do, and if we are doing it properly, it is becoming more and more a full-time job for us. Because of that I think we should be looking at the need for an increase in the indemnity.

But I think paramount to all of us on this side, and I am sure to every member of this Legislature, is that fact that this should be a democratic House and any citizen should have the opportunity to be here—despite any financial position that he has, if he has ideas and he has a capacity to be represented in this House. I suggest that today there are young men with families who would think very seriously about coming here. They do not want to make a lot of money, but they want the privilege of not having to make such personal sacrifices that

it would be onerous on their families if they became a member.

We want to get representation from every segment of society in this House. Therefore, I think that it is valid that we should be looking at an increase in the indemnity.

There is one hon. member who considers that an increase in the indemnity is an Easter egg or a watermelon. I know that he is a man of principle and I appreciate that he has stated that he will not take the increase—and that is his privilege—but as far as I am concerned, I believe that this is a full-time and an honourable job and I think the people of Ontario expect that we should get a reasonable compensation, and expect that we re-examine the amount of compensation periodically, and they expect us to be man and woman enough in this House to recognize that it is our responsibility in the final analysis, and they want us to have the courage to make the decision with respect to whether we will raise the indemnity or not and not shilly-shally around trying to pass the buck to others.

It is because of this reason that after having consultation with the hon. Prime Minister of this province, and the hon. leader of the New Democratic Party, and after talking with my caucus, that I say that we support this in principle and we feel that this is a proper move at this time.

Some hon. members: Hear, hear!

Mr. R. Gisborn (Wentworth East): Mr. Speaker, I would like to support the amendment put forward by the hon. leader of our party, hoping that if you rule that the amendment is in order, hon. members of the House will give it consideration and also support it.

In regard to the need for an increase in the indemnity, I have always felt, sir, that a member of the Legislature should be able to represent his riding in a manner that would make sure that all of his constituents got the most prompt attention, and that problems of the province in general got the most prompt attention, without the interference of the necessity to supplement one's income.

In studying the amount of money in the bill I personally think that it is a reasonable amount to allow one to do this. Of course people live in a manner commensurate with what income they have and I would be the last to start to talk about what that ratio would be. There are hon. members of this House who are professional men and legal men that are high in the esteem of their office and I have some knowledge of the income

that is necessary to carry out their responsibilities. So one lives based on his income, I think in all sense.

Certainly I have felt in my term in the House that there have been times when I have had to give less attention to the problems of my constituents because of the need to supplement my income. I would hope that all hon. members of this House would realize that when one is accustomed to a basic income in an industry that there is very little to give and take on. Certainly I have looked at this situation. I have looked at the amount specified in the bill and I think it is reasonable.

If the motion of our hon. leader to send this to an impartial committee is defeated then I will in turn support the bill, as has been specified by our leader. Certainly in regard to the term "retroactivity," as long as I have been in the Legislature there have been, I think, three increases—or perhaps it was two. This will be the third, and they have been passed in the same fashion.

I have not had time to do research in regard to how hon. members have been paid since we have had a Legislature in this country. To the best of my knowledge it has been done in this fashion since we have had a legislative assembly and it has been the responsibility of the members to deal with a bill brought in by the government. Nevertheless I think there is always room for change in any kind of a system, and because there has been a great deal of cynicism arising out of increase in the members' pay, both in the provincial Houses and in the federal House, it is appropriate that we give attention to trying out some new system. I think that the proposition put forward by our hon. leader that it go to an impartial committee would, once and for all, take out of the hands of members the political implications of members dealing with it themselves.

One might say in a sense that it will not do that because regardless, I would think, whether we send it out to an impartial committee, what we could then base our actions on would be their opinions. We would still have to vote on a bill in this House to bring the decision to a conclusion. Certainly there are cynical people in my riding, but I also have a lot of close colleagues with whom I have discussed this problem and the reason for an increase and they have agreed with my own feelings to this point on it.

Mr. Speaker: Before leaving the chair, I should like to inform the House that I have

had an opportunity to look at May's *Parliamentary Practice*, 17th edition, during the debate, and I will, if the debate is continued after 8 o'clock, on second reading, give my ruling then on this point.

Mr. F. R. Oliver (Grey South): Mr. Speaker, before you leave the chair, is this not an unusual procedure for a debate to have continued for an hour or two, awaiting on the Speaker—

Mr. Speaker: I am of the opinion that some members still want to speak in this debate.

Mr. Oliver: As I understand it, there is an amendment moved by the hon. member for York South, and that the decision of that amendment, as to its relativity, as to its soundness, is held in abeyance by the Speaker of the House. Now surely we cannot proceed with the debate on an amendment when the Speaker has not ruled if that amendment is in order or not.

Mr. Speaker: I permitted the debate to continue at the time on the main motion together with the amendment. If it is the wish of the House, and no other member wishes to debate the bill, I am prepared to give my ruling at this time.

Mr. A. W. Downer (Dufferin-Simcoe): But Mr. Speaker, no one adjourned the debate, so the debate is over.

Mr. Speaker: I promised to give a ruling and I would like to follow that procedure at this time. I find in the 17th edition of May, on page 526, chapter 21, with regard to proceedings and passing of public bills, the following on reasoned amendments. I quote:

It is also competent for a member who desires to place on record any special reasons for not agreeing to the second reading of a bill, to move what is known as a reasoned amendment. This amendment is to leave out all the words of the main question after the word "that" and to add other words; and the question proposed upon the amendment is, that the words proposed to be left out stand part of the question.

Then May enumerates three subsections which such an amendment may fall into, and I shall only read the third subsection which is applicable to this proposed amendment. I quote:

(3) It may seek further information in relation to the bill by committees, commissioners, the production of papers or other evidence.

Therefore, on the basis of this information, I rule the amendment in order.

I shall now put the amendment, moved by Mr. MacDonald, seconded by Mr. Freeman—

Hon. Mr. Robarts: Mr. Speaker, I understood that you were to leave the chair. I wanted to say a few words before the vote was put.

You have now given your ruling. I am a little confused as to whether the debate that has taken place has taken place on the main motion or on the amendment.

Mr. Bryden: It is the same thing—

Hon. Mr. Robarts: It is not the same thing from the point of view as to how many more speakers there may be. That is you can speak once to the motion for second reading and you can, of course, speak to the amendment. Perhaps the Whips could sort out between them how many people want to speak on either side of the House.

Mr. Speaker: I shall read the amendment at this time and anyone who wishes to speak to the amendment may then do so. I will then have put the amendment before the House.

Moved by Mr. MacDonald, seconded by Mr. Freeman, that the motion be amended by striking out all the words after "that," and substituting the following:

In the opinion of this House the question of the indemnity and expense allowances of members should be referred for study and recommendation to an independent committee consisting of representatives of agriculture, labour and industry under the chairmanship of a justice of the Supreme Court of Ontario.

It being 6 of the clock I do now leave the chair and will resume at 8 p.m.

It being 6 o'clock, p.m., the House took recess.



ONTARIO

Legislature of Ontario

Debates

OFFICIAL REPORT—DAILY EDITION

Third Session of the Twenty-Seventh Legislature

Tuesday, March 30, 1965

Evening Session

Speaker: Honourable Donald H. Morrow

Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, MARCH 30, 1965

The House resumed at 8 o'clock, p.m.

ON THE LEGISLATIVE ASSEMBLY ACT (continued)

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, in speaking to the amendment to the motion for second reading of this bill, I have no intention of repeating the position I put before the House yesterday on its first reading. I would like to answer perhaps some of the allegations that have been made and some of the imputations as to my motives and my reasons for doing what I have done.

Prior to the election of 1963, in August, I said at that time that I had no plans at all to increase members' salaries after the election, and I had no such plans. It had never been discussed. I made clear to the public that I had no commitments—in other words, it had not been discussed with any of the men who were allowing their names to stand for election.

I can only say that the hon. member for Woodbine (Mr. Bryden) does more to bring this House into disrepute with his imputation as to motive on behalf of every hon. member in this House. And I will leave it at that.

Some hon. members: Hear, hear!

Hon. Mr. Robarts: In speaking to the amendment to the motion, I would simply say that, as I said yesterday, we must accept responsibility for the decisions that we must make. There are many areas in which we have to make decisions in this House. In my view it is right and proper that we accept opinions and have the benefit of opinions from outsiders, but I for one refuse to attempt to move the responsibility for a decision such as this to someone else. We have within our own group here in the Legislature, and I am speaking about all hon. members, a method by which these matters can be examined in detail, and I have already moved a motion to establish a select committee of this House to examine this bill and its particulars. I think the hon. members who have been appointed to that committee will discharge their respon-

sibilities in that regard, and I will be satisfied with what decisions they may make when they examine this bill and its particulars. Therefore I would ask all hon. members of this House to vote against the amendment to the motion for second reading of this bill.

Mr. Speaker: All those in favour of the amendment, will please say "aye." All those opposed, will please say "nay."

In my opinion, the "nays" have it.

Call in the members.

YEAS	NAYS
Bryden	Allan
Davison	Apps
Freeman	Bales
Gisborn	Beckett
Lewis	Boyer
(Scarborough West)	Brown
MacDonald	Brunelle
Renwick	Butler
Young-8.	Carruthers
	Cecile
	Connell
	Cowling
	Davis
	Demers
	Downer
	Dunlop
	Dymond
	Edwards
	Evans
	Farquhar
	Gaunt
	Gomme
	Gordon
	Grossman
	Guindon
	Haskett
	Henderson
	Hodgson
	(Scarborough East)
	Hodgson
	(Victoria)
	Johnston
	(Parry Sound)
	Johnston
	(Carleton)
	Kerr

NAYS

Knox
Lawrence
(Russell)
Lawrence
(St. George)
Lewis
(Humber)
Mackenzie
MacNaughton
Morningstar
McKeough
McNeil
Newman
Noden
Olde
Oliver
Peck
Pittock
Price
Pritchard
Racine
Randall
Reaume
Reilly
Reuter
Robarts
Roberts
Rollins
Root
Rowe
Rowtree
Sandercock
Simonett
Singer
Sopha
Spence
Spooner
Taylor
Thompson
Thrasher
Troy
Villeneuve
Walker
Welch
Wells
Whicher
White
Whitney
Wishart
Worton
Yakabuski
Yaremko—81.

Clerk of the House: Mr. Speaker, the "ayes" are 8, the "nays," 81.

Mr. Speaker: I declare the amendment lost. All those in favour of the main motion—

Mr. K. Bryden (Woodbine): Mr. Speaker, on a point of order—

Interjections by hon. members.

Mr. Speaker: Order! If the member has a point of order he may speak.

Mr. Bryden: Yes, sir. I think there is no question that the rules provide—that when an amendment on second reading is defeated, the motion is automatically carried. This is well established in May, but I will refer you to perhaps a more immediate authority—the rules of this House, rule No. 56, as published in Lewis's *Parliamentary Procedure in Ontario* which I will read, if I may, sir.

If on an amendment to the question that a bill be now read a second time or the third time, it is decided that the word "now" or any words proposed to be left out, stand part of the question, Mr. Speaker shall forthwith declare the bill to be read a second time or the third time as the case may be.

The motion, Mr. Speaker, was that Bill No. 80 be now read a second time. The proposed amendment was that all of those words, the word "now" and all the other words be struck out and certain words be substituted. That amendment has now regretfully been defeated. That means that the word "now" and the other words stand as part of the question and the motion. I merely say this is the procedure—

Interjections by hon. members.

Mr. Speaker: Order!

Mr. Bryden: —followed in this House. It has regularly been the procedure. It is not only in accordance with the rules, but it has regularly been that the procedure followed has been that when Mr. Speaker declares that an amendment on second reading has been lost, the second reading is automatically declared adopted.

Mr. Speaker: I appreciate the member's comments on procedure, I know he is an authority on the rules, but I think perhaps the motion submitted by Mr. MacDonald did not mention that the bill be not now read a second time.

Mr. Bryden: It struck out all the words.

Mr. Speaker: I shall read the motion. Moved by Mr. MacDonald, seconded by Mr. Freeman, that the motion be amended—

Mr. Bryden: By striking out!

Mr. Speaker: By striking out all the words after that and not that it "not be now read a second time."

My contention is that the amendment did not move that the bill be "not now read a second time."

Interjection by an hon. member.

Mr. Speaker: Order order!

The amendment did not move that the bill be not now read a second time but only that the words be struck out and others substituted. The defeat of the amendment merely decided that the original words stand part of the question, and therefore the question must be still put to a vote. I therefore call for all those that are in favour of the main motion to please say "aye."

All those opposed please say "nay."

In my opinion the "ayes" have it.

Call in the members.

YEAS	NAYS
Allan	Bryden—1.
Apps	
Auld	
Bales	
Beckett	
Boyer	
Brown	
Brunelle	
Bukator	
Butler	
Carruthers	
Cecile	
Connell	
Cowling	
Davis	
Davison	
Demers	
Downer	
Dunlop	
Dymond	
Edwards	
Evans	
Farquhar	
Freeman	
Gaunt	
Gisborn	
Comme	
Gordon	
Grossman	
Guindon	
Haskett	
Henderson	
Hodgson	
(Scarborough East)	
Hodgson	
(Victoria)	
Johnston	
(Parry Sound)	
Johnston	
(Carleton)	

YEAS

Kerr
 Knox
 Lawrence
 (Russell)
 Lawrence
 (St. George)
 Lewis
 (Scarborough West)
 Lewis
 (Humber)
 MacDonald
 MacKenzie
 MacNaughton
 Morningstar
 McKeough
 McNeil
 Newman
 Noden
 Olde
 Oliver
 Peck
 Pittock
 Price
 Pritchard
 Racine
 Randall
 Reaume
 Reilly
 Renwick
 Reuter
 Robarts
 Roberts
 Rollins
 Root
 Rowe
 Rowntree
 Sandercock
 Simonett
 Singer
 Sopha
 Spence
 Spooner
 Taylor
 Thompson
 Thrasher
 Troy
 Villeneuve
 Walker
 Welch
 Wells
 Whicher
 White
 Whitney
 Wishart
 Worton
 Yakabuski
 Yaremko
 Young—90.

Clerk of the House: Mr. Speaker, the "ayes" are 90, the "nays", 1.

Mr. Speaker: I declare the motion carried.

Motion agreed to; second reading of the bill.

Clerk of the House: The seventy-ninth order, House in committee of supply; Mr. W. E. Sandercock in the chair.

ESTIMATES, DEPARTMENT OF LABOUR
(continued)

On vote 903:

Mr. E. Sargent (Grey North): Mr. Chairman, following up the questions to the hon. Minister (Mr. Rowntree) I must confess to the House that it is a good job the hon. Prime Minister (Mr. Robarts) came in when he did last night because I think I was out on a limb.

On this vote 903, Mr. Chairman, I would like to ask the hon. Minister how many conciliation officers employed by the department have training in economics and industrial relations.

Hon. H. L. Rowntree (Minister of Labour): Before you get to that question I would like to answer the one that was put to me last night. Let me say I will answer it as I understood the question to have been put.

I think the question was: Since you took over, meaning as Minister of Labour, how many times have conciliation services been granted until now. I am glad that the question was asked because it is many more times than I thought. It is 3,111 times from November 1, 1962, to February 28, 1965.

The breakdown in periods of time is as follows: November 1 to December 31, 1962, 245; 1963, that is the entire year, 1,229; 1964, the entire year, 1,364; and for the period January 1 to February 28, 1965, 263; for a total of 3,111.

Mr. Sargent: How many of these reconciliation officers, Mr. Minister, are university graduates?

Hon. Mr. Rowntree: Quite frankly, I did not know that the activities of the department had extended themselves into the field of reconciliation. Ordinarily, that is a domestic matter. There are a good number of people throughout the province who think The Department of Labour includes a lot of things it does not.

Mr. Sargent: I will rephrase the question.

Hon. Mr. Rowntree: As to the qualifications of conciliation officers—

Mr. L. Troy (Nipissing): Do not be so smart; do they not reconcile two parties?

Hon. Mr. Rowntree: They are not known as that.

Mr. Troy: It does not matter what they are known as.

Hon. Mr. Rowntree: They are known as conciliation officers.

Mr. Troy: A rose by any other name would smell as sweet.

Hon. Mr. Rowntree: Oh, cool off now, my friend.

Mr. Chairman: Order!

Hon. Mr. Rowntree: Where were you for dinner tonight?

Mr. Troy: Mr. Chairman, on a point of privilege.

Interjections by hon. members.

Hon. Mr. Rowntree: Mr. Chairman, to go on with respect to this—

Mr. Troy: On a point of privilege.

Hon. Mr. Rowntree: The qualifications of conciliation officers have to do with those qualities of personal characteristics affecting their ability to bring people—

Mr. Troy: Mr. Chairman, for the benefit of the hon. Minister, and all the members of this House, you do not have to take the saliva test on me after dinner.

Hon. Mr. Rowntree: I accept his word for it.

The selection of persons to be conciliation officers in this branch involves a consideration of certain attributes, and probably dedication of the individual toward this phase of our economy. There are many people who would be successful in an administrative job, and there are many who would do well in engineering, but it is in the area of qualities required of a man to be able to be patient and bring parties together and assist the department in establishing an atmosphere wherein conciliation efforts can be effective, and where the points of view of either side can be advanced with a view to securing the greatest consideration by the opposite party, that persons would be selected according to their qualifications for the type of thing I have mentioned.

I do not think there is any training in any school or college that would establish this

type of personal characteristics. I think the person either possesses these qualities or he does not. On the other hand, if a person does qualify, and we have to learn by experience, it is true that his capacities and his abilities may be developed in themselves.

In the last year, I determined that we should take a look at the specialist training in some fields covered by our conciliation officers. One man was selected who was interested and seemed most eligible for this extra training and we sent him to take a course in systems and new production techniques, having to do with computers and data processing equipment and so on. It is a little early to evaluate how worthwhile this extra training is, but my own observation is that it is worthwhile, and I think that in the immediate days ahead the branch will be offering extra training in some of these fields to acquaint the members of the conciliation branch with certain techniques and special situations applying to certain industries.

Mr. Sargent: Mr. Chairman, realizing the growing importance of conciliation and reconciliation in the industrial relations field, I would like to ask the hon. Minister whether the estimates on the salary of personnel include increased incentives to university-educated employees of the conciliation services? Are there incentives?

Hon. Mr. Rowntree: Yes, the university-trained people can qualify for higher starting amounts.

Mr. Sargent: Do the estimates in this vote include any grants to enable conciliation officers to obtain necessary higher education.

Hon. Mr. Rowntree: We have an item in our estimates of some \$5,000, which is available for the upgrading or uptraining of personnel in the entire department. I think that the additional knowledge that we are talking about in the conciliation field could be acquired at minimal expense.

Mr. R. Gisborn (Wentworth East): Mr. Chairman, when we adjourned the last sitting in which we were dealing with the labour estimates, the hon. member for Oshawa (Mr. Walker) raised the question of the conciliation procedure, based on some experience he had in the Oshawa area involving the united automobile workers union. The hon. Minister answered, endorsing the conciliation procedure, and he used as an example the negotiations last year of Stelco and the steel workers union. He implied, and he might be right to a point, that the conciliation board

in the final analysis was responsible for the bringing about of a collective agreement without a strike.

I had said in my opening remarks that I felt that the conciliation board stage should be made voluntary, where both parties would agree that they would entertain the conciliation board stage to try to resolve their differences, and I am convinced that this is the proper procedure.

Though we all agree that the board we had in the Stelco dispute comprised experienced and able men in the field of conciliation, and though the committee itself may have agreed with the chairman that his time should have been extended and he should have made further efforts to bring about an agreement without a strike, I should say that once a committee is established and it is in the conciliation board stage, the question as to whether or not it continues in conciliation is not entirely in the committee's hands. The committee in a sense is trapped in the conciliation board, unless the chairman himself makes up his mind that he should let go and cut the committee free to wait for his board's report and then take its economic action seven days after it gets the report.

I say this because I have had the experience of working with negotiating committees for about 15 or 16 years. We spent almost seven months on that set of negotiations. There were ten men on the union committee and they were out almost full time. As the hon. Minister knows, we were locked up, in a sense, in the Royal Connaught hotel in Hamilton for some four weeks and then brought to Toronto and kept locked up in hotel rooms in the Royal York for another period of almost four weeks.

I say "the committee is trapped," Mr. Chairman, because to really understand what transpires in a set of serious negotiations, you actually have to go through that set of negotiations from start to finish. You have to know what kind of strategy your committee is going to use to wheedle out of the company the best kind of an agreement. You have to try to analyze what kind of strategy the company is going to use to get away with the best type of agreement that it can get away with.

What you have to realize in a set of serious negotiations with a plant the size of Stelco—some 11,000 employees—but the union are dealing with people and the company are dealing with money. The delay and frustration is harder on the union committee than it is on the company. The hon. Minister infers that the committee often have as much to do

with the delay of settling the dispute and the extension of conciliation board procedures, that the committee agree wholeheartedly with the extension, but this is not the case. What you have to realize is that the committee chairman—if they have the type of chairman that we had, Mr. Dickie—is well experienced, very capable and knows his work.

When he has a problem in his teeth the chairman does everything he can to resolve that situation, for more than one reason. He has a dedication for doing the job of a conciliator and, of course, he wants to maintain his prestige as a top flight conciliator in this province.

Either side takes a chance with their strategy if they try to impress upon the board chairman that they no longer want his services. The board chairman can make it fairly uncomfortable for one side or the other by accepting the opinion that he no longer can be of any use, or by stating the situation to the press and, of course, he can report to the Minister that one side or the other has broken off. When the union breaks off, public opinion turns against them; and if the company breaks off, public opinion turns against them.

Very often headlines in the paper read that this side or that side has terminated negotiations. This puts you in an untenable position and makes it look as though you no longer want to continue to bargain when all you have in sight is a strike situation.

I do not think that it would hurt the situation where if a union and management felt that a conciliation board stage could be of help they could apply and go through the process of a board. But I do not think that where both sides do not agree that the conciliation board should be forced upon them.

It is common knowledge that the UAW in many instances has aborted the conciliation board stage and having had just one meeting have been able to convince the chairman that their services could be of no more help. They have set their deadline and away they go.

As I mentioned before, in large organizations such as Stelco, the UAW, and in the electrical and rubber industries, I think that they could be better served if they had their choice as to whether or not they want to go to a conciliation board stage. I do not think that they should be hamstrung. It has been our experience, and I think it is the experience of the UAW that they have found that once they get to the board stage management will delay as long as possible. Very seldom do we find in the large industries that they do not go right to the deadline. When we are

convinced that the deadline must be reached, at one stage or the other, then it should be as soon as possible after the conciliation officer stage. Then they have to get down to business and make up their minds.

A large amount of money was spent in the last set of negotiations, as I say, on the union side with men almost full-time for almost seven months. Of course management had a battery of some 15 officers locked up in hotel rooms for almost the same period of time.

There were days upon days when nothing at all happened. The membership was frustrated to the point where, when we did reach a settlement basic, they had forgotten about the demands. They forgot about what might be a reasonable settlement and as far as money and conditions go. They just said that they were going to have a strike regardless of what kind of a recommendation the committee was prepared to make to them.

As I said before, we came out of the conciliation board with one of the best contracts that we have been able to negotiate in the Stelco plant since it has been unionized, and with the highest monetary gain. We also came out with a good training programme—in fact, on a two-year basis, we have one of the best agreements that has ever been written in the Canadian industry. But when the membership heard the recommendations they did not want to listen at all; all they wanted to do was to set a strike deadline. The only thing that put them in this mood was the long drawn out frustrating delay of the conciliation procedures.

I thought I should put it on record again that this is not good. Management knows where it is going, but it is certainly determined that it is going to exercise every stage and drag it out to the point where a strike deadline has to be set. Only when the deadline is set, will it start to talk some sense and get down to business.

Mr. Troy: Unfortunately the leading critic for our party, the hon. member for Etobicoke (Mr. Braithwaite) has a very bad cold and cannot be here tonight, but he asked a question of the hon. Minister in his address to this House. It is to be found on page 1649 of *Hansard*, and I quote:

It would be a fair question to ask the hon. Minister how many Ontario firms will be taking advantage of this federal legislation in the current year.

The hon. member was referring to schedule 4. It was his opinion that not enough advantage had been taken of it, and that if there

had been planned in-plant training, the present unfortunate strike in the newspaper union of this city could have been prevented, and so could others in the future. That was the reason for the hon. member's question as to how many firms had taken advantage of schedule 4.

Hon. Mr. Rowntree: Mr. Chairman, the question that was raised yesterday and to which reference is now made, has to do with the new programme of on-the-job training. Since this matter first was negotiated in some detail with the federal authorities to get us a shared programme under programme 4, I would say—and this is my own estimate—that about 100 inquiries have been received from firms indicating interest in participating in the scheme as soon as the programme becomes effective.

To get at this programme and to make it practical and effective, it is necessary to do a fair amount of studying of the industries concerned, and the area in which the industry or the plant has problems, and I mean labour problems by way of labour shortages, or shortages of skilled personnel.

It is against this background that I am unable at this point, to give any figure as to the number of firms that will be participating in the new programme. However, we have considered the immediate need, and there seems to be a high priority in connection with the garment trade—the needle trade. We have gone ahead in that industry, and on-the-job courses in training have been arranged and are not far away from being started. I would think that in six months I would be in a position to give a pretty detailed report on this matter.

We were talking yesterday about an information programme, and the need for information. The publicity given to the new programme last fall brought forth what I regard as a highly satisfactory response from industry. It is most encouraging from that point of view and I am satisfied that this on-the-job training programme will be very successful.

Mr. Troy: Mr. Chairman, are we still on vote 903?

Hon. Mr. Rowntree: No, he was referring back to an earlier vote arising from a question yesterday.

Mr. A. J. Reaume (Essex North): Are we on it now?

Hon. Mr. Rowntree: Yes.

Mr. Troy: Further to what the hon. Minister said: Is the department conducting research with industry to find out just what are likely to be the needs of industry within the next ten years? I know that you published and distributed population statistics, but there was nothing about the needs and what skills we should be training.

Hon. Mr. Rowntree: Manpower requirements?

Mr. Troy: Yes!

Hon. Mr. Rowntree: Under the heading of manpower requirements, we are aware of the importance that this has on the establishment or continuation of any training programme. If you are going to be realistic, you have to be training for a craft or a trade where a job is going to be available at the end of the training scheme, and not in the reverse where you would be training somebody uselessly.

This relates directly to the subject of research, which is under another item. However, this research is directly related to this present vote 903. I think the study in relation to population estimates and forecasts, education qualifications and standards leading up to that final phrase, manpower requirements, is one in which our department—there are other departments concerned with this, education, economics and development—but I would think that The Department of Labour would be in the forefront of those three because that information is one of our working tools and without this immediate, accurate information a good part of our efforts would be futile.

Mr. Troy: I am glad to know that you have already said that your department is working closely with The Departments of Education and Economics and Development, because they also are pretty much involved.

Hon. Mr. Rowntree: This is right.

Mr. A. E. Thompson (Leader of the Opposition): Mr. Chairman, do you want me to wait on this? I am interested in how you co-operate with the national employment service.

I am sure you have noticed there have been several recent editorials declaiming the fact that the national employment service which should have its fingers on the pulse not only of the immediate working requirements of the labour force but also should be able to categorize the labour force to some extent, apparently have one economist. Surely

this is a vehicle that could be used much more.

Hon. Mr. Rowntree: Who has one economist?

Mr. Thompson: I read a statement in one of the editorials that the national employment service, in looking at one area of particular need, are using one economist. Yet in other countries, I am thinking of Sweden, there is a much closer relationship.

Hon. Mr. Rowntree: This situation is with respect to the national employment service. Now the national employment service is a federal agency, it is an employment agency just as its name says. It has to do with the operating technique of interviewing potential people interested in securing jobs, or having jobs, other jobs. The national employment service, in its localized operation, records all of the qualifications and experience of the individual and then attempts, apart from statistical uses of this information, to relate those people to those industries seeking workers.

I do not think it would advance anything if I were to go into some aspects of this matter, but in the ultimate policy-making area the national employment service is a branch of the federal Department of Labour.

By a unique—and I neither comment one way or other on this because I am not interested in getting into a debate about the federal operation, I am simply making reference to the facilities which are available—but by a most unusual term of reference the national economic council apparently does not report to any department but rather to Parliament itself and has power to in fact almost declare and establish the economic policy for the whole of the Dominion of Canada, without reference to government. I do not comment on this because we understand, I think, our debate takes us elsewhere.

Mr. Thompson: Yes.

Hon. Mr. Rowntree: The national economic council does have a very substantial research operation. Then we have the federal Department of Labour which obviously has a primary interest and administers all of the shared programmes dealing with Departments of Education and Labour, on the provincial side, across Canada.

Coming to research, I do not know what facilities each of these operations have in Ottawa; but I do know this, that we endeavour to keep in very close touch with them, both at the federal level and at the local level

within the province, in order that an exchange of information can be accomplished so that jointly—and I say this quite frankly—jointly through our combined efforts some positive results can be achieved in these fields. I have never felt that our provincial Department of Labour would be limited or restricted by any constitutional aspect. It has been my view if there was a job to be done that was in a field that was not presently being covered, if we were able we would go into that and assist the overall effort; bearing in mind one qualification that I do not think the federal and provincial departments should duplicate and create a waste in their services or expenditures.

As a result of this, I think I would put it fairly and squarely that out of these discussions with our Ontario Economic Council, with the federal Department of Labour, with the federal Department of Trade and Industry, with The Ontario Department of Economics and Development, our own Department of Education and Department of Labour, there is a very great need and a gap in the research analysis to establish what those manpower requirements are.

Observing the entire picture as it exists, and as I have tried to qualify the debate because it is not a debate where any point is gained by laying off one against the other, I think that the area of ascertaining manpower requirements for five years hence, or six, seven, eight, nine, 10, 15, 20 years hence, is a very real and vital aspect of research and information without which I do not think we are going to go anywhere in dealing head-on with this matter.

Accordingly, as I see it at the moment, we have reorganized our department of research. We have a competent director—a well-known man. We have money in our budget. I would think that in this analysis and determination of manpower requirements against which educational courses and other courses, on-the-job industrial training that can be established, I would think that we probably are the ones that will be leaders in this particular area of research. We are ready to go, I would think. We are already recruiting members of our staff against the increased complement.

We do not need all economists. I think there are certain types of statisticians and other types of qualified people who would be in a position to contribute to this effort under the proper guidance and direction. I will have a little more to say about this research branch, because by the same token it must supply the department, for the people of this province whether they be employers or

employees, with all kinds of information which should be available but is presently not available. I think that probably if I were to assess the advances into what I like to call our "Blueprint for Labour" probably there is no other area more important than that covered by the new research branch.

Mr. Thompson: Mr. Chairman, I appreciate the hon. Minister's emphasis on this and I would agree with him. I still have a concern about the national employment service. You say this is strictly an employment service where they are replacing people. I think it is unfortunate that it is just that, because here is the corridor through which many people wanting to secure jobs have to go, and there are an awful lot of statistics to be gained from those people as they are going through.

I think that as they are going through this corridor, knowing the number of the services which you provide, the department provides, or the provincial government provides in retraining and so on, that if this NES was really on its toes and they were doing more than just placing in employment, but doing counselling as well, they would be assessing the referrals for retraining and would be sizing up areas where perhaps retraining is sufficient, Mr. Chairman.

I think there are many areas in which the NES could be doing work jointly with you. I feel not only that perhaps the department considers, well this is just doing a placement job. I am not sure that even many industries do not feel they fall down in doing a placement job. Instead of going through the NES—as I notice also in this article—one man would say, "Would you not feel embarrassed standing in line to get a job at an NES office?"

I think that is unfortunate that it has gone down in prestige in the area of job finding, but I am not sure that we could not give a clarion call to industries—because we need this research that the hon. Minister is talking about. We should ask them about the possibility of some central bureau either at the department or else at NES so that any industry that was placing a man, even if it did not go through NES, could let the central bureau know what kind of jobs were being placed. I have a feeling that we do not know in this province how many skilled men we have, and we do not know how many men with potential to get skills. Because of this, then, I think that we have to get more co-ordination.

Mr. K. Bryden (Woodbine): Mr. Chairman, I am quite interested in manpower, employment and training policies, as many other

hon. members are, but for the life of me I do not know what they have to do with conciliation service. It seems to me that it would be—

Hon. Mr. Rowntree: Well, we are covering a lot of ground under this vote.

Mr. Bryden:—more appropriate perhaps to discuss it under the research branch or something like that. I cannot see that it has any relevancy here at all.

Mr. Reaume: Mr. Chairman, I wanted to ask the hon. Minister if, at the time of the appointment of a board, does he have to have the application from both parties or just either one?

Hon. Mr. Rowntree: The appointment of a board arises from the report of the conciliation officer—when he says he has got to the end of his rope, as it were, and the conciliation service of an officer will not produce further results and it is time to get on to the next stage.

Mr. Reaume: Yes, that is how I understood it.

I wanted to speak for just a moment. We had a strike of automobile workers in Oshawa, and then we had the Ford strike at Oakville, and then following up that one we had the Ford strike at Windsor, and then after that one was finished we had the Chrysler strike. I think my hon. friend from Wentworth East mentioned that one of the reasons that these strikes are occurring is because of the real awkwardness and the slow movement of the boards. I think that if a union cannot get on with a board it might as well set a deadline, and then, if it has to, it can strike. But after a deadline has been once set, is there not any means of the hon. Minister intervening at that time with the union and the company and using the good influences of his office for the purpose of trying to head off a strike? That is question number one.

I am informed that we now have in the province about 80,000 people unemployed, and when we ask questions about the Drury plan—that is the plan that has to do with the auto parts exchange agreement between the United States and Canada—we find that the province does not know anything about it at all. I am one of those people who feel that the province ought to know all about it, because if the big three are for it, there are many of the small auto parts plants that are not for it. A statement was made the other evening in the House in Ottawa that people who would be unemployed eventually by

reason of small automobile parts plants going out of business—it was made by a member of our party, too—would be taken up in other plants. But if we take the instance of the Ford company at Windsor, we find that these men average around the age of 45 to 50 and probably upwards of that. I really do not think that any of the larger auto plants really are going to hire these men at that age.

I am not quite certain whether this is a question that I ought to be asking this hon. Minister or the hon. Minister of Economics and Development (Mr. Randall), but it is a very important one, that if the federal government, which is really spearheading this plan, has not taken our province into its confidence, I think it is nearly time that it did, because our province is the most highly industrialized by far of any province at all, and if we find ourselves now with 80,000 people unemployed, God only knows how many people will really be unemployed when this Act is finally passed in the United States.

I noticed that in the instance of the Chrysler strike in Windsor, the plant was closed down tight, but the company was bringing Chrysler cars from the United States, even though the bill had not been passed in the United States as yet. I do not know when this bill will finally pass, but in any event the only promise that was made by the people of the United States was that for every car that was brought over and finally sold here, one more car would eventually be built in Canada by our people. It was only a promise, and I do not know how far that promise will be kept, but in any event I am just wondering if there is not some real pressure that might be brought to bear by the people in power in our province upon the government in Ottawa—in order that every step it makes in this plan that is going to affect auto workers, or any other kind of workers—so that the federal government invites our government, if it has not—and I cannot say really whether it has or not. I think that at one stage of the debate the hon. Minister of Economics and Development said that he had been left out of it. If it is true, I want to say that I think it is wrong—

Hon. Mr. Rowntree: How right the hon. member is.

Mr. Reaume: I am just asking the hon. Minister, then, if there is anything that he can do. I want to make this firm statement, that as a member of this party, if there is anything I can do in order that I might help him or the hon. Minister of Economics and Development in order that we might safe-

guard the jobs of these people—because there is a great apprehension—I will do it.

I rode the other evening on the train from Windsor with a man who is the head of an automobile parts plant that employs about 400 people. He is not quite certain how long his company is going to be in business or whether it is going to be out of business. I was told by that man that there is a firm in Oshawa—and I mentioned it to the hon. member for Oshawa—which has already mentioned the fact that about 400 of its people were going to be unemployed because of the fact that automobile plants in the province were going to buy bumpers and other things from plants across the border.

If there is any information that the hon. Minister has on this problem, I would be very happy indeed to hear it.

Hon. Mr. Rowntree: Mr. Chairman, this would relate, so far as The Department of Labour is concerned, to vote 902 of my department, which has to do with industrial training.

Mr. Reaume: I agree.

Hon. Mr. Rowntree: However, I think the matter is of sufficient importance and I am glad the hon. member has raised it. I would like, with the permission of the House, to direct a few observations in the light of the hon. member's present remarks.

Before doing so, I would just like to make a reference to this question of conciliation which is on this vote and to which the hon. member made reference. Of course, it is a well-known fact that the UAW, insofar as the big three or four automobile industries or manufacturers are concerned, does not like to go through the conciliation process. They want to get to the strike situation. This would apply to the big three of the automobile companies, the next two would apply to some farm implement manufacturers with whom the UAW has contracts. They want to get through that conciliation process right up to the point where they can get into a strike position as quickly as possible.

Insofar as that kind of industry and that kind of contract is concerned, there is no question that they do not like the conciliation process. The leaders of that union, all of them, are instructed and directed to take whatever steps are necessary to shorten up that phase, to go through the motions to get to the strike position.

Now, there is another situation, however, that the same union adopts. This is a characteristic which must be well known to

the public; and that is to take a strike vote while legitimate bargaining is going on. Most unusual; but there it is! I had it, and there is the situation.

So you have it at both extremes.

We had a debate on this yesterday and I said at that time that large industries and large unions—sophisticated, self-reliant, able and competent in their own right—want to look after their own business of collective bargaining without intervention by government.

But, down the line, the benefits of the provisions of the Act, The Labour Relations Act, are largely then to the middle- and small-sized firms. In those areas, wherever that same union, and others of the same policy, wherever they are concerned with medium- and small-sized industries they use the facilities of the Act, including the conciliation process and including the use of a conciliation board; and they use it enthusiastically. They exhaust its process with the hope that they can get settlement through those provisions.

This is a bit of an anomaly. I cannot explain it, I can simply lay it before you and there it is.

By virtue of the knowledge that we do have on how the conciliation process is used and adopted in medium and small industry, there is not evidence before us, the department or me as the Minister, to justify advancing the abolition of the process itself. I say that to the hon. member, frankly. This is the way I see it.

However, let us come to this other matter.

Mr. Reaume: I was just wondering at that point now, having in mind—and I agree with everything the hon. Minister has said—but I was wondering at that time, having in mind that the hon. Minister can tell or we can all tell that within, say, 30 days, we are going to have a strike on our hands: Is it then not good business on the part of the department, the hon. Minister himself as head of the department, to offer his own personal services, going between the union and the company for the purpose of trying to avoid the strike?

Hon. Mr. Rowntree: I would think that it is a proposition that sounds reasonable, but in actual practice it is not supported. The fact is that management and labour in industry, that is, in industrial disputes, do not want government intervention. During the past few weeks I would think I have had a thousand communications arising from the hospital bill saying: "Whatever you do, keep

out of industrial labour disputes. No matter where the chips fall, we will take it."

I am sure the hon. member will understand.

Mr. Reaume: I do understand, but I know of instances where both the company—you see, it all depends who happens to be over the barrel when!

Hon. Mr. Rowntree: I think that is right.

Mr. Reaume: That is absolutely true!

I have noticed many instances where the union or the company would love to have the government intervene at a certain point if they at that point found themselves over the barrel. That is why I use the expression that the important thing is who happens to be over the barrel when.

But going on from that point: If you were to offer your help to both the union and the company, what would they say? "Mind your own business, we will handle this!"

Hon. Mr. Rowntree: Well, you are into this almost double-entendre situation. Take the facts as the hon. member has outlined them; if they are the facts that is what happens. One day one party is over the barrel, and the next day they are not. So on both occasions, on subsequent days or subsequent times, the same party is arguing against itself according to the exigencies of the situation as they see it. It puts us all in a pretty difficult position.

I think that the maturity of the parties to this kind of economic bargaining, the senior people, are aware of it. The fellow over the barrel, I guess, is permitted to shout, but he really does not mean it. He would not want it applied as a broad principle; although in the exigencies of that individual situation he might.

It is not easy, I do not think we will solve it. The hon. member for Essex North has had a lot of experience in this field, living in Windsor, and I have a great regard for his knowledge in this field. I suppose as long as human nature and mankind have different characteristics some of the problems of labour and management will always be with us.

Mr. Reaume: I think this is quite true.

Hon. Mr. Rowntree: Let me refer to this item, which was on a previous vote but which the hon. member has now raised. In making these observations I do not raise, as I did not in the debate with the hon. leader of the Opposition earlier this evening, I raise no question of motive; I simply state the

facts. In connection with the automobile manufacturers' importation of trucks and parts, as between Canada and the United States, the first knowledge of that agreement came to this government via the automobile industry; in other words, by hearsay. I say that as a fact.

The next point that I think worthy of attention has to do with the fact that under our Canadian law the Cabinet or the government can file an agreement on behalf of Canada, whereas the United States has to go to Congress. Whatever is in that agreement, implementation is not only being demanded by the United States on the part of Canada, but Canada's part of the agreement is actually being performed; and yet there is no guarantee whatsoever that agreement will ever be ratified in the Congress of the United States.

Mr. Reaume: I think that is a very important point.

Hon. Mr. Rowntree: I think the hon. member and I are in agreement on this. It is important. It is more important, I say, Mr. Chairman, than most people in Canada appreciate.

Mr. Reaume: I wonder if I may intervene at this point, Mr. Chairman?

If this were in the province to the east of us and if the government of Canada was signing any agreement with any foreign power that may have a tremendous effect upon them, you would hear a man by the name of Levesque hollering clear across this country.

Now this is the point I want to make: The government of Canada, I think, has acted in the automobile field by working out an agreement with the United States without taking our province into their confidence. Why they did not do it, I do not know. But I think that the time has arrived when the hon. Prime Minister of the province, the hon. Minister of Economics and Development and the hon. Minister himself, ought to say to the men in Ottawa: Inasmuch as this thing affects us, our province, because it is here in this province that automobiles and automobile parts are made, and if hundreds and thousands of people are going to be put out of work by reason of parts plants going out of business, it is going to be in our province where those people are going to be unemployed. We have 80,000 people unemployed now and the good Lord knows that we do not want any more.

Hon. Mr. Rowntree: Let us just take this situation—I am sure that the hon. member will

understand that the hon. Minister of Economics and Development is the Minister probably most connected with this overall picture.

Let me tell the hon. member how this affects us in The Department of Labour. Prior to this agreement we had problems and trouble enough to cope with in trying to seek a resolution of those problems having to do with the shortage of skilled labour in Ontario; having to do with the fact that there is a lack of desire on the part of unemployed labour, in whatever location it is in Ontario, to move from one part of the province to another. Mobility is a difficult situation, due to family and other ties. There is a problem there of sufficient magnitude to attract my attention as far as industrial planning is concerned.

Under this automobile contract, here is the situation: Instead of manufacturing 20 different parts, under this agreement we are going to manufacture 10 of those in Ontario and 10 of them will be in the United States. So that manufacturers of 10 in Ontario are going to go out of business. Now this is the broad situation as it is.

Now it remains for those present parts supply manufacturers to retool themselves, re-equip their plants and start producing those extra quantities of the parts that are being left for Ontario or Canada to produce.

This involves refinancing of these firms, to begin with. Who is going to put up this financing? Is the federal government, or are they going to come to us and say that is part of The Department of Labour's programme? I do not know. But I put this to you in those words, because this is how serious it is, how far this thing runs.

Now let us talk about the retraining of employees. This is an added burden upon us that I did not bargain for until the fact of what was being negotiated by the federal government was disclosed. I am simply agreeing with you that this is a serious problem. I have attended meetings with my colleagues and with method officials from Ottawa in an endeavour to approach this problem calmly, if I might put it that way, in order that an effective solution and retraining programme can be instituted insofar as my department is concerned. I am sure the other hon. Ministers will speak insofar as they are concerned. It is a vital matter. I do not think, however, that it is a time for us to be throwing stones through plate glass windows at people in Ottawa. They have got trouble enough. I say that in the sincerest way there is. There is enough trouble in Ottawa at the moment

without us—with the very efficient government that we have here—jiggering it up any further for them.

The point is that there are several departments in the federal government that are concerned with this matter, and I do not know the answer. I will simply pose the question and say, let me phrase it this way, do all of the federal departments concerned with this automobile agreement see eye to eye with each other? It is my fervent hope that they do, because if it were otherwise, and it has been suggested that it is, the confusion that is going to emanate from this grand contract is going to be compounded beyond our present imagination. They have troubles down there, they are endeavouring to sort them out on this particular subject. I think the day remains in the immediate future, and I do not mean a month or two months, but in the next two or three weeks, where our hand will be shown in the kind of effective way that you suggest.

Mr. D. C. MacDonald (York South): Mr. Chairman, I would like to make a brief comment on this. I agree with the hon. Minister that this is a matter of some delicacy. I do not think, to borrow his phraseology, we should start throwing stones through plate glass windows.

I have a suggestion for a very quiet behind-the-scenes solution. I think the hon. member for Essex North should sit down with his federal running mate from Windsor and put a few words in his ear—if he is on talking terms with him—so he can carry the message quietly to Ottawa. Then maybe Ottawa will start to communicate with this government and you will not be left out of the negotiations. I think this is a way in which it can be handled very quietly.

Mr. Reaume: Mr. Chairman, I do not want to carry anything quietly.

Hon. Mr. Rowntree: We do not want to bring Mr. Martin into this.

Mr. Reaume: There will not be anything quiet about it. I think really that the matter is of vast importance. This is the problem that I think affects all parties. I do not think it is one that party lines get into at all.

Mr. MacDonald: Why do you not talk it over with—

Mr. Reaume: I am talking it over with the hon. members of the House of which I am part. I am saying this, I hope that we as a House, as a Parliament, not as a party, that we can say to the people in Ottawa that this

automobile parts agreement that you are effecting now with the United States, may have a tremendous effect on the people of our province and we think it is pretty near time that you invited the officials from our province down to Ottawa and explain to them what it is all about. I do not think this has been done and I do not think it is your fault. I think that you do not know anything about it because you have not been told anything about it. I think where you have failed, and where the people in this Parliament have failed, the hon. Prime Minister has failed, and the hon. Minister of Economics has failed, that you should have made a demand upon Ottawa that they take you down and take you into their offices and say now look, inasmuch as you are the major auto making province in the country, we want you to understand, and we want you to understand the whole story. I am not going to sit down with Paul Martin, or Pete Smith, or Drury in a place that is quiet.

Hon. Mr. Rowntree: They are all in the same boat.

Mr. Reaume: We will talk it over here in the open, in a place where it is wide open, and then I think it is up to this province, to act. It is obvious that Ottawa is not going to invite you, so we ought to invite ourselves.

Hon. Mr. Rowntree: Let me say this, and I think we should wind up this debate because it is on a previous vote and out of deference to my learned friend we have engaged in it, but I would say this, I think I would assure the House that by adopting the approach and the method of dealing with Ottawa that I indicated, we have established effective liaison with the federal government in such a manner that the results you are seeking and that we seek, are going to be obtained.

Mr. Reaume: Well now, that is—

Hon. J. P. Robarts (Prime Minister): Mr. Chairman, we have had meetings here with The Department of Labour, The Department of Economics and Development and The Department of Education, which are the primary departments involved in this whole matter. We have had several meetings here in Toronto with officials from Mr. Drury's department.

The real fact of the matter, sir, is at this stage of the game, nobody really knows where anyone is going. But as far as the thing has progressed, we are dealing and attempting to assess what this is going to mean to us in this province; what it is going to mean to our

industry; what it is going to mean to us in terms of an assessment for retraining; what it is going to mean in the way of displaced industry, if I may put it that way, as well as displaced workers. All these matters are presently in a process of discussion and it is not negotiation. It is discussion at this stage of the game in order to know what has been done, how far it has gone, what its effects are going to be and when those effects are going to make themselves felt in this province.

I can assure the House that these discussions are presently going on.

Mr. B. Newman (Windsor-Walkerville): Mr. Chairman, under vote 903, the labour safety council. Back in December, 1963, the hon. Minister appointed a committee apparently, to undertake a comprehensive study of educational aspects of accident prevention in industry.

Hon. Mr. Rowntree: Is that not vote 906?

Mr. Newman: Under conciliation services, vote 4, conciliation boards, commissions and labour safety councils.

Hon. Mr. Rowntree: Oh, yes.

Mr. Newman: So I assume that would be dealing with this aspect.

Hon. Mr. Rowntree: What is the point?

Mr. Newman: Am I in the right vote?

Hon. Mr. Rowntree: We can deal with it here.

Mr. Newman: Now the board has come down with a series of recommendations found on page 30 of the report. I do not intend to read them, because the hon. Minister has all the recommendations, he knows about them. Has the hon. Minister implemented any of them or is he planning on introducing legislation?

Hon. Mr. Rowntree: This report has been received by me from the labour safety council. It is one of the best reports I have received from anybody since I have been Minister in this department. The report involves some very excellent suggestions. The bulk of them, in fact I think all of them, can be effected and implemented without any change in legislation.

There is a major reference to the workmen's compensation board, and when this report was received I had it printed and distributed about 2,000 copies—I think it is in its second printing now—to all interested parties across the province so there would be

complete tabling, as it were, of the report. The report is being studied at the moment by the officials of the workmen's compensation board, and I am presently awaiting comments from them, as well as comments from the safety branch of my own department. I am very much impressed by this report and as soon as it is possible to tie together those various elements that go together to make up our safety network, if I could put it that way, that is the enforcement branch, the inspection branch, the compensation board itself, the safety association and bring them together, I would think that this report and its implementation would enable us to give a total picture to this House and to the public. This is under way as quickly as possible and there will be no delay in moving on it.

Mr. Newman: We can look forward to implementation of the report.

Hon. Mr. Rowntree: Yes. Some are practically all—

Mr. Sargent: An important point that I would like to draw to the hon. Minister's attention is, can the labour safety council act on its own volition, without the permission of the Minister of Labour?

Hon. Mr. Rowntree: The labour safety council is an advisory body to the Minister of Labour and acts on matters which are referred to it. We refer certain types of legislation—proposed legislation—to the council; we refer specific studies such as the one on safety education and matters of that sort to them as well.

Mr. Sargent: Mr. Chairman, would the hon. Minister explain why he has the safety council lumped in with the conciliation board? What is the relationship?

Hon. Mr. Rowntree: It is only a matter of accounting. It does not have any bearing on conciliation boards, but there is a—

Mr. Sargent: I think that is a very important point to establish later on in the vote. We are going to be talking safety and technical service and the very serious developments. The hon. Minister says this is a matter of accounting.

Hon. Mr. Rowntree: As to the vote—

Mr. Sargent: They slash this very important item to all of us. I would not like to suggest there is any problem going on, but the conciliation figures, by including expenses of the labour safety councils, commissions, have no

relationship whatsoever to conciliation. I suggest to you that this should be put in its own slot. Further, in this conciliation into safety—that comes out of the next vote, “Safety and Technical Services.”

Mr. Bryden: Mr. Chairman, before we leave the question of the labour safety council, I would like to make one or two comments. Since the hon. Minister has indicated that the subject matter of the report is now under consideration, I will not comment on it any further, except to say that I agree with his commendation of the report, and I hope that both The Department of Labour and the workmen's compensation board will see fit to carry out its recommendation. The major point of this recommendation directed to the workmen's compensation board is one of the old issues that has been up for many years in this House, as to whether or not employees should be represented on safety associations and so on. I think the council has an interesting way of solving that problem and I hope that it may be accepted.

I rise mainly to congratulate the hon. Minister on having published this report for the information, not only of this House, but of the public generally. When the question of the establishment of a labour safety council was first dealt with in this House, some of us on this side had quite a battle with the hon. Minister's predecessor over the question of publication of reports. The original idea for a labour safety council came from the report of the McAndrew commission, as I recall it. The McAndrew commission attached great importance to the publication of the reports of the council. In his recommendation, the Minister of the day accepted the idea of setting up a council, but it was to operate entirely behind closed doors with its information and advice going only to the Minister and not being made available for the benefit of the many other parties who are interested in this thing.

I hope that the hon. Minister's decision to publish this particular report may be an indication of things to come, and we can look forward to the publication of reports of this council as a matter of course. I think that is an important part of the general attack on safety.

Mr. J. Renwick (Riverdale): Mr. Chairman, I would like to comment briefly on the question of conciliation services, particularly in the area after the formal conciliation procedure has been followed and the result has not been successful. A strike has been called and the department's conciliation services, as

I understand it, continue to be available to the parties should they wish to make use of them.

Hon. Mr. Rowntree: It is technically called “post-conciliation conciliation.”

Mr. Renwick: Thank you, Mr. Chairman. In that particular period of time, as I see it, nothing should be done to exacerbate the situation between the parties in the hope that further conciliation would result in the solution of this dispute.

One of the matters which certainly, in my opinion, militates against further conciliation, is the very broad terms in which injunctions are granted against unions which have gone on strike in the period following conciliation, in the exercise of the right which they have to do so. I would like to take a few minutes of the hon. Minister's time to comment on the very wide scope of those terms and ask him whether he has given any consideration to framing, in some way, appropriate wording for injunctions in labour disputes.

Hon. Mr. Rowntree: I can answer that right now. This matter, which has been before me as the Minister of Labour and the hon. Attorney General (Mr. Wishart), is repeatedly and regularly raised from time to time; the most recent event at which the hon. Attorney General and I dealt with this matter was with the Ontario federation of labour last Wednesday. At that time this matter was discussed in depth and at length and I might say that we are quite aware of the positions taken by some of the unions. The matter is not new to either the hon. Attorney General or to me.

Mr. Renwick: Mr. Chairman, I appreciate the hon. Minister's remarks. I would like to take a few minutes of the time of the House to point out the problem, as I see it, in this area.

I have here an injunction which was granted in a labour dispute, in which the judge who granted the injunction specifically pointed out that the picketing involved was perfectly peaceful; that there was no indication of any kind that the picketing was other than an information picket; and that there was no apprehension of either a breach of the peace, or of injury to anyone's property or to any person involved. There was no intimation at any time during the course of the argument before the courts for this injunction that there was any act of any member of the union which was contrary to the law in any way. The members of the union were simply engaged in the exercise of their right to picket peacefully.

The result of it—and I am not arguing the merit of the granting of the injunction at this time—was that an injunction was granted in these terms:

From watching, besetting, or picketing, or attempting to picket at, or adjacent to the business premises of the plaintiff in the city of Toronto, in the county of York, and from improperly interfering with the employees of the plaintiff by preventing, or attempting to prevent, by the use of force, threat, intimidation, coercion or persuasion, of said employees from entering or leaving the plaintiff's said premises.

My comment on that paragraph is simply that the intimation, and certainly the inference drawn by a person who was unaware of the formal nature of such a document, would be that in some way the members of the union were engaged in unlawful activity. I think that is a reasonable inference that people would draw from such a clause.

The second clause in the injunction states:

From intimidating or threatening harm to, or in any way interfering with, the servants, agents, employees, patrons or customers of the plaintiff, or any other persons seeking peaceful entrance to, or exit from, the said place of business of the plaintiff, in the city of Toronto.

Again, my comment is that the inference which any person would draw, other than, I think, a lawyer who is familiar with these particular clauses, is that in some way the union or its members were engaged in that particular type of unlawful activity. The third clause is:

From inducing or attempting to induce owners, drivers or operators of motor vehicles to abstain from entering into the plaintiff's place of business in the city of Toronto, or delivering goods and supplies to, or picking up goods and supplies from, the said place of business of the plaintiff, or to refuse to enter into or deliver supplies to or pick up supplies from the said premises.

Again, Mr. Chairman, I would suggest that the inference that any person reading those words would draw is that the union or its members were engaged in attempting to induce the people named from doing something that they were lawfully entitled to do. The fourth clause is:

From inducing, or attempting to induce, conspiring to induce or continuing to induce breaches of contract by watching, besetting, picketing or attempting to picket at or adjacent to the said premises of the plaintiff in the city of Toronto—

and so on. Again, the inference is the same—that the union or its members are engaged in doing something which is unlawful, namely, inducing breaches of contracts by persons who have a lawful right, under their contracts, to enter the premises or to carry out their obligations. The next clause is:

From inducing, or attempting to induce, breaches of contracts and agreements between the plaintiff and its suppliers, or any of them, or from interfering with the employees of the suppliers of the plaintiff, and from forcing or attempting or continuing to force the employees of the suppliers of the plaintiff not to deliver supplies to the plaintiff.

And, again, the inference, I think the hon. Minister would agree, is the same. The last item is:

From ordering, aiding, abetting, counselling or encouraging in any manner whatsoever, whether directly or indirectly, any other person or persons to commit the aforesaid act.

My concern, and I believe the hon. Minister would agree with me, is that it is about time that if injunctions are to continue to be granted in labour disputes, at least the orders which are issued granting the injunctions should be specifically appropriate to the act which is to be enjoined, and specifically appropriate to the act which is leading to, in the eyes of the law, an illegal result. I would put forward, not on the question of the substance of injunctions in labour disputes but simply on the form of these orders, that they do not conduce in any way to establishing a climate in which the post-conciliation procedures of the Minister's department could come into force and operate leading towards solutions of the disputes which have already led to strikes.

I would like to have the hon. Minister's comments if he would see fit to do so on the archaic language in which these injunctions are granted.

Hon. Mr. Rowntree: Well, I do not know that the language is archaic. I would think that any well-informed lawyer would know what they mean, because it is a matter for lawyers to be concerned with: it is also a matter for the lawyer to inform his client, which, in your case, would be the union, or in these circumstances would be a union.

Let me assure you that I know of no responsible or senior labour leader in this province who is not familiar with all of the aspects and involvements of injunctions and injunction procedures. I think it is their duty to

communicate them to the members. However, as a rule, my practice is to refrain from interfering in the internal management of a union. This is part of the internal management, but I comment on it.

Injunctions themselves arise from The Judicature Act; the operation of that Act I leave to the hon. Attorney General except to say this: There are no permanent injunctions issued in this province without an argument being heard from both parties—a good deal of argument. A point is made of the involvement of an interim injunction or an ex parte injunction, but that is a matter of a day or so until the matter is argued, when both parties are present. Those involvements and the pros and cons would be well known to the hon. member, but insofar as any amendments to The Judicature Act are concerned, I do not think that I, as a lawyer, nor even as Minister of Labour, would suggest to the hon. Attorney General that he make an amendment to make special cases for the area of labour relations. I put that to you because you would want me to tell you where I stand; no doubt you will be hearing from the hon. Attorney General at a later date on this very point.

Now to the climate of post-conciliation, or those efforts made after routine conciliation efforts have failed to bring the parties together—or, as I think more accurately I should say, after the parties themselves have been unable to come to an agreement. It is their contract. It is not yours; it is not mine. We did not create the issue. These are always difficult matters and there is nothing new, I suggest to the hon. member, in the fact that negotiating a settlement in a dispute where a strike exists becomes increasingly difficult as each day of the strike goes by. There is no question of that whatsoever, and the department is aware of that.

Hon. A. A. Wishart (Attorney General): Mr. Chairman, I think I might say a word at this time on the matter of the interim injunction, which is obtained ex parte; I am sure that is the situation to which the hon. member for Riverdale refers.

As the hon. Minister of Labour has said, this matter has been before us for consideration frequently. It has been considered and discussed at length recently with a very full representation of the Ontario federation of labour. I think it should be said that The Judicature Act, which provides for the obtaining of an interim injunction on an ex parte application with only one of the parties present and making the application, can only be obtained—and The Judicature Act was amended to this effect—it can only be

obtained on notice of at least two days of the application being given, can be in effect for only four days, when it must be returned for hearing with both parties present, and can only be obtained where damage to property, injury to persons or a breach of the peace, has occurred. These things must have happened; injury to persons, damage to property, or a breach of the peace must have occurred, or the interruption, and I think I am quoting the language correctly, but I am doing it from memory, of an essential public service has been occasioned or is likely to occur.

Now those are the conditions which must exist before a party in a labour matter may obtain an interim injunction on an ex parte application. Two days' notice, to endure for not more than four days, and those conditions must have occurred. I think the section—I am sorry, I have not got The Judicature Act before me; I was not aware this matter would arise at this moment or I might have been prepared with it—I believe it is section 17, Mr. Chairman.

The Judicature Act was amended. The amendment came about as a result of a report of a committee studying the matter of labour relations. I am not sure of the year, but it was five, six or seven years ago. It was recommended that there be notice that the time be shortened from the ordinary procedures in an injunction; these recommendations were adopted and implemented into a change in The Judicature Act.

Now, I would like to say that the interim injunction is not a new thing in our law and in our administration of justice. It is there for the benefit of both parties, not just one.

Mr. Bryden: It is of no benefit to the workers. It is just used as an instrument against them.

Hon. Mr. Wishart: Well, I am not going to go into a great debate with my hon. friend on that subject. The interim injunction is there in our law and it has existed for many years as a means of protection for both parties in a dispute in order that they may retain and maintain their positions until they have an opportunity to come before the courts—if necessary to receive a decision, or to work out their settlement by negotiation by all the means that are provided, particularly in labour matters, through conciliation, and so on. It is not something that is specifically designed or was put in there for labour matters; it is something that we have had in our law for many years.

Mr. Bryden: That is the point—it should not apply to labour matters.

Hon. Mr. Wishart: To say that it should not be there in a labour matter, I think, is a position that cannot be justified. As I have been at pains to point out, it is only obtainable where damage has occurred to property, injury to some person or a breach of the peace; or where an essential public service has been interrupted or stopped or is likely to be stopped.

Now it is urged that the parties should be left to the criminal law for a breach of the peace, injury to person or where damage to property has occurred; that the parties should be left to the remedies that are available under the criminal law and that a charge be laid, an information be laid and a prosecution proceeded with against the individual who has done the wrong, who has committed a breach of the peace, who has broken somebody's arm or who has destroyed somebody's property. I point out to this House, Mr. Chairman, that that procedure only deals with one particular individual, if he can be located and found; but it does not cover, it does not effectively in any way deal with, the situation where there are many individuals concerned, and where there are two parties made up on both sides of individuals. A single prosecution, or a number of prosecutions, of individuals who have committed breaches of the law does not maintain or keep in balance a situation so that negotiation and discussion can take place.

I think any responsible labour official or leader would not suggest—would not seriously suggest—that this remedy, this procedure which is in our law, which is time-tested and proved as to its value, should be removed. I am sure that if they did and if it were removed, they would be the first to regret it, although the hon. member may say to me that it does not work always to the benefit of labour.

Mr. Bryden: It never does. It is an instrument against them, that is often made available frivolously and with little basis; but I will make my comments later.

Hon. Mr. Wishart: This may be the opinion of the hon. member, but it is something which I am sure, if it were removed, would work a hardship on labour and they would soon come to realize it.

Mr. Renwick: Mr. Chairman, I am glad the hon. Attorney General interjected into this debate because the point which I was making was that this was not an ex parte

injunction application. This was an interim injunction in which both parties were heard, so there was no question in this particular instance of any breach of the peace, any injury to person or any injury to property.

The judge who granted the injunction specifically stated that the members of the trade union involved were simply engaged on an information picket. There was no evidence, indeed not any sign of any evidence, that they were engaged in threatening anyone, inducing any breaches of contract, trying to prevent people from entering the premises of the plaintiff in this particular application at all. Yet despite the fact that they were engaged in what they considered their lawful activity of peaceful information picketing, they were for reasons other than any apprehension of any breach of the peace at all, subjected to an injunction in the identical terms in which an injunction would have been granted had there been a very serious apprehension of a breach of the peace, had there been evidence before the court of threats of violence to persons, had there been evidence before the court of inducing breach of contract, had there been evidence of any number of serious offences against persons or property or their rights. My whole point is that when an injunction is issued in this particular situation—in an interim injunction situation where both parties are heard—it is issued in the identical terms in which it would have been issued in the situation of a threatened breach of the peace. It is then published widely, as we all know, and the inference in the newspaper to the member of the public who read or hears about such an injunction and see this kind of language quoted, the inference which an ordinary person—and I grant what the hon. Minister of Labour says, that we are not speaking about the trade union leaders or about the lawyers who are involved—the inference of the ordinary citizen of the province is that the trade union or its members have been engaged in matters which are very serious offences under our law. All I am suggesting is that the hon. Minister of Labour and the hon. Attorney General, with whatever advice they could obtain, should see to it that when an interim injunction is granted, it is granted in terms which are specifically appropriate to the particular act which they are being directed to cease from carrying on or doing.

Hon. Mr. Rowntree: I might say to the hon. member I would be glad to take the matter up with the hon. Attorney General and discuss it with him and examine it in the light of the hon. member's observations.

Mr. Bryden: Mr. Chairman, now that the matter has been raised, I think perhaps a few more observations might be in order. I do not expect that the hon. Attorney General would be familiar with all the nuances involved in a labour dispute. I was, however, surprised to hear the hon. Minister of Labour say a few minutes ago—he may have departed from this position, I do not know—but a few minutes ago he said that he would not recommend that labour disputes be treated in any different way under The Judicature Act than any other kind of dispute or happening of a similar character.

If that position had been taken consistently with regard to them all, we would not even have a labour relations Act. The reason we have a labour relations Act with special procedures in many areas is because over the years we learned, in every jurisdiction in North America pretty well by experience, that the ordinary law is just not applicable to this type of situation in many cases. What was happening was that grave injustices were being wrought upon working people under the guise of an impartial application of the law.

In theory the application was impartial but because the law itself was not properly applicable to the situation, the law itself operated in a way that was disadvantageous to the workers. Now I am not going to get into a discussion of The Labour Relations Act, but it exists because of a recognition that that was happening and that something should be done to redress the balance, and certainly the Act does redress the balance to some degree.

But the regular law, as the hon. Attorney General points out, still applies in this question of injunctions. As the hon. Attorney General said, the whole practice of procedure relating to injunctions dates from the law further back—I do not know how far back it dates—but it dates from a time when labour disputes in the modern sense had not even been heard of. We take this ancient legal remedy, which is vitally important in some situations and undoubtedly contributes to justice in some situations, but we take it and apply it to a situation to which it has no relevance.

I am not suggesting that there is no place for injunctions, but I am suggesting there is no place, or mighty little place for them, in labour disputes. In actual fact, notwithstanding the amendment to The Judicature Act to which the hon. Attorney General refers, injunctions are handed out as if they were sausages coming out of a machine on the basis of affidavits on which the deponent, or

whatever his title is, says: I verily believe that something or other is going to happen!

Now the hon. Attorney General says this works equally for each side. It does no such thing. I bet you he cannot cite one case where a trade union ever applied for an injunction in a labour dispute. I doubt very much if he can cite one case. But you can cite them by the carload involving employers who have applied for them and have got them on the most frivolous ground. Why? Because they are a useful weapon to them in beating down the workers.

They get an injunction that can be forced for four days. The hon. Attorney General says four days is not very much. In most things it would not be very much. If I were wanting to build a road over property that somebody else owns and he got an injunction to restrain me from doing it for four days, it would make no difference to me at all. It would not matter if I did it this week or next week or the week after. That is where an injunction could probably be used.

But in a labour dispute, four days can be critical. The employer can go in and get this interim injunction *ex parte* on the basis of practically nothing, and can use it as a weapon against his workers, to break their solidarity. You take workers who are not trained in the law, who may in many cases not have too much education—some of them may not even be terribly familiar with the English language, they may not be too familiar with the ways and customs of this country—they are presented with this sort of a document and it is a most formidable thing to them and can certainly have a real effect on their morale. That is why employers go and get them.

There may be some cases where interim injunctions have been obtained where there was a genuine apprehension that serious damage to property or injury to persons might result. But most of the time they are obtained purely and simply as an instrument in a conflict between two parties. It is an instrument that is for the benefit of one party only. It is used by him only, never by the other side, and it is used in order that he may get an unfair advantage in the dispute with his employees.

The hon. Minister of Labour says he will discuss the matter with the hon. Attorney General. Well, I would hope that he would discuss it from the point of view of labour relation situations and the inapplicability of much of the general laws of those situations, and discuss it from the point of view of working out procedures that are applicable to this

type of situation just as The Labour Relations Act in general has worked out special procedures for this special situation that exists with regard to labour relations.

I heard about—I was not present—I heard about the government's encounter with the Ontario federation of labour with regard to this matter and the impression I got listening to the radio accounts was that they got very short shrift. There was no indication at all that they had made the slightest impact on the government. I think this is regrettable. I think it indicates that the government has failed to understand the nature of the problem that was put before it. I hope they will look at it with an open mind, not with the idea that this is an ancient remedy that has existed for a long time, but with this question in mind: is it a remedy that is appropriate for this quite special type of dispute, namely, a dispute between an employer and an organization representing his employees? I think if they look at it from that point of view they will come to the conclusion that whatever its merits might be in other situations, it is not appropriate for a labour dispute.

I would hope that there will be further amendments made in The Judicature Act, and that labour disputes would be treated as quite distinct from other disputes. The amendment that the hon. Attorney General referred to all of us I hoped would be of some benefit, but as far as I can see from my observation of the situation, it has made absolutely no difference at all. It is as if it had never been passed. It does not change the situation or the ease with which an employer can get an interim injunction, or the ease with which he can use the courts as a weapon against his employees. And that is exactly what happens now under the provisions of The Judicature Act.

Vote 903 agreed to.

On vote 904:

Mr. N. Davison (Hamilton East): Mr. Chairman, I have a couple of questions I would like to ask the hon. Minister of Labour on this vote.

We have a problem in the Hamilton area at the present time. We have plants there that are laying people off and they are transferring people from one department to the other while they are still carrying on overtime. I would like to know from the hon. Minister what is the ruling regarding the 100 hours per year per man? Do they have to apply for some special permit and does the department send inspectors in to see if this is needed? I know in one plant in Hamilton at

the present time they are definitely working overtime while they are laying people off.

Is there some ruling laid down? Does the department check to see if this is really needed, or can they just apply and get it on their own?

Hon. Mr. Rowntree: No, they make application. The 100-hour rule is there. They make application to the industry and labour board and the board investigates the circumstances surrounding the application, the need for it, what gave rise to it, the conditions in the plant and so on, and give the thing a thorough going over before any approval is given.

Mr. Davison: In a case like this where they have allowed the overtime and a union applies, does the department go in and check on this? Has the hon. Minister in any case sent his men in to check after the union has asked you to do it?

Hon. Mr. Rowntree: Yes, I think we have.

Mr. Davison: Also, can the hon. Minister tell me how many plants in Ontario applied for this overtime permit last year?

Hon. Mr. Rowntree: For the year ended March 31, 1964, some 1,480 permits were granted.

Mr. Davison: 1,480! And how many workers would this include?

Hon. Mr. Rowntree: I could not answer that, but I would be glad to compute it for the hon. member.

Mr. Davison: The other question was on the minimum wage. Of course I disagree with the minimum wage of \$1, but what I would like to know is why in the tourist industry you are allowing them to work outside the minimum wage. We know now that the tourist industry is one of the biggest industries in Ontario. Most of the big camp owners, I think, are making plenty of money as it is. They seem to have enough time to go to Florida in the winter. The small owners, of course, have their problems, but with most it is a man and wife who run it; they hire very few people. I would like to know why they are out from underneath the Act?

Hon. Mr. Rowntree: The answer is they are not out from underneath the Act, but they were out from underneath the Act because the Act came into force on July 1, I think it was, of last year. At that date, the effective date of the legislation, the contract arrangements for summer help had already been completed and in most cases the summer

employees had commenced their contracts. Now that was No. 1.

No. 2; we used the time during the summer to complete our investigations and study of that particular industry, and to gain some additional knowledge and information which has since been done.

Mr. Sargent: Mr. Chairman, in this morning's *Globe and Mail* the story appeared with the heading; "Man Killed in Explosion, Firm Fined." And the sub-heading is; "Frightening Violation of Industrial Safety Act." I do not know whether this is under the right vote or not. This leads into the labour safety council—

Hon. Mr. Rowntree: Well, we are past that.

Mr. Sargent: We are past that? We are on 904 now? I thought the hon. member had spoken there before the vote passed.

Mr. MacDonald: Mr. Chairman, there are a couple of items under the labour standards branch. The first one is rather small, but I am wondering why the department has come to a decision it has. This is a case of a man who notified the department four years ago that he had lost his vacation with pay stamp book and it has not turned up in the intervening four years. The department deems this to have been a personal loss. In the instance of, for example, children's allowances, when a cheque is lost and the department is notified that a cheque has been lost, I believe they leave a specified time lapse at the end of which the first cheque in effect is going to be rendered null and they will issue another cheque. If it turns up, they can conceivably reconcile their accounts.

Why cannot that procedure be followed in the instance of a vacation with pay book, particularly when you have a four-year lapse and it is certain now that if it is lost it is lost for good?

Hon. Mr. Rowntree: This matter gives me a great deal of difficulty. We have taken counsel both from banks and those types of people who have had experience in negotiable instruments, as these almost are, and for our purpose of discussion they are negotiable. The problem arises around this point, that a cheque can be stopped and it has to be endorsed or some further step taken before it is completely negotiable. Anyone who wrongfully endorses is guilty of fraud. The document is voided and is of no worth, in any event, and whoever cashes a cheque under a forged signature must bear the loss. The fact is that the vacation with pay books with the stamps in them, I would say, are

completely negotiable as they stand, just as cash. It is that essential difference that has led to a difference in policy.

This gives me some concern. I have seen a number of instances of the type that the hon. member mentions, and indeed, instances where some hardship would appear to result. My own view is that we should give back, wherever possible, a straight two per cent, or whatever the factor may be, leading to a vacation entitlement, to a straight cheque at the time of vacation or at the time of leaving your employment. I think, as far as I can see, that is the most satisfactory solution to the whole matter.

Mr. MacDonald: Is the hon. Minister contemplating that change?

Hon. Mr. Rowntree: Yes, I am.

Mr. MacDonald: Mr. Chairman, the second issue that I wanted to raise, and perhaps I can just put it bluntly as a question and if the hon. Minister's reply is satisfactory, then we will have nothing more to say. What is the department's conclusion after months, with regard to whether or not employees in a nursery come under the Act for minimum wages?

Hon. Mr. Rowntree: Those in the field do not, those in sales or internal do.

Mr. MacDonald: I realize that, but the problem is that they work inside one day and they are outside the next day and the department—

Hon. Mr. Rowntree: It has to be at the determination of where the principal or main employment is. I think that is the only test.

Mr. MacDonald: Well, Mr. Chairman, I could read quite extensively from correspondence in connection with one nursery down in Port Burwell, but I would suggest that the time has come—

Hon. Mr. Rowntree: You are referring to the McConnell nursery.

Mr. MacDonald: Right.

Hon. Mr. Rowntree: I met with Mr. McConnell a week ago. There was a meeting last week and Mr. McConnell is not necessarily speaking on his own account. It may be, I think, largely on account of the nurserymen's association, if I can put it that way. I am hoping that a satisfactory solution will be worked out, bearing in mind the practicalities of just what you have said. I think any legislation like this that is borderline,

when you are dealing with the borderline, incidents of it, you have got to work out the practicalities of it in the name of common-sense, or else toss out the legislation.

Mr. MacDonald: If the hon. Minister is looking into it and if he was meeting with Mr. McConnell only a week or so ago, presumably this is still a live issue.

Hon. Mr. Rowntree: Very much.

Mr. MacDonald: It has been alive for many months. I remember some years ago, when the members of the lumber and saw union reported they were getting into difficulties because some of the pulp and paper companies were resorting to the argument that those of their men who worked in the nurseries planting the little trees, the treelets, were farmers and not therefore eligible to be considered as members of the lumber and saw workers.

Hon. Mr. Rowntree: I think I remember that.

Mr. MacDonald: Well, they resolved this. I do not know whether it was the labour relations board or who rendered a decision on it and ended the nonsense. Surely the incidence of a big nursery, where you are working inside and outside, is not farming in the normal sense at all? This is an industry. The fact that they happen to be working on land is irrelevant to the fact that it is really an industry and these people are employees in the normal sense of industrial employees.

I want to suggest to the hon. Minister that if he wants to resolve this, in view of the practicalities of the legislation, you just change it so that nurseries come under the minimum wage, plain, pure and simple, whether they work in the fertilizer end of it, or inside, outside, or where.

Mr. Newman: Mr. Chairman, one year ago I asked the hon. Minister if he had undertaken any studies as to the effects of overtime and the creation of employment. Has the hon. Minister anything to report? I notice in my own community that Chrysler, rather than go into actual overtime, now are setting up another shift and are going to employ 1,000 extra people. That is a real substantial advantage to the community.

Hon. Mr. Rowntree: I think the hon. member was here during an earlier debate with the hon. member from one of the Essex ridings. This has to do with the demand for skilled labour and the fact is that there is a shortage of skilled labour. Now in certain

industries, and particularly with respect to certain employers, they prefer to do their own training. At the same time, they cannot train fast enough and they look for qualified people. This is all part of the rate of employment factor that exists in this province today. We are enjoying a very high degree of prosperity which reflects directly into the area of qualified people for employment. We are down to almost a rock-bottom position and this is what gives rise to a consideration of bringing in immigrants, new Canadians, to our country to help solve this shortage in a quick way. Not solve it entirely, but partially, because the training process is one that takes time.

This is part of this overall picture and it is a pretty major one.

Mr. Newman: Well, Mr. Chairman, I understand that quite well. My actual question is were overtime not allowed, what substantial effect could that have on the overall employment picture? Would it increase employment?

Hon. Mr. Rowntree: Studies are being conducted on these points that you raise. As a matter of fact, I would think we will be publishing them. We have started to publish, now that we have certain of these matters underway during the past year or year and a half in my department. These will be published when they are completed.

Mr. Newman: Mr. Chairman, of the hon. Minister, are you taking these for specific industries or just an overall picture of the effects of overtime?

Hon. Mr. Rowntree: We are doing a broad sampling: It has to be done by sampling and study. We are doing it by industry and, in some cases, by districts.

Mr. Newman: Thank you, Mr. Minister.

Mr. J. B. Trotter (Parkdale): Mr. Chairman, I would like to bring before the hon. Minister, the problem of the employer who avoids the minimum wage law simply because his business year happens to be in a certain season. The best way I can show you this is by a letter I received from a worker.

Incidentally, this letter was written on March 4 of this year and the expectation was they would work until March 15. It says this:

We have worked from September 14—

that would be 1964:

—until December 23 and then from January 4 until the end of next week.

That means March 15.

After we had worked 16 weeks and we still got 80 cents an hour, we wrote to The Department of Labour and they wrote back and said they had looked into it, but because we had not worked 16 weeks in one calendar year they could do nothing.

I believe that is the law, that the 16 weeks must be in one calendar year. Is that correct?

Hon. Mr. Rowntree: Yes, I am instructed that is correct. There is a certain minimum which does apply. You are talking of what industry?

Mr. Trotter: This would be a seasonal industry. I do not want to say who is writing.

Hon. Mr. Rowntree: Food processing?

Mr. Trotter: Yes, food processing.

Hon. Mr. Rowntree: Well, it would apply there.

Mr. Trotter: Yes. Here is the trouble, whether it be food processing or some particular industry where they could begin work, let us say, in September and go over into the next part of the year, just as you have here. They are able to avoid the minimum wage law. I know that you can live a lot more cheaply in smaller towns than you can in the large cities, but 80 cents an hour in any town in Ontario is far too low.

Hon. Mr. Rowntree: I agree.

Mr. Trotter: I am glad that the hon. Minister has agreed and I wish that they would take into consideration this problem of an employer making a good profit and being able to avoid the law, simply because of the seasonal business. It must apply in a number of businesses, and I am asking the department and the hon. Minister to look into this to see if we cannot have a proper amendment at the next sitting of this House.

Hon. Mr. Rowntree: The point you raise is one which interests me personally. If you would care to talk to me privately—I can understand your reluctance to reading the correspondence into *Hansard*—I would be pleased to look into that particular matter with a view to bringing it into line, seeing that there is an advantage being taken.

Mr. Trotter: Fine. Thank you, sir.

Mr. Bryden: Mr. Chairman, with regard to vote 904, I would like to raise a couple of matters relating to the orders under The Minimum Wage Act.

First of all, Mr. Chairman, I would like to suggest that here is an instance that proves the necessity of some kind of committee of this House comparable to the committee in Great Britain which, I think, is called the select committee on statutory instruments—a committee that reviews the exercise of delegated legislative power.

The Minimum Wage Act of this province enacted by this Legislature does little more than say that another body has power to make laws relating to minimum wages. It has little more than that in it. It has provisions with respect to penalties, but so far as the substance of provisions of the law are concerned, all it says is that somebody else has the power to make laws.

Hon. Mr. Rowntree: There is no secrecy; the industry and labour board is the instrument through which the legislation is applied.

Mr. Bryden: Yes, it is the body that has the power to make laws.

Hon. Mr. Rowntree: That is right.

Mr. Bryden: We have delegated to that body the power to make laws. I am not objecting to that in principle, but I think this case brings home better than any other, or should bring home to this House, the realization of what we are doing. It is quite necessary to delegate the power, but it is not so necessary to delegate it and then let it go forever so that we never have any control over it. I would suggest that in legislative powers that we delegate to other bodies, we should have a power to review. It is up to us to retain that power, but in view of the importance of minimum wage orders—I mention the point in relation to them—they really bring home the validity of the point.

Here is a great body of labour legislation in this province, enacted by perfectly reputable and competent body—

Hon. Mr. Rowntree: You ought to see the list in Quebec.

Mr. Bryden: If it is anything like their order No. 4 of the old days it would be about half of our statutes and then they had a whole lot of other orders as well. But the point is that it is an important law and I think that after it is passed, or while it is in the process of being passed by the industry and labour board, it should be reviewed by a committee of this House to consider whether it carries out the intentions of the Legislature.

This should be applicable with regard to minimum wage orders in all regulations issued under statutory authority. As I say, I think the minimum wage orders really bring the point home, because they are extremely important laws. We have just delegated our authority, given it away without any strings attached, and we have no control over the situation.

Hon. Mr. Rowntree: Oh, no, we have not! I could not agree with that. Let me tell you a little bit about it.

This has been one of the vehicles for educating small businessmen in many ways, right across this province. I tell you that! It gets into good bookkeeping methods and ways of doing business and so on. This minimum wage legislation has made a very worthwhile contribution to the business life, and the health of our business life, across this province.

Now, as for the workers, I think I should report to the House that we are averaging just a shade under \$30,000 a month in collections on behalf of employees who have been bilked in \$2, \$3, \$4 items by their employers.

Mr. MacDonald: A lot of bilking.

Hon. Mr. Rowntree: Yes, I agree; but by the same token this is a very useful instrument, and I tell you that the bulk, the most, the vast preponderance of our employers—I will not say they are innocent, that is not the word—but it is largely ignorance of the law, if I can put it that way, and having been corrected the vast preponderance of them, the records show, fall into line and proceed in the way that this House hopes and expects them to.

This collection of arrears is a very worthwhile thing, because smaller amounts of dollars mean a lot to some people.

Mr. Bryden: Mr. Chairman; everything the hon. Minister said is very interesting and informative, but it has absolutely nothing to do with the point I was trying to make, which is that we have delegated legislative authority to a board; and I think we should reserve to ourselves, having failed to do it, we should now take steps to reserve to ourselves the right to review what they do.

I quite agree that they have done excellent work in educating employers. They have done a good job, certainly in the last year or two, in trying to enforce these orders. I think that is all good, they are to be commended for it. But I still think that the principle I have made is important.

There is one reason why I think it is important. To stress why I think it is important, I would like to suggest that good as the orders may be, there are some quite serious defects in them. Now if we had a bill before us with points in it that we thought needed improving, we would be able to talk about them in this House. But of course these orders go through, they become law and they are never discussed in public while they go through the legislative mill. They simply are dealt with by a board and then are issued.

We establish a minimum wage, essentially, of \$1 an hour. I think that is inadequate, but that is a different matter. I am sure the board was acting under government policy and not in its own discretion there. But then we immediately leave loopholes where various people can get through so they do not have to pay the \$1 an hour. I think this is a bad principle. I do not think it should be done.

This is the only place I can raise the matter. We do not have any bill before us and never will have; but I would refer the hon. Minister and the board to clause (c) subsection 3 of section 3 which provides for seasonal workers engaged in plants processing perishable food or vegetables and employed to work in the processing of perishable food or vegetables for not more than 16 weeks in a calendar year the minimum wage can be 80 cents. I would say that people that worked that short time should be paid more, if anything, than the basic rate; but certainly not less. So it is a minimum wage of \$1, except that it is not for people who happen to be working in certain classes of fruit and vegetable canning plants or for certain periods of time.

Then we go over to another one, to section 5, which provides that for learners, so-called learners, the minimum wage may be reduced.

Now what conceivable justification is there for that? The minimum wage is the basic rock-bottom wage that is payable to a person with no skill. On what theoretical justification can the board propose that a lower rate should be paid to people who, on their description, are learning to have no skill? You do not have to learn anything to have the rock-bottom job requiring no skill and the jobs that are covered by The Minimum Wage Act have no skill, or such a small amount that it would not take more than a few hours to learn them.

There should be no learning rate. This is just a loophole through which employers can escape with respect to 20 per cent of their staff. So again, we have a minimum wage

that is not a minimum wage. It is a minimum wage for 80 per cent of the staff, but for 20 per cent it can be less.

Hon. Mr. Rowntree: Well, there never was any secret about the fruit pickers situation.

Mr. Bryden: I have not said there was any secret about anything.

Hon. Mr. Rowntree: I will give you an example of where there should be an allowance at the other end of the line, and that has to do with handicapped workers.

Mr. Bryden: I am sorry, I did not quite catch what you said.

Hon. Mr. Rowntree: I said I could give you an illustration of a case where I think there must always be an arrangement available, and that has to do with providing employment for handicapped persons.

Mr. Bryden: Well, I am not talking about handicapped workers. At the moment I cannot put my finger on the place in the order where they are referred to; if they are that is another matter. I am talking about certain exceptions from the basic provisions of the order which affect substantial numbers of people and for which there can be no conceivable justification.

The exception with respect to so-called learners can affect 20 per cent of the employer's payroll; and if he has less than five employees it can affect more than 20 per cent. So this is a significant loophole in the order. I certainly do not suggest there is anything secret about it; of course it is in a published order. It is quite public, but it is quite wrong. That is why I think it is regrettable that we cannot review some of these matters in the House before they become law.

Then, Mr. Chairman, I would also refer to what I think—

Hon. Mr. Rowntree: On just this point, I think I might refresh the hon. member's memory of many discussions that we had when minimum wages were first introduced in the sense that we are discussing them in this province. One of the factors that it was essential that we keep in mind was the state of the minimum wage orders and law in our neighbouring state, the province of Quebec, because of the competitive aspect. Industries that are competitive on a provincial basis, and the canning industry is certainly one of those, where due to climate and growing conditions and with overnight transportation the crop from here could be taken overnight

into Quebec and canned there and we would lose the canning industry.

Mr. Bryden: Personally, I think an industry that is based on sweatshop wages serves no useful purpose and if the canning industry cannot pay \$1 an hour then I do not think they should bother trying to can vegetables; let somebody else do it who is more efficient. There is no justification at all for an 80 cent minimum for employees in the canning industry.

There is even less justification for the argument the hon. Minister was making for this great loophole whereby 20 per cent or up to that number can be treated as learners. There is still less for the other huge loophole in the regulations, and that is under section 8, subsection 1 that provides that where an employer is paying his workers on a piecework basis he only has to pay the minimum prescribed by the law to four-fifths of them. You might just as well say he can thumb his nose at the law.

Hon. Mr. Rowntree: I would not go quite that far.

Mr. Bryden: Well, you might as well, because this makes—the most effective enforcement of this type of legislation is through complaints that come from employees. I am sure that you catch more infractions that way than almost any other way. It is impossible for an employee in this situation to know whether or not the law is being violated. It is absolutely impossible.

Hon. Mr. Rowntree: I might say on that particular item, I remember this being discussed when it was brought into effect. Our inspectors look at those piecework operations and the payroll and the books very carefully.

Mr. Bryden: I am glad—

Hon. Mr. Rowntree: They may not get them all, but if you look at the increase in complement, I think it is 13 extra inspectors—I thought the hon. member would be happy about that because he likes inspectors and I have 13 more in this branch just to do what the hon. member is talking about.

Mr. Bryden: For years I have urged the hon. Minister to get more inspectors. I urged his predecessors, too. The urges did not seem to have any effect on them. Whether they have had any effect on this Minister I do not know, but at any rate he is getting more inspectors, and I think that is satisfactory. I think it is most desirable that

there should be regular inspections. I am glad to know that his inspectors are paying particular attention to these piecework houses, because it certainly is true that there is no possibility of an employee making a complaint. An employee cannot possibly know whether or not the law is being complied with. That employee may be getting less than a dollar an hour, but she—and I use the word “she” advisedly, because it is mainly in places employing women—she does not know whether 80 per cent of her fellow employees are getting a dollar an hour or not. And unless less than 80 per cent are getting it, then there is no violation of the law.

At any rate, apart from the enforcement difficulty that this curious provision provides, I would suggest again to the hon. Minister that there is no excuse for it. If employers want to pay people on a piecework basis, that is their business, but not to the extent that they pay them less than we consider to be a desirable minimum wage. Our public policy now says the minimum wage should be \$1 an hour. No person on piecework, unless a person under an apprenticeship agreement or something like that, should—

Hon. Mr. Rowntree: Or a learner?

Mr. Bryden: Well, not the learner as you talk about him in these orders. If he is under a proper apprenticeship agreement it is a different matter, but not somebody who is learning to be an unskilled worker.

Hon. Mr. Rowntree: I think we are both talking about the same thing, but there are areas in these on-the-job training situations.

Mr. Bryden: I quite agree with that, but leaving aside those special cases, why should a person get less than \$1 an hour just because the employer has seen fit to put in a piecework system? Let him guarantee a dollar under his piecework system, and then if the employee earns more, all right, that is fine, that is his business. But he certainly should not be permitted to pay less.

One final point I would like to make with regard to these orders, Mr. Chairman, relates to the manner in which information about them is posted. As I understand it, the orders are printed exactly as they have been enacted by the board, and must, in that form, be posted on the premises to which they apply. In fact, it is stated on page 3, I guess it is, “These orders must be posted where they can be easily read by the employees.”

Mr. Chairman, I would suggest to the hon. Minister that it is impossible for these orders

to be easily read. They are extremely difficult to comprehend. I would just like to give the House a sample, one at random. I do not think it is any worse than the general drafting, but here is one. We can see how easily they can comprehend it.

Every employer may, during the first four-month period of employment of an employee other than an employee in the hotel and restaurant business, who is employed by that employer as a learner and is not paid on a piecework basis, pay to that employee a minimum hourly rate of wages of not more than ten cents less than the minimum hourly rate of wages prescribed in section 3. Every employer may, during the first one month period of employment of an employee:

(a) Who is employed by that employer as a learner in the hotel and restaurant business.

(b) Who is a student other than a student to whom clause (a) of subsection 3 of section 3 applies

pay to that employee a minimum hourly rate of wages of not more than ten cents less than the minimum hourly rate of wages prescribed in section 3.

Mr. MacDonald: The hon. member lost the hon. Minister of Reform Institutions (Mr. Crossman) half way through it.

Hon. Mr. Rowntree: The only thing I can say about that notice is that it obviously indicates the high degree of intelligence of the people of this province to be able to understand it.

Mr. Bryden: There are undoubtedly many people in this province with a high degree of intelligence—

Hon. Mr. Rowntree: I will tell the hon. member what I will do. I agree with the hon. member, I think it could be simplified and made more direct, and I will have a look at those matters myself with a view to making them more understandable for him.

Mr. Bryden: I can see that at this time of night the hon. Minister cannot take it. If I might just make a suggestion to him on this point that he might consider, it could be that the notice that is posted could be a summary of the main provisions rather than an actual reproduction of the regulations. I realize when you are drafting a document that has to stand up in court you have to be careful about your words. But perhaps with employees in shops and offices and so on it could be simplified without being misleading.

Mr. MacDonald: Leave that for the lawyers—

Mr. Gisborn: Mr. Chairman, I would just like to raise a question with the hon. Minister. The hon. Minister recalls the UAW strike at Chrysler's was almost over and they almost had a settlement. One of the issues holding up settlement was the overtime issue. I understand that they wrote to the department and asked for an interpretation of the overtime section of the Act. The answer they got back was that the labour board could not take the position of giving an interpretation of the legislation because it was an administrative body. This left the union in a state of not knowing what interpretation they could put on it before the courts, or what they could get out of the company.

So they set out in this press release the wording of the Act. The Act states that working hours of an employee in an industrial undertaking must not exceed eight in a day or 48 in a week. The industry and labour board may grant permits authorizing companies to work 100 hours of overtime a year, but this does not preclude an employee from refusing to work the overtime.

Now, there were two questions that I think were really bothering the UAW, and, of course, it bothers most of the industries which have an overtime problem and they are trying to do away with it. Could the hon. Minister interpret the Act by telling the House as to whether they can crowd the 48 hours on a week basis into less than the six days, or must it be confined to eight hours per day?

Hon. Mr. Rowntree: In the first instance, in a situation such as the one the hon. member mentioned, such as Chrysler, I would assume that the very experienced labour organization, namely, the united automobile workers, and the management, which is also experienced, and both have worked with each other closely over many years, they would be able to work out something that would meet the needs of both the plant operation and of the principles of the labour union. I think that has come about. My information is that they have negotiated together and they are both entirely happy with it and there will be no overtime against any individual's wishes.

This is my understanding of it. I think this is a healthy type of situation for the two parties to bargain out together.

Mr. Gisborn: I am sure, Mr. Chairman, that they worked it out, because they brought the strike to an end and this was the last issue they had to thrash out. But this does not

answer my question: Can the hon. Minister interpret his own Act in regard to the—

Hon. Mr. Rowntree: We do not interpret it against a hypothetical situation.

Mr. Gisborn: The Act states:

The working hours of an employee in an industrial undertaking must not exceed eight in a day or 48 in a week. The industry and labour board may grant permits authorizing companies to work 100 hours of overtime a year, but this does not preclude an employee from refusing to work the overtime.

Now the question I asked—

Hon. Mr. Rowntree: It is just as the hon. member read it; just as he read it.

Mr. Gisborn: But it cannot be eight in the day or over—and that is 48 in the six days. They cannot crowd the 48 hours into five days.

Hon. Mr. Rowntree: Just as the hon. member read it; his interpretation is straight English. Let us be realistic about this. In these matters where you get into a tight situation, there are certain areas that might have the appearance of being in violation of the Act.

On the other hand, the labour leaders in charge of the union say: "We think it is fair, having in mind the circumstances, and our men want the overtime"—which is a major factor, too, which is not always disclosed.—"But in the circumstances we think this is all right and we want to bargain it out on this basis and we want to tell the department that we are satisfied to handle it ourselves."

I do not think that this is the place for me to intervene, and this is about the situation. On the other hand, there have been cases where the union worked out a situation with a company, but individual members of the union objected and the union came to me and was embarrassed and said: "Here we made a deal with the company, but our members will not go along with us. They are objecting."

These are matters that I come across from time to time, and the example that I have just given is a true case.

Mr. Gisborn: I do not know how anyone else can interpret that Act when the hon. Minister does not know what it means himself.

Hon. Mr. Rowntree: Now, look. There has been a nice debate tonight; let us not bring personalities into it, because you know that

when you have no sound argument one invariably turns to personalities.

Mr. C. Bukator (Niagara Falls): Mr. Chairman, I have watched the hon. Minister of Labour operate since 9.30 this morning; that makes about 13½ hours. Being a patient man, I have spent all that time listening, but I would like to ask one question pertaining to the summer resort areas' amusement parks. They do not come under this minimum wage of \$1, and since they do not, when does the hon. Minister expect to bring them into line?

Hon. Mr. Rowntree: I think we discussed this a little earlier in the evening. I think the hon. member is talking about tourist operations and minimum wage—

Mr. Bukator: In amusement parks, yes.

Hon. Mr. Rowntree: Yes, this was discussed, but here is what I said: The minimum wage law came into effect on July 1, 1964 and at that point in 1964, the summer tourist operators and summer hotel operators had already made their contractual arrangements for the season and, indeed, many of the employees were already on the job. So for last year that industry was exempted. It is now covered for the coming year in ample time so that the brochures and advertising material soliciting applications for student employment and that sort of thing were able to take note of the legal conditions.

Vote 904 agreed to.

Vote 905 agreed to.

On vote 906:

Mr. Sargent: Mr. Chairman, I know at first hand that the hon. Minister has been very patient and I know the positive steps that his department has made in industrial safety so far as municipalities are concerned. But there are a lot of gaps. For instance, in this morning's *Globe and Mail* there appeared in the first paragraph of a story headed: "Man Killed in Explosion, Firm Fined"—the words "a frightening violation of The Industrial Safety Act."

In vote 906 the hon. Minister is asking the House for \$2,050,000 and my colleague, the hon. member for Etobicoke, for whom I am pinch-hitting, put on record in *Hansard*, I think very ably, the position of this party, insofar as safety in labour in this province is concerned and he said, and I quote from *Hansard* of March 25, pages 1656 and 1657:

The labour safety council of Ontario,

reporting in January of this year, recommended plant safety committees.

Earlier in the debate the hon. Minister stated that the safety councils could not act on their own volition. This is a high level of approach to sort out the area for more concentrated vigilance in this field.

I refer again to the words of the hon. member for Etobicoke—

Hon. Mr. Rowntree: Just so that we will be clear—I did not understand what the hon. member meant—did he say that I said that someone said that the labour safety council or safety association could not act on its own volition?

Mr. Sargent: That is the question I put to the hon. Minister and he said that they did not have the power to act themselves, they could act only with the Minister's permission.

Hon. Mr. Rowntree: The hon. member does not mean the safety association—

Mr. Sargent: I am sorry. I am going back to the labour safety council in conciliation—

Hon. Mr. Rowntree: They deal with matters I refer to them.

Mr. Sargent: We still must establish the point that the labour safety council in the conciliation slot was given. The hon. Minister does not seem to think that this is important—

Hon. Mr. Rowntree: Oh, no. The labour safety council is an advisory body. It is not to be confused with any of the safety associations, the labour safety inspection branch of the department or anything else.

Mr. Sargent: I agree. Mr. hon. colleague goes on to say:

—through which management and labour would jointly direct their efforts for the promotion of safety.

That is, within the organization. I continue:

There is no question but that labour has a vested interest in plant safety in addition to management; it is the workman who suffers most in an industrial accident.

If the hon. Minister of Labour was truly interested in improving the standard of safety legislation in this province, then it would seem that he would long ago have taken into account this recommendation and provided a vehicle whereby, in any particular plant, both management and labour would have an opportunity to

direct requests or complaints to the inspectors involved.

However, Mr. Chairman, our submission is that if the hon. Minister is truly worried about the safety of the citizens of Ontario, one would think that the fines and penalties levied would be so severe that an offending employer would be dealt with as sternly as is the drinking driver in the criminal court.

I pose the question, Mr. Chairman: How often has the hon. Minister of Labour called for jail terms for offences under the safety laws? In that regard, Mr. Chairman, there are many who feel that those who are charged with the enforcement of safety regulations and laws, as well as many magistrates, look for reasons not to prosecute. And, further, these people give one the impression that they think, once the accident has happened, the matter is just left to die, often along with the victim.

If the hon. Minister wished to do something really constructive, and he has done a lot, I give him full marks, he might have given some thought to giving safety a more vital factor in Ontario and in this small way he could contribute to generating a better relationship between labour and management, which in itself can only be beneficial.

Now for this report in this morning's *Globe and Mail*.

A fatal explosion at Canada Packers Ltd. on January 13 resulted from—

and I underline this, quoting:

—a frightening violation of The Industrial Safety Act—

the vote we are now on:

—Magistrate C. W. Guest said yesterday as he fined the company \$1,000 and costs.

The firm pleaded guilty to a breach of the Act and was given two weeks to pay the fine.

This is Canada Packers we are talking about. Two weeks they get to pay the fine.

The magistrate said there was no way in which the violation could be condoned.

Going along and telling of the mechanics of the accident, it is a clear case of sloppy operation and negligence along the line and in the summary:

At a coroner's inquest last month Donald Barker, industrial safety inspector for The Department of Labour, said the company had violated The Industrial Safety Act in several ways.

He went on to tell how it failed to give protection to this man who lost his life and the other man who is now near death in the hospital.

The point I am making, Mr. Chairman, the stand of this party is that there is not enough consciousness on behalf of the leaders of industry of the need for safety. They get a \$1,000 fine, and now we read in tonight's paper it has been jacked to a \$2,000 fine, and I submit that fines and penalties levied like this should be so severe that an offending employer would be—going back to my hon. colleague from Etobicoke—as firmly dealt with as a drinking driver in a criminal court, with jail terms as part of the penalty. To draw a parallel, a man convicted of manslaughter by drunk driving may get five years in jail; but a big enterprise like Canada Packers can be lax and sloppy and evade the laws and save money and they get a tip of the hat from the judge. Where he gets his penalty guidance I do not know; do you give it to him? No one seems to know.

Hon. Mr. Rowntree: You do not give me a chance to answer. I am sitting here waiting to answer.

Mr. Sargent: But this is so serious, that men lose their lives and a firm is fined \$2,000. The bonding company pays the fine and they go merrily along their way—well, they may get caught again later.

Granted, I say, great strides have been made by the government in appointing safety inspectors across the province, but the courts should be aware, Mr. Chairman, of the need to pinpoint and focus attention by heavy fines and jail terms.

I would hope that the department and the hon. Minister would agree that the Act be amended, as I asked before, to permit the labour safety council to act without permission of the Minister, on its own volition. I would like to ask the hon. Minister why this cannot come about.

Mr. L. Letherby (Simcoe East): He will tell you right now.

Hon. Mr. Rowntree: In the first place, you must understand that some of us, including the Minister himself, are very much concerned when these accidents take place. This is the kind of thing that, when you pick up the paper before you go to sleep at night, sometimes makes you feel as though you have been stabbed in the back yourself.

I put it to you this way, because this is the way anybody, who is sincere in his work

and is connected with safety, feels. Whether it be in highway safety, or industrial safety, or indeed with respect to safety in the home, these matters are of vital concern to us.

Now, as far as industrial safety is concerned, there is about—I think I am close to right on this, I have not got the figures in front of me—but a figure of about \$4 million in the budget for the safety associations, which comes out of the assessment against the employers and which is spent in safety educational programmes through the safety associations.

Now, whether or not a big company, as you I think somewhat lightly referred to Canada Packers, is always negligent in its operations, I just cannot accept that and I do not.

Mr. Sargent: I did not say always.

Hon. Mr. Rowntree: Well, I know, but it was a pretty fast reference—

Mr. Sargent: Oh, come on now, a man lost his life.

Hon. Mr. Rowntree: Well, that was a pretty fast reference in what you said now and I just want you to stay with it. I cannot accept that as a steady diet.

This man died. Our inspectors followed it up, the enforcement branch. The departmental solicitor prosecuted the case. I think he is here sitting under the gallery. The company was convicted on two counts and fined \$1,000 each, which is \$2,000.

Regardless of what the punitive penalty provisions of the statute are, the department responsible for the Act cannot be held responsible for the penalties awarded on a conviction by a court. That is in the hands of the magistrate or the judge—this is a matter which gives me concern, but it is none of my business.

If there is a flagrant aspect to a violation and the evidence indicates that type of conduct, then the prosecutor would draw it to the attention of the magistrate or the court and ask that a heavy penalty be awarded.

Now, I assume that the hon. member for Grey North is familiar with the recent amendments to The Trench Excavators Act and The Construction Safety Act, because you will understand there in the detail just how we have attempted to deal with the question of corporations. It is a very difficult matter to get around because you cannot put a company in jail, but I am sure you will agree with me that what we have attempted to

do will go a long way to meeting the points that you have raised.

Mr. V. M. Singer (Downsview): Mr. Chairman, I think my hon. colleague has a point that perhaps the hon. Minister could explain a little further. I do not think in mentioning Canada Packers he was singling out any particular industry, he was talking about the same treatment for big people as for little people. And he expresses, I think, a very valid concern that since—and I was not aware of this until the hon. Minister gave his answer—that since apparently these prosecutions are handled by the hon. Minister's own solicitors they should be anxious to bring it as forcefully as they can before the particular magistrate who is dealing with the charge.

Hon. Mr. Rowntree: You are not suggesting that we do not, are you?

Mr. Singer: I am not suggesting that you do not, but I am suggesting that perhaps—

Hon. Mr. Rowntree: Well, I am suggesting that you do not know.

Mr. Singer: I am suggesting that the hon. Minister could whisper very loudly into the ear of his departmental solicitor that when these occasions arise, that they do their utmost—as I am sure they do, but in case they do not—that the hon. Minister whisper loudly into their ears, that they do their utmost to draw to the attention of the magistrate the seriousness of this sort of thing. I think with that, that over a period of time, and I hope it does not take too long if proper representations are made as fully as possible to the magistrate, both when big corporations are before the courts or when individuals are before the courts, the magistrates will become increasingly aware and levy penalties in accordance with the seriousness of the offence.

There is another point which comes under this vote, the question of all these inspections that are done by the inspection safety branch and the industrial safety branch and so on; and the task or the burden that is put on the shoulders of the municipalities. Now, this is a point that has been talked about many times in this House since these bills were first introduced. These statutes have become a part of the law over what, the past three or four years? I would think that is about the length of time.

It is a very serious problem in so many cases to have a municipality properly administer the various Acts that they are

charged with administering, by local inspectors. Some municipalities just have not the financial resources to do it properly and in some municipalities you get inspectors inspecting their own superiors and it makes it very difficult for a local inspector, a municipal inspector, to go around and inspect the man who hired him and the man to whom he is really responsible, even though the statute says he is not responsible to him.

This point could be argued about at very great length, but it is certainly obvious, as you read about these horrible tragedies that take place from time to time, that one of the serious deficiencies that we are still suffering is the lack of adequate inspection in so many cases when the inspection is the main responsibility of municipalities. As I say, this matter has been raised for several years now, and rather than taking any concrete steps to correct it, we seem to be establishing this more and more as an integral part of the method of enforcing these various statutes. I think each year as it goes on, the municipalities, probably through no fault of their own, are less and less able to cope with it and serious tragedies result because the enforcement of all these statutes—

Mr. W. D. McKeough (Kent West): Nonsense.

Mr. Singer: It is not nonsense at all. The hon. member would know this if he wants to read the whole history of accidents, and there are hundreds of them a year. The biggest failure is the lack of adequate inspection on the part of municipally appointed and municipally controlled inspectors. The hon. member can say "nonsense" from today till next year.

Mr. McKeough: I said nonsense when the hon. member said that each year the municipalities are getting in a worse position to handle this.

Mr. Singer: Well, they are. I say they are and I will tell the hon. member why I say they are. I say they are because they go through the motions—well, they start off trying to do it to the best of their ability. There is no responsibility coming from here to increase their efficiency. They recognize there is no more money coming from here and they recognize there—

Hon. Mr. Rowntree: I must correct the hon. member—I think there is the fallacy—when he said that they come to the point or recognize that there is no more money coming. That is the point. These inspectors

on construction safety are tied to new construction, which is tied to increased assessment, which leads to increased taxes. That is the very point.

Mr. Singer: That is fine.

Hon. Mr. Rowntree: It is fine to the point that increased assessment in every municipality may be the source of relief for most of their present trouble.

Mr. Singer: You can increase assessment in any one of these—what are there, 972 municipalities—and maybe in 150 of them does the increased assessment really mean enough to enable the municipalities to go out and do their job properly. In addition to that, you have the whole field of construction that does not produce increased assessment—highway construction, all the governmental construction that goes on. It does not produce a penny of increased assessment, so the hon. Minister's argument at that point defeats itself. The tragedies at the Hogg's Hollow bridge were talked about earlier tonight. There is no increased assessment from that.

The problem is that these municipalities are just unable to do this job properly, and the proper inspection should, and must, come from the provincial government.

Mr. Newman: Mr. Chairman, while we are dealing with this Construction Safety Act, may I inform the hon. Minister that back in 1963 the Lambton county council adopted a resolution asking for financial assistance to pay for the safety inspector. Back on February 27, 1964, the city of Sarnia asked for similar financial assistance. And back on February 8, 1965, the city council of the city of Windsor asked for financial assistance to pay for—

Hon. Mr. Rowntree: May I say, Mr. Chairman, that there are many more than that. This has developed into Ontario's favourite form of municipal relaxation—the resolution by chain letter. We even have raffles in the office as to how many copies of the Sarnia resolution we get from northern Ontario each day.

But to get very serious about it, this is carried on by way of an exchange of the resolution. You support my resolution on this point, and we will support yours on another.

Mr. Singer: That is a real slander list.

Interjections by hon. members.

Hon. Mr. Rowntree: This is what you used to do. Do you not remember?

Mr. Singer: I think your colleagues should circulate that suggestion to all the municipalities.

Interjections by hon. members.

Hon. Mr. Rowntree: As to subsidizing this operation, I cannot see it at the moment, and I will be quite frank with you. I cannot see it at all, because the increased assessment that comes from the construction leads to tax revenues, the tax revenues lie on their hands, and I think this is a very proper function.

Now reference was made about highways. I disagree with the hon. member when he says that new highways do not increase assessment to local municipalities, because they do. But as to the inspection of projects—and I think I can say this with some assurance in the absence of the hon. Minister of Highways (Mr. MacNaughton)—in future The Department of Highways will not look to construction safety inspection from any adjacent municipality.

Mr. Singer: When did that start?

Hon. Mr. Rowntree: I said I think we can say that with some assurance.

Mr. Singer: It is about to happen?

Hon. Mr. Rowntree: About to happen, yes.

Mr. Singer: Well, that is good, that is an improvement, and I compliment the Ministry for that because I gather it is not this hon. Minister, it is the hon. Minister of Highways.

The trench excavators Act is a perfect example of this, and I remember several years ago talking about this. You get a local inspector who has to go out and inspect the job being done by the municipal engineer, who is his boss. I cannot think of a more anomalous position in which to place a local employee than to go out and report on his boss, even though the statute says he should do it. Here is the man who hires him and puts him into the job and he goes out to say, "You had better do your job." It is as though you had your deputy following you around and charged under a statute with reporting your misdeeds, if you have any. It just does not work, and you know it does not work. It cannot work under that set-up. You translate that through all the other Acts where you have local inspectors inspecting their superiors and the system just does not make sense.

Mr. Bryden: Mr. Chairman, I would like to say a word or two in support of what the

hon. member for Downsview has said. This is a matter that many of us have raised many times in this House, at least from the time when The Construction Safety Act was introduced in this House. We have not, in recent years, had the full text of The Trench Excavators' Protection Act before us, and I am not sure that the principle applies as strongly with regard to that. At least, I think perhaps a stronger case can be made for municipal inspection under The Trench Excavators' Protection Act than under the Construction Safety Act. Certainly the McAndrew commission seems to feel that municipal inspection under The Trench Excavators' Protection Act was satisfactory.

I am a little disturbed, however, when I notice some of the accidents that are taking place, even in the trenching operations, and we all know that those are very dangerous operations.

Here is a coroner's report dated January 25, 1965 with regard to a fatal accident that occurred on December 15, 1964 in the city of Oshawa. Oshawa, as we know, is one of the larger cities in the province and I would say a progressive city—but here is what the coroner's jury had to say about the accidents that they were investigating:

It would appear that the municipality's responsibility in this regard was not discharged properly—

In this regard they were referring to the need to comply with certain regulations on the part of the contractor, and they pointed out that the contractor had failed on two occasions to take remedial action that he was asked to take. Then the coroner's jury said:

It would appear that the municipality's responsibility in this regard was not discharged properly, and appeared to lack proper direction. We would recommend that a municipality appoint sufficient qualified, competent safety inspectors, and that they be effectively directed regarding their duties and responsibilities—

and so on.

The problem is, Mr. Chairman, that we can hope and pray and entreat for as long as we like to have municipalities appoint qualified or sufficient qualified, competent safety inspectors, as the coroner's jury in this case recommended, but often they do not do it. There is no way of making them do it, as far as I can see. It is not a matter of whether they are making something out of the assessment or not, it is a matter of whether a man is going to be killed or not and I say we argue about the dollars or the pennies and the

assessment in some other context. But when human safety is at stake, let us get on with the job of inspecting.

I had thought, until I read this coroner's jury report, that perhaps municipal inspection was satisfactory with regard to The Trench Excavators' Protection Act. I am now in some doubt, and I may say that my doubts are getting stronger all the time with regard to The Construction Safety Act.

The city of Toronto is, I think, better equipped than any other city with respect to inspectors under The Construction Safety Act, and they have a grand total of four. There are four good men who do good work, but how can four men do an adequate job on all the construction activity and very heavy dangerous types of construction going on in this city? So the city of Toronto has four inspectors to enforce The Construction Safety Act. As I say, they are good men who, I believe, are doing a first-class job. But four men just cannot do the job that is required in this city. I do not know what the specific answer is, but all I say is something has to be done, because there are far too many construction accidents in the city of Toronto. Notwithstanding the great improvement in our laws and the improvement in the inspection, something is seriously lacking. Partly, it is education, no doubt; partly, it is education of the workers. But whatever it is, more people have to be put on this job to reduce the number of accidents. I believe that Toronto should increase its four inspectors, but either the province should put in some more on its own or, alternatively, it should do what it can to persuade the city to put more on. But at least we should not be arguing about who gets the benefit of the increased assessment from construction when we are dealing with construction safety. Let us get on and do the safety job and argue about who gets the benefit of the increased assessment later.

Mr. Singer: Mr. Chairman, does the department embark upon any system of training of municipal inspectors? Are they licensed? Are they examined periodically? Are they trained in any way?

Hon. Mr. Rowntree: We have 16 men in this particular branch who go about the province and have meetings at convenient times with municipal representatives and show the men the precepts of inspection and labour materials, what to look for, and this kind of thing. They do not have to be engineers, but when a man shows he has an aptitude to be an inspector, our supervisors can bring him

along and do something with him. This is a continuing process.

Mr. Singer: Well, that is a continuing lecture process, but surely the department, if it cannot see its way clear to doing a substantial part of the inspection by using provincial employees, at least should initiate a system whereby people who are going to be safety inspectors will have to qualify in an examination. First, the system as it is now is that the municipality, within its own wisdom, can appoint anybody as a safety inspector. Then, when he is there, you try to bring him along—

Hon. Mr. Rowntree: It is not quite as bad a picture as the hon. member is painting it. There is a high degree of co-operation in this between the municipalities when they go to appoint a man. Contact is made with our department and finally the municipalities say: "Here are three contenders for the position; help us choose the right one."

In other words, there is good liaison between the municipalities and the department. Then we go on and immediately take that man and try to instruct him and to raise him to a standard.

At the other end of the thing, while there is no certificate of, shall we say, competency, there is a certificate issued with respect to the man—I have known at least one occasion when, after a certain period when the municipality was liaising with the department, they were told that this man would never make an inspector—

Mr. Singer: Well, it is fine that there is something there, but I would think that it is at least as important to the welfare of the people of Ontario that a safety inspector be qualified and have a certificate of qualification as it is to have an automobile mechanic qualified and to have a certificate of qualification hanging on the wall.

If it is important enough to make sure that only trained people can work on cars, surely it is important enough to make sure that only trained people can do safety inspection?

Hon. Mr. Rowntree: Would you people endorse that?

Mr. Singer: Certainly, I would.

Hon. Mr. Rowntree: That would be helpful.

Mr. MacDonald: Mr. Chairman, I am rather impressed by the fact that a government with 77 seats has to get endorsement from either of the Opposition parties before they are moved on something like safety.

However, if we are finished with that issue, I should like to get on to one other, sir, if I might. Earlier in the session I inquired on at least two occasions with regard to inspection that had or had not been made with Wolverine Tube plants in London. The hon. Minister has had considerable correspondence from unions in the city, including the labour council, the latest one about a week ago indicating that they had not heard from the hon. Minister as to what the situation was. In his busy life, has the hon. Minister been able to catch up with his correspondence?

Hon. Mr. Rowntree: I will be very frank. I have not seen that letter which the hon. member said has been referred to me. I do not think that I need tell him that I lead a reasonably busy life on days like today and others like them, but I have not seen that letter.

Mr. MacDonald: The last inspection had been some months ago—they said that the last one was in July, 1964, and another one was going to come, in the normal course of events, this spring. The hon. Minister was going to check with the regional office and when this was checked with the regional office an inspection was held. Now they have asked what was the result of that inspection and have received no reply to the letter.

Hon. Mr. Rowntree: The last inspection was on February 5, I am informed.

Mr. MacDonald: And what was the result?

Hon. Mr. Rowntree: There were some instructions left, but I have not got them here.

Mr. MacDonald: That, I think, was the letter that the hon. Minister has not replied to.

Mr. Troy: How many accident prevention associations are there in the province to which you give grants?

Hon. Mr. Rowntree: I think it is seven. It is divided into industries; there is logging, lumber, pulp and paper; there is mining, and so on. Then the industrial accident prevention association, which is a large one.

While they are incorporated under letters patent, they are not private operations; they are private only in the sense that they are quasi-official and official operations.

Vote 906 agreed to.

On vote 907:

Mr. Newman: Mr. Chairman, on vote 907.

Hon. J. P. Robarts (Prime Minister): Mr. Chairman, if you will excuse me, before we proceed with vote 907, I move that the committee rise and report progress and ask for leave to sit again.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of supply begs to report it has come to certain resolutions and asks for leave to sit again.

Report agreed to.

Hon. Mr. Robarts: Mr. Speaker, tomorrow we will continue with the estimates of this department and then proceed to the estimates of The Department of Reform Institutions.

Hon. Mr. Robarts moves the adjournment of the House.

Motion agreed to.

The House adjourned at 11.35 o'clock, p.m.



ONTARIO

Legislature of Ontario

Debates

OFFICIAL REPORT—DAILY EDITION

Third Session of the Twenty-Seventh Legislature

Wednesday, March 31, 1965

Speaker: Honourable Donald H. Morrow

Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

WEDNESDAY, MARCH 31, 1965

The House met at 3 o'clock, p.m.

Prayers.

Mr. Speaker: We are always pleased to have visitors to the Legislature, and today we welcome as guests, in the west gallery, students from St. Martin's separate school, Toronto and township school area No. 4, Gormley, and in the east gallery, the Progressive-Conservative ladies association, Galt.

I have asked the Minister of Tourism and Information (Mr. Auld) to introduce distinguished guests in the Speaker's gallery later.

Petitions.

Presenting reports by committees.

Motions.

Introduction of bills.

THE PLANNING ACT

Hon. J. W. Spooner (Minister of Municipal Affairs) moves first reading of bill intituled, An Act to amend The Planning Act.

Motion agreed to; first reading of the bill.

Hon. J. W. Spooner (Minister of Municipal Affairs): Mr. Speaker, a short explanation of the rather important amendments contained in this bill. The first section would permit the Minister of Municipal Affairs to refer to the Ontario municipal board any part of a plan which may be in dispute without holding up consideration and approval of the remainder of the plan.

Several other sections of the bill deal with the matter of the so-called five per cent lands and a new method of treating this subject by placing more responsibility in the hands of the local municipal council; plus a further amendment authorizing expenditures out of the special five per cent lands funds—for park purposes only, without the approval of the Minister, but only with the approval of the Minister for any other purpose—for acquisition of other land.

THE MOTOR VEHICLE ACCIDENT CLAIMS ACT, 1961-1962

Hon. I. Haskett (Minister of Transport) moves first reading of bill intituled, An Act to amend The Motor Vehicle Accident Claims Act, 1961-1962.

Motion agreed to; first reading of the bill.

Hon. I. Haskett (Minister of Transport): Mr. Speaker, by way of explanation, this is a bill to make two minor changes in The Motor Vehicle Accident Claims Act. The first amendment makes the registrar the agent of the operator as well as of the owner of an uninsured motor vehicle. The second is to preserve the right of recovery of an insured against any person to which an insurer becomes subrogated.

THE SCHOOLS ADMINISTRATION ACT

Hon. W. G. Davis (Minister of Education) moves first reading of bill intituled, An Act to amend The Schools Administration Act.

Motion agreed to; first reading of the bill.

THE PUBLIC SCHOOLS ACT

Hon. Mr. Davis moves first reading of bill intituled, An Act to amend The Public Schools Act.

Motion agreed to; first reading of the bill.

THE SEPARATE SCHOOLS ACT

Hon. Mr. Davis moves first reading of bill intituled, An Act to amend The Separate Schools Act.

Motion agreed to; first reading of the bill.

THE SECONDARY SCHOOLS AND BOARDS OF EDUCATION ACT

Hon. Mr. Davis moves first reading of bill intituled, An Act to amend The Secondary Schools and Boards of Education Act.

Motion agreed to; first reading of the bill.

Hon. W. G. Davis (Minister of Education): Mr. Speaker, I would point out that these bills will all go to the committee on education. Much of the legislation is of a housekeeping nature, but I would point out two or three of the highlights of some changes in policy contained in this legislation.

One change is the allowance to the school boards to use modern data processing equipment for the maintenance of school attendance records.

One other change that I am sure will be of interest to those members who represent the northern areas of the province will be a provision whereby the parents of children in territorial districts will be reimbursed for board, lodging and certain transportation, to a maximum of \$3 per day per student. This grant will be paid to the elementary school board and then passed on to the parents. It will be necessary that the student have a certificate from the principal that he was actually in attendance, and it amounts to, on this basis, \$15 per week.

The other amendment in The Schools Administration Act that might be of interest is a provision to authorize the elementary school boards in the territorial districts to provide transportation for pupils who reside in the territory without municipal organization outside any school district.

Another amendment that will be of interest, I am sure, is an amendment to allow a school board to establish day classes in oral speech and lip reading to accommodate deaf children who are at least two years of age. This is a reduction in the age level because the feeling, Mr. Speaker, is that these young people are better served if they can get into a school programme at this early age.

Another change refers to the appointment of separate school inspectors and municipal inspectorates, and this programme of appointments would be carried out in phases over the next five years, and would allow separate school inspectors to be appointed on the same basis as public school inspectors in municipalities.

The other one that is, I think, rather interesting, is that in order to encourage the teaching of conservation in the schools, we will allow a board with an average daily attendance of 10,000 or more, to acquire not more than ten acres of land owned by a conservation authority, or adjoining the land of the conservation authority, so it can be, practically speaking, outside the municipality.

Boards would be allowed to construct a natural science school and conduct there a

natural science programme in co-operation with the authority.

There are one or two amendments to The Separate Schools Act referring to the election of trustees and to the determination of the zone boundaries, to clarify certain situations that have arisen.

We are also establishing the right of the foster child to educational opportunities, so that children placed in foster homes for adoption continue to be wards of the children's aid society for a probationary period. It would now be possible to admit such a child, without a fee, to a public, separate or secondary school supported by the assessment of the residence of the foster parent.

We are also extending the duties of the public school consultative committees. These are presently confined to the alteration of county school areas, and their powers would be enlarged to include the alteration of townships in school areas if necessary.

There are several other amendments, Mr. Speaker, in the Act and I would expect we will deal with these in detail during the committee itself. These are the highlights of the legislation.

Hon. J. A. C. Auld (Minister of Tourism and Information): Mr. Speaker, I would like to draw the attention of the hon. members today to the presence in your gallery of a very special group of visitors from Japan. Accompanying Miss Hiroka Koba, who is here in her official duties as Miss Japan-Canada Friendship, are more than 15 of the leading members of the Japanese press and television. These visitors are nearing the end of a two-week tour of Canada as guests of the federal Department of Trade and Commerce, and after leaving Toronto will visit Niagara Falls, Edmonton and Vancouver before embarking for their homeland.

Miss Koba, who is a school teacher and daughter of a very famous Japanese author, will return to Japan as guest of honour at the Canadian pavilion at the Tokyo national trade fair. This evening, sir, my department will have the pleasure of entertaining our visitors at a dinner, which I feel will symbolize the goodwill which comes with international travel.

We are also pleased to welcome today, sitting beside Miss Koba, Miss Canada who is Miss Linda Douma. We of this House are indeed honoured, sir, to have these guests with us today, and I am sure that all hon. members will join with me in wishing them

an extremely pleasant journey back to their homeland.

Some hon. members: Hear, hear.

Hon. J. Yaremko (Provincial Secretary) begs leave to present to the House the Department of Municipal Affairs annual report, 1964.

Hon. M. B. Dymond (Minister of Health): Mr. Speaker, yesterday the hon. member for Woodbine (Mr. Bryden) asked a question of me and unfortunately I had been called to the telephone and was unable to answer it. I have the answer today, sir.

The question was: When is it expected that the transfer of Sunnybrook hospital from The Department of Veterans' Affairs to the University of Toronto will be effected? The answer is that this is actually a matter between the University of Toronto and The Department of Veterans' Affairs and, therefore, I cannot state a definite date when the transfer will be effected. However, I have found out that while the principles originally outlined as the basis for transfer still stand, very active and vigorous negotiations are now steadily going forward to work out the difficult and complicated details involved in this transfer.

Mr. K. Bryden (Woodbine): Mr. Speaker, before we proceed with other more or less routine questions, I wonder if the hon. Minister plans to make any statement with regard to the quite serious allegations made today by the president of the Toronto stock exchange with respect to the hon. Minister of Mines (Mr. Wardrope).

Hon. H. L. Rowntree (Minister of Labour): We are aware of the statement that he made and it is under consideration.

Mr. Bryden: Mr. Speaker, I would like to direct a question to the hon. Attorney General (Mr. Wishart). Has a licence been issued under The Used Car Dealers Act to Don Smith of Toronto, and if so to what address was such a licence issued?

Hon. A. A. Wishart (Attorney General): Mr. Speaker, the answer is no. I am advised by the used car dealers branch that no application has been received from a Don Smith of Toronto for a licence, either as a used car dealer or as a used car salesman.

Mr. D. A. Paterson (Essex South): Mr. Speaker, does the hon. Minister of Economics and Development (Mr. Randall) plan to contact industries with a view to encour-

aging them to expand in Ontario during his proposed sales trip through the United States?

Hon. S. J. Randall (Minister of Economics and Development): Mr. Speaker, the sales missions that we send to the United States are designed to sell Canadian goods, but we also have a separate programme called investment opportunity missions which are carried out to encourage United States' firms to grant licences to Canadian companies here or to operate branch plants.

During 1963—I could cite some of these figures for the House—these missions located 173 companies which came and opened up branch plants in the province of Ontario; there were 78 licence agreements made with American companies to produce their products, not formerly manufactured in Canada. We will also have a report on 1964 operations very shortly when we present the estimates.

Perhaps an example of the activity in this investment mission field would be a brief outline. Our last opportunity mission went to Houston, Texas, and while there for two days we located two manufacturers who wanted to open up branch plants in Ontario and 31 Texas companies that were interested in distributing Canadian products in the western United States.

We anticipate that there will be eight of these missions going to various parts of the United States in 1965.

Mr. Paterson: May I ask a supplementary question, Mr. Speaker?

Are these missions trying to attract specific types of industry to Ontario or just industries that are not now producing in Ontario?

Hon. Mr. Randall: No, we are interested in any manufacturing facility that would like to locate in the province of Ontario.

Mr. Speaker: Orders of the day.

Clerk of the House: The fifty-ninth order; House in committee of supply; Mr. W. E. Sandercock in the chair.

ESTIMATES, DEPARTMENT OF LABOUR (continued)

On vote 907:

Hon. H. L. Rowntree (Minister of Labour): Mr. Chairman, in connection with vote 907, which covers the operation of the human rights commission, I would like to draw the

attention of the House to the fact that the human rights commission of the United Nations is currently meeting in Geneva and arising from a report that I heard last Saturday at noon over the British Broadcasting Corporation I would like to read to the hon. members of the House some observations about human rights generally which were made by an observer, Mr. William James of the *London Times*.

All of us are interested in the question of human rights, not only as a local matter or even a national matter, but indeed from an international point of view. Because any human rights legislation or education will only be effective if it is achieved on a broad international scale. I quote from the remarks of Mr. James of the *London Times*:

The commission—

and he means the human rights commission of the United Nations:

The commission is working under the banner of the United Nations' declaration of human rights, adopted by the assembly in 1948. The rights and fundamental freedoms which it declares belong to all men and include equality before the law, ownership of properties, social security and work and education. It was an ideal toward which all nations were called to work.

Interestingly, from the first the Soviet Union disagreed with the idea of international intervention in the affairs of its citizens. The point is worth thinking about. The Soviet Union was arguing, in fact, that all rights derive from the state. But the declaration arises out of the conception that there is a higher moral law, not written down, but discernible by reasons above all states. The declaration really appeals to the natural law of the ancient, stoic philosophers and to the Christian idea of the law of God implicit in the creation.

To this higher law all good states must seek to approximate. One cannot say that the history of the human rights commission is one of great practical success. The very difficulty of what it is trying to do can be gathered from some of the other business of the present meeting. Capital punishment is to be considered and an international code of ethics for the police. Freedom from arbitrary arrest is on the agenda with the treatment of political prisoners and the question of human rights in developing countries. It is extremely difficult to apply a world-wide standard in the face of an immense variety of national customs and outlooks.

And he goes on to say:

It must be admitted that for most of the time so far, the United Nations' safeguarding of human rights has stayed in the ideal world of principle without coming down to effective action. Russian luke-warmness and the breach between east and west are two of the causes.

Thousands of complaints of the denial of human rights reach the United Nations every year and all it can do is to pass them on to the commission, which notes them but takes no action. The only opportunity for challenging an offence against human rights on a large scale is a debate in the assembly like the one held on apartheid in South Africa.

It is worth noting some regional offshoots. In a highly developed part of the world like Europe it is easier to work to a common standard. There is a European court of human rights which regularly examines the complaints of individual citizens against their government. Canada too has gone farther than any other country in incorporating in its own laws the provision of the human rights declaration.

But if the declaration, for many parts of the world, must seem to set a fantastically high and unrealistic standard, it still can be seen as a strengthening of the world's conscience. No one can say that what it demands is anything more than what a man might reasonably expect of life in this world. It is a code which all national states aspiring to be considered civilized will be drawn more and more to follow.

That is the end of Mr. James' remarks.

I think that his statement provides us with the objective which we are trying to attain in Ontario. It is against those objectives that the estimates under this vote are presented.

Mr. A. E. Thompson (Leader of the Opposition): Mr. Chairman, we have heard from the hon. Minister of Labour a sort of clarion call. Certainly it has not come from the government; it has come from the United Nations.

I know that the hon. Minister of Labour is a very erudite person; I suspect he reads a chapter or two of a book every night, including philosophy. I suspect he has read Hobbes and Rousseau and a number of others. I think he has a very keen intellect and he realizes that men are not perfect; that they have imperfections and we have to make them look upwards. Therefore, our laws, particularly in connection with human rights, should not be insipid or vacillating efforts, but some-

thing that demands the very best of humanity. I am sorry he is not in the House right now, because I suspect he does not reflect your thinking. I listened to the debate that was presented from the point of view of the government on the part of the hon. Provincial Secretary (Mr. Yaremko), who is of a background other than Anglo-Saxon. He told us that he had gone, when he was a graduate of law, to one law company—I do not know what you call them: a firm?—and they told him: "Change your name and we will accept you." Then he said he went to another, larger firm and they accepted him. As far as I am concerned, and I am sure as far as the hon. Minister is concerned, if you went to a firm and they told you the basis of accepting or not accepting you was because you had the name Rowntree, you would raise a rumpus all over the place and demand that they accept you on your qualities and your talents. You would not have secretly with hat in hand walked away and gone to another firm.

Mr. E. W. Sopha (Sudbury): I do not know if they would hold still for those.

Mr. Thompson: Well, perhaps the talents would not have stood up, but at least you would have known it was not on a racial or national background.

And I thought that the hon. Provincial Secretary gave a poor presentation with respect to the human rights debate that was taking place. As I say, I wish he was in the House in order to answer me. But I thought, standing there as a protagonist, as he was presenting himself, of minority groups, that he was an insipid lamb, arguing that because of numerical factors, he wandered over to another place with his tail between his legs. We in the Liberal Party do not have our heads bowed no matter what our racial background; we look on ourselves as equals. I say that the law in this Legislature should give recognition to the fact that we are all equal. When you make a law, you do not have discrimination, whether it is with respect to the accommodation of three or six. I would like to go into that a little bit. There is a great preamble with respect to The Accommodation Act—

Hon. Mr. Rowntree: Mr. Chairman, does not what the hon. leader of the Opposition is debating in detail come under the legislation, wherein we have ample opportunity of debating it? Are we not talking about the operation of the human rights commission, to put it into the position which outside observers attribute as being in the forefront of

the operation and application of human rights in Canada? That is why I read that statement. In the whole of Canada there is no provincial jurisdiction that is further ahead than Ontario; indeed, we are the only jurisdiction which has a full-time commission operating in the interests and for the advancement of human rights.

Mr. Thompson: Of course we are talking about human rights, but also the direction that the hon. Minister's personnel will follow—the direction that is given in connection with the statute that we approve or disapprove. As I say, I started being very flattering toward the hon. Minister. I hope that he will display a new enthusiasm and vigour, not a sort of a watered-down or insipid approach, because I think the hon. Minister is as much opposed as I am to watering-down things. It is for this reason that when we get a situation of numerical aspects with respect to human rights, I hope the hon. Minister would deplore it as much as I do.

I frankly was astonished and dismayed that the hon. Minister should be bringing in legislation on accommodation where we had a number attached to the fact that you can discriminate. It is a shocking thing in view of the whole situation south of us, where a great human drama is being played, where men are fighting to be equal. Up here we are insipid, weak and vacillating, saying: "We will move it down a little bit on accommodation to three units." The only reason that we agreed to this in principle was because of the preamble, and the fact that we thought that when we got down to the strategic debates we could move that you could remove the three units to no units. And we are going to fight for that.

In connection with employment opportunities, I have, frankly, been shocked as I find that you have a great preamble again, saying that these are the virtues with respect to clearing away discrimination. But it applies only to those employers who have fewer than five employees working for them. You may say that first of all in the moral aspect, you do not leave loopholes for anyone, but when you do leave loopholes, let us have a look at what they really do. The loophole exempts from the provisions of the human rights code no fewer than 24,000 service businesses in this province—76 per cent of the service businesses in Ontario. It leaves no fewer than 41,000 employees in our service industry with no protection against discrimination.

Mr. Chairman, that loophole exempts 40,000 retail businesses in Ontario. It means that

75 per cent of our retail businesses need not concern themselves with human rights. It exposes 80,000 retail employees to the poison of discrimination.

Mr. Chairman, it exempts 35 per cent of our manufacturing industries—4,700 manufacturing industries with 11,000 employees.

In these fields, 130,000 Ontario workers are vulnerable to discrimination in employment. This loophole means that there is a wide range in which people can have discrimination without any legal attitude from the point of view of the government. The law does not touch them in any way.

Loopholes aside, in human rights we should stand in the forefront. As the hon. Minister of Labour has said, Ontario wants to be an example for the world, and he quoted from the United Nations. What does the government consider an adequate staff to maintain the equality and dignity of human beings in the province of Ontario? How large a staff does the Ontario human rights commission have? How many persons able to eradicate the great evil of prejudice in the province of Ontario? Thousands? A hundred, perhaps? Even a dozen? No, Mr. Chairman. There are three; a director and two officers, plus three clerks.

The present government allows one human rights officer for every two million citizens of this province, and is that adequate? I look for comparisons.

Hon. Mr. Rowntree: Mr. Chairman, might I ask the hon. leader of the Opposition a question?

Mr. Thompson: Do you mind if I finish?

I find that the Toronto humane society, which, incidentally, was organized in 1887, 75 years before we adopted our human rights code, the Toronto humane society has a staff of between 25 and 30 persons and operates with an annual budget of about \$220,000. I think, Mr. Chairman, that we can be proud of the work that is done by our humane society and societies for the prevention of cruelty to animals. Our efforts as a people is honourable in this area. But can we take pride in the fact that our human rights commission operates with half the budget and a quarter of the staff of the Toronto humane society?

In my terms, the answer is plain. We cannot take pride. We can only be ashamed of our slow, small and hamstrung efforts to ensure the equality and dignity of the citizens of Ontario.

I think, Mr. Chairman, that in a very real sense, the shame belongs to us, right in this

Legislature. But in even a more meaningful sense, the finger of shame must be pointed first at a tired and a cynical government of this province, a government that repeatedly and consistently, time after time, with unflagging determination, commits itself to the minimum effort. A government that knowing nothing of leadership has raised the art of followership to a degree of perfection unparalleled in the civilized world. Followership, Mr. Chairman. This government is years and years and miles and miles behind the wishes of the people of Ontario for human rights.

Two weeks ago, we saw evidence of how Ontario feels. We saw hundreds of students, businessmen, religious leaders and others, sacrifice time and comfort in their conviction for the equality of men. I suggest that these people are ashamed, and so are millions of others, at the government's demand of them. The government's commitment to human rights on their behalf amounted to two cents.

Mr. Chairman, let us do two things. First of all, let us remove the shame of exempting 76 per cent of our service industries, 35 per cent of our manufacturing industries and 75 per cent of our retail businesses from the provisions of our human rights code. Let us plug that loophole, so the world cannot look through this loophole to see the kind of government that we have today. Then let us ask the citizens to show us how important they consider this struggle. Let us ask them how much of their money they would devote to human freedom. Let us ask the religious leaders, the students, the labour leaders, the businessmen, the ordinary man in the street. Let us ask others. Let us ask the Indians.

Mr. L. Letherby (Simcoe East): Ask me, too.

Mr. Thompson: We have heard from you, my friend.

Mr. Letherby: You are just playing to the gallery, you know that—

Mr. Thompson: I want to get that in the record. I enjoy getting that from our friend from Orillia. He said a lot of this is nonsense. Are you referring to the human rights code and the dignity of man as being nonsense?

Mr. Letherby: I figure that the human rights code is being respected by this government, but you are trying to ride it a little too far.

Mr. Thompson: I am trying to ride it a little too far? I want to get that on the record. I am trying to rise and give an equality of—

Mr. Letherby: Do not start to point your finger at me. Go on with your discourse.

Mr. Thompson: You do not have any opinions on this?

Mr. Letherby: Pardon?

Mr. Thompson: You have no opinion with respect to human rights?

Mr. Letherby: I have lots of them, but they do not agree with yours.

Mr. Thompson: Pardon?

Mr. Letherby: I have opinions. They do not agree with yours.

Mr. Thompson: What are your opinions?

Mr. Letherby: You have the floor; I have not.

Hon. Mr. Rowntree: Mr. Chairman, I asked the hon. leader a question, but he said he would not permit any interruptions. Now he is carrying on a side debate. I am listening to what you have got left to say in this harangue that you are offering.

Mr. Thompson: May I say to the hon. Minister of Labour, that you, because you stand out in some way, are in conflict with the average rabble of your party. You have sat here for a long time. Our friend here is a red necked roughneck.

Hon. Mr. Rowntree: Now, nothing personal.

Mr. Letherby: And you are the biggest rabble in your party.

Mr. Thompson: I stand for people who are abused, for minorities. He stands for having the status quo and claims everyone is satisfied, no matter if they have—

Mr. Letherby: You are making the speech, I am not.

Mr. Chairman: Order, please. Order!

Mr. Thompson: You had a lot to say, my friend, and you are going to lose a lot of votes for your party.

Hon. Mr. Rowntree: Now let us get on with your address.

Mr. Thompson: You said that before.

Hon. J. Yaremko (Provincial Secretary and Minister of Citizenship): Are you making the speech for votes, sir?

Mr. Thompson: No, I am not making the speech for votes. Let me just start again, be-

cause the hon. Provincial Secretary has come back. As a man—

Hon. Mr. Rowntree: Keep the sequence of your remarks—

Mr. Thompson: From the point of view of his philosophy, he is weak, insipid and obsequious.

Mr. Letherby: And so are you.

Mr. Thompson: He stood up in connection with the accommodation Act and I was ashamed of him; I am ashamed of his philosophy. Weakly and obsequiously he says, "Let us give time to this; let us wait a little while. We have cut it from six; we will move it to three."

But you know, we will move on in this. We voted for the principle of the bill, and I want to emphasize this as the New Democratic Party did; it voted for six units, and if people were discerning they would recognize they voted for six units. But they did not vote for three units. What that means is that the New Democratic Party believe that six units is right. But we happen to have a stronger sense of conviction.

Interjections by hon. members.

Mr. Thompson: My friend, how twisted can you get? He suggested that you should vote against three, but you vote for six. I would suggest that they are so muddled that they do not know what they are doing in this situation. We want to see this wiped away; we want to see discrimination removed not only on the numerical value, but on an equality—one that they have completely eradicated. The hon. Provincial Secretary comes in with a kind of a plaintive whine about the fact that he went to a law firm and he was turned down because of his name, and then he went to another one and was accepted. What is he talking about? As I said to you previously, with respect—

Hon. Mr. Yaremko: Mr. Chairman, on a point of personal privilege—

Mr. Thompson: —if I went to a law firm and was turned down because of my name, I would raise a holy ruckus and the matter would be fought out. I would not be submissive and obsequious—

Hon. Mr. Yaremko: You know the government that was in power at that time? The Liberal government!

Mr. Thompson: I would not be wandering around here when the government is—

Interjections by hon. members.

Hon. Mr. Yaremko: Mr. Chairman, I think it is most unparliamentary for the hon. leader of the Opposition who holds the second highest position—

Some hon. members: Put your point of order!

Mr. Thompson: I did not get the point of order.

I want to say this, and I want to reiterate it. As far as I am concerned, in philosophy and siding with the crowded benches, I have never seen such a weak-kneed, such an obsequious, such an asinine approach as we had from the hon. Provincial Secretary in connection with fighting for the rights of minorities.

They came in with a whimper, telling us that at this point they might have three in an accommodation clause. I suggest to—

Hon. Mr. Rowntree: Mr. Chairman, on a point of order pertaining to the rights of members of this House, I have a great regard for the hon. leader of the Opposition—

Some hon. members: What is the hon. Minister's point of order?

Hon. Mr. Rowntree: I would say, Mr. Chairman, that the hon. leader of the Opposition comes perilously close to putting himself outside of this Legislature—

Some hon. members: You will never do it!

Hon. Mr. Rowntree: —while imputing motives to the hon. Minister from Bellwoods. I do not think that the hon. leader of the Opposition is—

Interjections by hon. members.

Mr. Chairman: Order!

Hon. Mr. Rowntree: I do ask you, Mr. Chairman, to remind him of his duty as an hon. member of this House to other hon. members, and of his duty as the leader of the Opposition. I think he is being carried away by something that he wrote—

Mr. Thompson: Mr. Chairman, on the supposed point of order in which the hon. Minister of Labour says I am "carried away," the only thing I am being carried away with is my conscience—

An hon. member: Which way?

Mr. Thompson: —inasmuch as I am going to take a stand that you are not going to add

discrimination with respect to employers and then give a loophole for others to have less than five. The hon. Provincial Secretary stood up and tried to defend the position on the housing accommodation saying that we had six before and now we have three, and boys be patient and we may move down there a little further later!

There is a great need and we are going to fight hard in connection with breaking with these numerical values which you establish in connection with discrimination.

We say that there should be no discrimination, and we are going to push for that on the principles which we followed in the accommodation bill in the House. Our point is that the preamble is good. In principle, it is good, but when you come down to the details: We reproach you on it!

We tried to make amendments in connection with the bill that came in. Both the New Democratic Party and ourselves voted for this when it was fixed units. We voted for it because in the preamble we liked it. But on the detail we did not. And then when it came in with three units, we still did not like it. But we liked the preamble and were going to try to amend the details. Similarly with respect to the employers—

Hon. Mr. Rowntree: I think the hon. leader of the Opposition is speaking on this bill at the wrong time; we are talking about the money to operate the commission.

Mr. Thompson: But the bill gave direction for the money to be allocated. As far as we are concerned, when the hon. Minister has a great preamble about fancy discrimination in connection with the recruitment of employees for over five who are working in an industry, we say this is wrong. You do not just satisfy the ones who are under five so that they can be free and easy and do whatever they want.

As I have mentioned, there are many of these people and they also should have legislation with respect to them. I ask the hon. Minister how he arrived at five as the point at which they could have a free attitude on their own part. How did he arrive at five?

Hon. Mr. Rowntree: It is the same figure as is applied by the Liberal government at Ottawa on a national scale in connection with the Canadian declaration of human rights.

Mr. Thompson: Well, let me say to the hon. Minister that I do not follow blindly anything that is done in Ottawa—

An hon. member: You might!

Mr. Thompson: I follow my conscience and the hon. Minister is giving this as justification for —

Hon. Mr. Rowntree: I am just telling the hon. member that this is an arbitrary figure.

Mr. Thompson: Well, why?

It is not good enough. Does the hon. Minister mean to say that he has just done this because it is done in Ottawa by the Liberal government? Let us have more reason.

The hon. Minister is a very incisive, intelligent man and he must have had other reasons. Let us hear them.

He has no other reason?

Hon. Mr. Rowntree: Is the hon. leader of the Opposition through? Because when I am sure he is through—

Mr. Thompson: I asked the hon. Minister.

Hon. Mr. Rowntree: I do not like standing up when the hon. leader of the Opposition is standing up.

Mr. V. M. Singer (Downsview): Oh, oh, oh!

Hon. Mr. Rowntree: So that there will be no misunderstanding as to where we stand in the operation of human rights legislation, I at no time, now or in the past, nor do I plan in the future, ever to measure the success of the operation of or the contribution which an agency makes by the number of its employees. That is the first thing. It is a false test to apply to anything; it has no relevance and the hon. leader of the Opposition's argument to me is fallacious. Indeed, I am prone and inclined to observe that I am amazed at the harangue on this subject which he read from his prepared notes. It is obvious that the Opposition needs more research facilities—

Interjections by hon. members.

Hon. Mr. Rowntree: Now I will tell you that at the North American conference on human rights last summer in Minnesota, Ontario was held up as one of the shining examples. It has legislation that exceeds in quality similar legislation in 26 states of the United States.

Mr. Singer: But there are 50 states.

Hon. Mr. Rowntree: And equal to a further number as well.

Mr. Singer: I will bet it is better than Mississippi.

Hon. Mr. Rowntree: It is also in excess in quality of all legislation in Canada. The hon. leader of the Opposition must have missed the point in my reference to what Mr. James of the *London Times* had to say on his broadcast last week, when on a world basis he said that there is no jurisdiction further ahead, and this is from an outside observer, than Canada.

But the hon. leader of the Opposition does not want to pay any attention to that. I say to him that if that is the position he wants to take, well and good. We have heard it recorded.

As for me, I do not accept the argument accepted by the hon. leader of the Opposition and I think some of his remarks leave a lot to be desired in the way in which they have been expressed, because this is not the leader of the Opposition whom I have known to date, this is somebody else speaking, it is somebody else talking.

As far as the moneys that we are asking you to consider here today are concerned, I say this to you, that we are the only jurisdiction in Canada with a full-time operation. In British Columbia the staff is zero. Men are drafted from other departments to implement and deal with human rights matters.

We could go into detail with respect to what men like Eamon Park have recommended—men who purport to be experts, men of Irish descent as well—and Mr. Park—

Mr. Thompson: Now, do not discriminate.

Hon. Mr. Rowntree: Oh, it is a rare compliment I am giving.

Mr. Thompson: I am a Canadian.

Hon. Mr. Rowntree: A rare compliment. Your views do not coincide with the recommendations of community groups led by Mr. Eamon Park at all; they do not coincide, there is no relationship.

I put this before you squarely: I think that the progress made in this province is equal to none. I do not understand and I criticize quite openly the hon. leader of the Opposition for imputing that the recent demonstration in Toronto with respect to human rights was directed to this government and in criticism of what we have done. No such thing!

Interjections by hon. members.

Hon. Mr. Rowntree: Let me clear the record. It was directed to a situation in a

state of the United States where, under no circumstances, are conditions comparable to those here.

Mr. Singer: He did not say anything like that.

Hon. Mr. Rowntree: No, but I am saying this because your inferences are intended—they always are—to sort of let something roll off and over; if it catches some flies, well and good. This is your view.

Mr. Thompson: No, it is not.

Hon. Mr. Rowntree: Well, I am glad to hear it is not, because the public and *Hansard* will now be clear as to what you did not say by way of—

Mr. Singer: How gracious of you to clear the record.

Hon. Mr. Rowntree: Well, that is part of my job.

Mr. Singer: Clear the record of performance.

Hon. Mr. Rowntree: Let us refer to the operation of another Liberal government, in the province of Quebec, which bears the same banner as the hon. leader of the Opposition and waves the same flag. Quebec legislation covers only employment; it does not cover housing or public accommodation at all. I do not understand this research you have done in this matter, but I would be glad to discuss it with you privately at any time. I invited the hon. member for Etobicoke (Mr. Braithwaite), when he was appointed to be my shadow in your shadow government—

Mr. Thompson: Shadow? He is your prominent—

Hon. Mr. Rowntree: I invited him the minute I heard that. I telephoned him and said I was delighted with his appointment by his hon. leader. I invited and made an appointment to have him come down and go over all the matters in my department. And I extend the same invitation to you.

Hon. Mr. Yaremko: Mr. Chairman, I, as a member of this Legislature, do not have to sit in my place and listen to the kind of language used by the hon. leader of the Opposition.

Mr. Thompson: Did you vote against the fair accommodations bill?

Hon. Mr. Yaremko: All I can say, Mr. Chairman, it is the record of this government

which I support; I will read the record very succinctly again, and this is why I am on this side of the House—

Mr. A. J. Reaume (Essex North): Who wants you over here? You stay there; we do not want you.

Hon. Mr. Yaremko: Mr. Chairman, four years before the adoption of the United Nations declaration, the Ontario Legislature passed The Racial Discrimination Act. In 1951, it passed The Fair Employment Practices Act, the first in Canada. In 1951, it passed The Female Employees Fair Remuneration Act, the first in Canada, the first in the Commonwealth. In 1954, it passed The Fair Accommodation Practices Act, the first in Canada. The establishment of the anti-discrimination commission in 1958 was the first in Canada and is still the only one of its kind. I can see that the hon. leader of the Opposition has no interest in what is going on at this point in the House at all.

Mr. Sopha: Do not take yourself so seriously.

Hon. Mr. Yaremko: I take myself very seriously when he talks like that. The hon. member for Sudbury laughed when I mentioned discrimination in the field of the Canadian football league. The hon. member just sat there—

Mr. Sopha: I thought it was just blustering nonsense on your part.

Hon. Mr. Yaremko: Yes, it is interesting to note, Mr. Chairman—

Mr. Sopha: What have you done about it?

Hon. Mr. Yaremko: It is interesting to note that three days later Mr. Macaluso from Hamilton woke up to the fact, and he then asked the federal Minister of Citizenship—

Mr. Sopha: Who is he?

Hon. Mr. Yaremko: He is the Liberal member for Hamilton West. I have read the record of this government in power in Ontario. Let us see what the record is of a government that is in power in Ottawa. Let us look at the civil service application form when you want to get a job in Ottawa under a Liberal government.

Question No. 19—Are you a Canadian citizen? Yes No.

Question No. 20— By birth? By naturalization? If a Canadian citizen by naturalization, please answer the questions on page 3 under citizenship.

And you turn the page and this applies only to people who are naturalized; born outside of Canada—

Mr. Sopha: Is this a statistical compilation?

Hon. Mr. Yaremko: A statistical compilation, is it? This is the thing that is no longer in existence on Ontario civil service applications.

Mr. Singer: For how long? How long? You only took it out after there was a public outcry.

Hon. Mr. Yaremko: Citizenship to be completed if a Canadian citizen by naturalization—

Mr. Singer: How long ago did you take it out? How long ago?

Interjections by hon. members.

Hon. Mr. Yaremko: Place naturalized. Country of birth. Port of entry. Now you ask me what has that to do on an application for a job in the federal civil service? Do not give me that—

Mr. Sopha: That is unparliamentary.

Hon. Mr. Yaremko: The hon. member for Etobicoke asked me, in the course of my estimates, where was I when they were being stopped from coming into Canada at Niagara Falls, and elsewhere in Ontario. But the significant thing that he omitted to say, Mr. Chairman, was that it was the Liberal government that was stopping the people. They did it last week, and had to reverse themselves.

I mention this: an article from the *Globe and Mail* of March 13 headlined:

BILL TO CURB CABINET POWER TALKED OUT

Ottawa (C.P.). The government yesterday talked out a private bill that would remove from The Immigration Act the federal Cabinet's powers to refuse admission to Canada of persons on grounds of nationality.

That bill introduced by a private member was talked out by the Liberal government. Mr. Chairman, I will stack the record of this government of the past 20 years against any government in the world, including the Liberal government.

The hon. member referred to the fact that I mentioned two incidents in the late '30s. The reason I am a member of the Progressive-Conservative Party that forms the administration is that in the '30s, when I needed some-

body, there was a Liberal government in power and it did not lift a finger.

Mr. Sopha: Well, one could typify the contribution of the hon. Minister of Labour as a pious incantation but that phrase could not adequately describe that of the hon. Provincial Secretary, which is more akin to blustering balderdash.

Mr. Singer: Is that unparliamentary?

Mr. Sopha: I am one of those who has looked with some degree of sardonic amusement on the inarticulated major premise of the hon. Provincial Secretary. Fairly summed up, it is that whenever minorities are spoken of in this province, the hon. Provincial Secretary has a sort of vested right to get up and speak about them. In other words, he holds himself out under mere pretence as chief principal spokesman of minorities in the province, and no one else's opinion is of any consequence. The hon. Minister of Reform Institutions (Mr. Grossman) used to convey that, but in recent years we hear less from him.

Whatever the view of the hon. Minister of Labour about the relevance of the remarks being made in respect of this vote, I think it is sufficient to say that we are talking about human rights. Surely the human rights commission, using the moneys that this Legislature is pleased to vote, devotes its time almost exclusively to the question of human rights. Whether that question expresses itself in the administration of the commission, or in the legislation that it motivates the Ministry to lay before this House, I do not know. All this began not with the government of Ontario, at some particular place and time that the hon. Provincial Secretary advises himself to pick out, but in the meeting between President Roosevelt and Prime Minister Churchill in Argentina in the early days of the war, when the first expression of the rights of mankind was made by the leaders of the two warring nations against the German juggernaut and the tactics and the unprincipled activities of Adolf Hitler. That, of course, led to the universal declaration of human rights, adopted by the United Nations and eventually to the adoption of a code, of which I do not approve in its use of language and its implementation of arithmetic by the government of this province.

I think it is significant that at a moment in history when the whole of this continent is conscious of the striving of the black man in the United States, trying to rectify 100 years later the results and misadventure of the war when brother took up arms against brother, cousin against cousin, over the issue of

slavery, that this government has the unmitigated gall to produce a statute before the Legislature which enshrines discrimination—not only permits it, but enshrines it. That significance is underlined when one remembers that the original statute, the one that preceded this one the name of it escapes me for the moment—the one before the 1961-62—

Hon. Mr. Rowntree: Anti-Discrimination Act.

Mr. Sopha: The Fair Accommodation Practices Act and the Fair Employment Practices Act. We must never lose sight of the significance that those statutes were passed by the consent of all the members of the House. They won support from every party. The declaration of principles in those statutes, contrary to what the hon. Provincial Secretary invites us and the public of Ontario to believe, are declarations of all members and all parties, and he has no vested and private and managerial interest in them at all. Nor have any of his colleagues on the government benches.

Then at the time when the black man—and really there is no comparison—is striving in the United States and sometimes sacrificing his safety, and indeed even his life, at that time, in this city, the metropolis of Ontario, in this city where one out of three of the citizens of Ontario live, clergymen of all denominations meet in a church in downtown Toronto and join together in an inter-faith service of worship. And to that end, supplemented by 2,500 to 3,500 of the citizens of this area, they joined together to make a declaration of principle. Those are the significant words, a declaration of principle. It is fair to say that the conscience of the church has been rather slow in awakening to these things. But they joined together, and they say this is what we believe about the relations of man and man. Basically, all they are saying is that notwithstanding the colour of the individual, if you cut him his blood is going to run red, no matter what part of the world he lives in.

At the very time that significant service of worship was being held downtown, this government has on the order paper a piece of legislation that permits discrimination and permits it on a mathematical formula. So, if one approaches the preamble to the statute, passed by this Legislature in 1963, by a little interpolation it would read like this:

Here is the state of human rights in this province on this the 31st day of March, 1965.

Whereas recognition of the inherent dignity

and the equal and inalienable rights of all members of the human race is the foundation of freedom and justice and peace in the world, except if you live—

these words are mine:

—except if you live in an apartment building where not more than three apartments are rented; except if you are employed in a business that does not employ more than five persons; and whereas it is public policy—

Mark those words, whereas it is public policy, and indeed the policy of all members of the House, public policy, not only of the members of the House, but the policy of the great mass of our fellow citizens throughout the province, that word, that phrase is all embracing;

—whereas it is public policy in Ontario that every person is free and equal in dignity and rights, without regard to race, colour, nationality, ancestry or place of origin, except, I add, if you live in an apartment building where not more than three units are rented, or except if you are employed in a business which does not have more than five employees.

I do not need to read the rest of the preamble, but it shows how destructive of the intent of this ringing declaration is the attitude of the Ministry with the hon. Provincial Secretary's exaggerated description that knows almost no limits; as he gets up in his inimitable way and beats his chest and allows large quantities of oxygen and ozone to envelop us all. I sometimes think that he would achieve better results if he beat his head for a while.

Interjections by hon. members.

Mr. Sopha: We are on vote 907 and it is the operation of the Ontario human rights commission. We are talking about human rights and the policy of this government in regard to human rights. So, as my hon. leader aptly points out, if you want a little mathematics, the hon. Provincial Secretary would do well to look at this. We have exempted 75 per cent of our service industries from the application of this ringing declaration of principle; 35 per cent of our manufacturing industries. They can practice discrimination and 75 per cent of our retail businesses are allowed under law to indulge in discrimination.

There are a few mathematics to contemplate. I just want to call the attention of the hon. members to the concept that I have held for a good many years about our role—our Canadian role—in the light of present world

conditions that deal with nationalistic urgings, and a striving of mankind in all parts of the globe for equality, and to reside in circumstances conducive to human dignity. I have always felt that our country can play an immense, and invaluable role in the relations of nations, one with another, if we project the image that we, as Canadians, are quite unlike some other peoples in the world, in that we have an honest and sincere concept of the freedom, and the equality and the necessity for the dignity of mankind.

So it ill behoves one province of this great country to appear in the light of the role of the honest broker in the world.

Peter C. Newman, I notice in recent articles in a newspaper, does not approve of the role of honest broker that we have played in the world in solving the troubled Suez situation, in the foundation of the state of Israel. He apparently does not approve of that. I do not know what he wants us to do, whether he wants us to go to war with Argentina, or some other little nation, so that we would have a positive foreign policy. But in projecting the image of our country as I see it, then we in Ontario have an obligation not to do anything through the use of arithmetic to detract one iota from that declaration in The Ontario Human Rights Act in the statutes 1961 and 1962.

An hon. member: Hear, hear.

Mr. Singer: Mr. Chairman, just as a minor postscript to the remarks of my leader and my hon. colleague from Sudbury, I thought I must bring it to the attention of the hon. Provincial Secretary that he has misled the House, I am sure inadvertently, but he has in fact misled the House.

I hold in my hand an application form for the Ontario civil service, which has on it as question No. 2: Are you a Canadian citizen or British subject, box "yes," or box "no." Now, the hon. Minister said that had been removed and in so saying—

Hon. Mr. Yaremko: No, Mr. Chairman, I did not—

Mr. Singer: Oh, yes, he did.

Hon. Mr. Yaremko: I did not say that.

Mr. Singer: He definitely did. He said it as part of an excuse for the actions of this government, and he held in his hand a federal form and he said: "This is an example of the horrible things that made me—not me, him—a Tory, and we have not got it in Ontario." We asked him when he had deleted it, and he said: "Oh, it is out."

Well, it is here, and I suggest, Mr. Chairman, since the Minister got up and made that statement—giving him the benefit of every doubt—he inadvertently misled the House, and I wish he would correct the record.

An hon. member: Hear, hear.

Hon. Mr. Yaremko: Mr. Chairman, there was no misleading on my part at all. The federal application—

Mr. Singer: No, it is the provincial one we are talking about. It is this one.

Hon. Mr. Yaremko: Mr. Chairman, there is nothing wrong in the question: Are you a Canadian citizen?

Mr. Singer: That is just what you made your speech about, that is what you pointed and gesticulated about, that is what made you a Tory!

Hon. Mr. Yaremko: You see, Mr. Chairman, the reason they cannot correct it in the Liberal Party is that they do not understand what it is about.

Mr. Singer: Oh, Mr. Chairman, I gave him the benefit of every doubt and now he is trying to bulldoze his way through.

Hon. Mr. Yaremko: The federal civil service—

Mr. Singer: Waffling again.

Mr. Thompson: Talk about the provincial!

Hon. Mr. Yaremko: The federal civil service then goes on to find out whether you were a citizen by birth or by naturalization—that is the complaint.

Mr. Thompson: Mr. Chairman, just to clarify: He says there is nothing wrong with this. Am I to assume from the hon. Provincial Secretary that it is important to know whether you are a Canadian citizen or a British subject? Is one superior to the other or not? Would you answer why this is in your application form?

Hon. Mr. Yaremko: It is in conjunction with the public service—

An hon. member: Oh get off it!

Mr. Thompson: I am sorry, I want to get this in the record. You have made a speech on this so I want to ask you: Why have you got this on your application form?

Interjections by several hon. members.

An hon. member: It is on the wrong vote.

Another hon. member: It was not ten minutes ago, was it!

Hon. Mr. Yaremko: It is in conjunction with the—

Mr. Singer: Have the good grace to stand up and say you made a mistake.

Mr. Thompson: Under human rights you are getting up, as far as I am concerned like pale blotting paper, just wanting to absorb what your party says every time you stand up—

Hon. Mr. Yaremko: Oh no, no!

Mr. Thompson: "The Progressive-Conservative Party is always right, that is why I joined it!"

Hon. Mr. Yaremko: Sure!

Mr. Thompson: Now I want to ask you as a defender of human rights and as a speaker for minorities why have you got this in: "Are you a Canadian citizen or British subject or not?"

Will you answer that for us?

Hon. Mr. Yaremko: Is that in conjunction with—

Mr. Thompson: Will you answer it or do you want to remain silent and obsequious? Will you answer it? Will you answer why you had that or does that concur with the human rights code?

Hon. Mr. Yaremko: Yes, sure!

Mr. Thompson: It does!

Fine, we know your stand, my friend.

An hon. member: Perhaps the hon. Provincial Treasurer (Mr. Allan) will tell us.

Hon. Mr. Rowntree: Mr. Chairman, we will be coming to that commission in due course.

Mr. Singer: The civil service commission is under his department.

Hon. Mr. Rowntree: It will come when the vote comes up.

Mr. Singer: The hon. Minister of Labour is the arbiter of the rules, he is always telling everyone when they are in order and out of order and when they have strayed. Would the hon. Minister of Labour not be anxious to have his hon. colleague correct the record, because his colleague said this statement was not in the form and it obviously is in the form?

An hon. member: You need Leslie Frost.

Hon. Mr. Rowntree: The record is quite clear as *Hansard* will show.

Mr. Thompson: We are not talking about *Hansard*, we are talking about application forms.

Hon. Mr. Rowntree: It is clear in the introduction of my estimate, it is clear in certain amendments to the—

Mr. Singer: How about this question?

Hon. Mr. Rowntree: Just be a little bit courteous.

In the light of—

Mr. Singer: I asked you a specific question. You said, "the record is clear." Now you are making your preliminary speech all over again.

Hon. Mr. Rowntree: Not at all. Mr. Chairman, the record is clear and it is obvious that the hon. member was not here or has not read *Hansard*, because in certain amending legislation which I have introduced that question is answered. It does not apply to employment in the civil service of Ontario, except insofar as The Public Service Act is concerned.

Mr. Singer: Whether it applies or not, the fact remains that the Minister, the hon. Provincial Secretary said it was not in the forms. This is a form, a current form, and it is there. The hon. Minister said it was not. I say the hon. Minister misinformed the House and I think he should correct the record. It is just as simple as that.

Hon. Mr. Yaremko: Mr. Chairman, the situation is perfectly clear. Both application forms asks whether the person is a Canadian citizen or British subject, but then the federal one goes on to ask—

An hon. member: Oh, come on!

Hon. Mr. Yaremko: —goes on to ask whether by naturalization or birth, and that is what I complained about in connection with the football league and am still complaining about with regard to Ottawa. I think Ottawa should change its form because I think that the Ottawa form is contrary—

Mr. Sopha: I can understand the federal government asking for this because they have a responsibility for immigration and the compilation of statistics, two separate heads of responsibility. They run the Dominion bureau of statistics. But I cannot understand why in

this form, where there is no comparable responsibility, that you require the answer to the question: Are you a Canadian citizen?

Is the hon. Provincial Treasurer who runs the civil service commission, is he, and the head of the civil service commission, are they both concerned that the people who apply for employment are Canadian citizens? I know lots of people who have been here, a great many people who have been here ten or 15 years and are not yet Canadian citizens. We do not compel them to become Canadian citizens. Are they to be denied the right to a job because they are not?

I can understand them not being allowed to run for public office until they take that step of the acquisition of citizenship, but I cannot understand really, in the farthest and most strenuous exercise of my imagination, why it is a matter of concern to the provincial government, or any employer, whether a person is a citizen.

Now I can understand down in Quebec such societies as the Jean Baptiste society are concerned about the employment of French-Canadians and are concerned about speaking French in employment. They have people going around and telling employers to insist that French be spoken in their employment. I can understand those things, and they are a reflection of the strains and stresses of Confederation.

But I cannot understand why paper should be wasted for an answer to that question before employment here. Having asked the question, do the hon. Provincial Treasurer and head of the civil service commission—and really we are entitled to answers to these questions—do they discriminate in favour of those who are Canadian citizens or British subjects?

That second is a real laugh! The "Minister of Minority" ought to be concerned about that one, because you can come here in two different categories. You can come as a landed immigrant from central Europe; but you can also come here as a British subject. So you would answer in reference to that one yes, and you are not a citizen.

Is that intended to give a preference to people who come to this province who are British subjects and are not Canadian citizens? It would seem to indicate that, because we are all British subjects by virtue of The Citizenship Act, 1947—I hope my date is right, I think it is 1947; yes, 1947.

We are all British subjects but there are British subjects among us who are not Canadian citizens. So the hon. member for Downsview, in a very perspicacious way has opened

up a can of worms here, and the can of worms is residing right in the lap of the hon. Minister over there, the man who gets up and raves about the Canadian football league, which after all is a matter quite trivial in its ramifications. We will not require a meeting of the security council to deal with that one. I imagine they will iron out their difficulties about what is that inside guard and they will be able to sell their tickets, you can bet your last dollar on that. Especially the last place Argos, they will sell their tickets this fall as they have in the past.

But really, if the hon. Prime Minister (Mr. Robarts) was here I am sure that he would give us an answer. I know in my heart that if Leslie Frost was still Prime Minister he would have been up long ago to give an answer about this. I feel that my hon. friend from Grey South (Mr. Oliver), the dean of the House, would agree with me, that this is a matter on which we are entitled to an answer.

Hon. Mr. Rowntree: I thought the answer was quite apparent from what I said a moment ago, but apparently it was not.

An hon. member: Apparently not!

Hon. Mr. Rowntree: I made reference to The Public Service Act and therein lies the entire point to, I think, what you must be talking about.

Mr. Sopha: What does it say?

Hon. Mr. Rowntree: To be a permanent public servant of Ontario you must be a Canadian citizen.

Mr. Sopha: Or a British subject.

Hon. Mr. Rowntree: Or a British subject.

Mr. Sopha: Well, that is a shame.

Hon. Mr. Rowntree: That is what it is. I see nothing shameful about it. I think that the permanency of the civil service requires at least that kind of restriction, having in mind all of the factors that bear upon the state, and so on. I do not propose to debate many of these factors. I do not think many of the factors that were major in their nature years ago are as major now, but I think the fact still exists that the security of the state is the paramount factor which should concern all of us here.

Mr. Singer: Where is the Ontario army going to move next? That was great state security.

Hon. Mr. Rowntree: That is all right. You apparently do not understand the phrase security of the state. We will leave it at that. But that is the reason and it is at that point.

I would say, sir, that the right to employment of any person, if he qualifies, is unrestricted even in the areas of the civil service with the exception of that area of permanent public service. But you can be employed by the civil service without citizenship.

Mr. Chairman: Is vote 907 carried?

Mr. Singer: Oh, no, Mr. Chairman. Since we have entered this form business here, through the courtesy of the hon. Provincial Secretary, there are a couple of other interesting questions on this form. They inquire as to whether the applicant is single or married. I suppose that is logical, but then they go on, separated, divorced or widowed. Just how much snooping has to go on when these people are hired? Perhaps the hon. Provincial Treasurer has an answer for that one? Then they also want to know if there is a birth certificate. Is there some subtle inquiry in that, or is it just sort of a—

Hon. Mr. Rowntree: Speaking about human rights, the human rights code of Ontario covers race, colour and creed.

Mr. Singer: Not age, or marital status or reasons for marital status, or legitimacy.

Mr. Sopha: Do you have to be legitimate, too? Does there happen to be a bar sinister anywhere?

Hon. Mr. Rowntree: Yes, I assume there is.

Mr. Sopha: That is what the birth certificate is for.

Hon. Mr. Rowntree: It probably has to do with superannuation, completing his employment record, pension, that sort of thing.

Hon. C. S. MacNaughton (Minister of Highways): Sensible thing, you see.

Mr. Singer: You had better have a look at that statement before you—

Mr. J. B. Trotter (Parkdale): Mr. Chairman, I would like to bring up a matter of human rights. It has been brought up on many occasions—I think about every year since I have been in this House. In fact, we just touched on it now and that is the problem of age. I think we see so many ads in the papers where a person over the age of even

35 need not apply. Now, I realize there are certain jobs that only people of a certain age can do, but also there are many other cases where discrimination, I think, is most obvious against people, especially those 50 years and over. It would do no harm at all—it would do a considerable amount of good—if we added into our human rights declaration that there should be no discrimination against age. I realize that a lot of this is education of the public, but I believe that the public has now reached a point where they are beginning to accept, with a certain amount of eagerness, that there should not be any discrimination in regard to employment when it comes to age.

The government has been approached on this matter on numerous occasions, right in this House, and it seems that every year we speak our piece and not a thing has been done. That the government see to it that this is added into our declaration is long overdue.

The second item I would like to mention regards hiring personnel and the discrimination of sex. I believe that in our declaration now, there shall be no difference in pay or hiring. When the minimum wage first came out we had a great argument over the fact that to begin with there was a discrimination between men and women. Well, I still feel that there is—

Hon. Mr. Rowntree: Equal pay for equal work.

Mr. Trotter: Equal pay for equal work. This is a principle that we, on this side of the House, emphasized at the time the minimum wage came out. But in this particular department, besides what is actually law, a great deal can be done in educating the public through the various publications that are put out. One of the things that comes from our background, the mores of our society, is that women have been kept in a secondary place, especially in industry. I think this has been the view of our society, and it crosses all walks of life. We are seeing a tremendous change, especially in Europe. For example, if you are in the courts in Paris, France, it is amazing the number of women that are practising as barristers before the Bar. They are able to do that because they are accepted as barristers and for the ability they have. In this country, and in this province, it is much more difficult for a woman to practise before the Bar. I am not blaming the government. I am not blaming any particular party, but I say that there is a duty on government to use what facilities they have in educating the general public to believe that women should be given greater

opportunity. When we compare what the Russians are doing with the women power and what we are doing, it is obvious that a far greater percentage of the Russian women become graduate engineers, doctors and dentists. Here we have made very halting steps. In some of the European countries, and to a much lesser extent in England, women have played a greater role.

I feel that this is a great waste of brain power. I am looking at this problem not so much as it confronts us today, but as it is obviously going to confront us in the years that lie ahead. Our western society is in competition not only militarily and socially, but in economics, and we are going to need to harness every bit of brainpower that we have. I feel that we neglect the women's brainpower and it does come from, in many cases, discrimination—that it has been part of the mores away back in our background in this province. It may be what we in Canada call the Anglo-Saxon heritage.

This is one of our weaknesses which has not been quite so bad among the French-Canadians, but I would urge the government, in this particular department of human rights, that it use its facilities—possibly through the schools, through various public service groups and especially the schools to reach the young people—to encourage the women and the young girls to seek professional careers in industry, not just in nursing, but in other fields. It has shown in other countries and, to some extent, in Canada, that women are extremely capable in various spheres in which normally they would not be active.

Mr. N. Davison (Hamilton East): Mr. Chairman, I wonder if I might ask the hon. Minister a couple of questions on this same subject?

I have here the national employment service magazine, the Ontario section for January, 1965. There is a statement by J. W. Trimble, the regional director, and he starts off with:

Many capable older workers with years of useful service ahead of them are not being given an opportunity to re-enter the employment field.

Here is another magazine put out by the purchasing agents of Ontario, and there is an article in it about retiring after age 65. This is one paragraph I would like to read for the hon. Minister.

In 1909, when my father came to this country from England, it was not unusual to see in the Toronto newspapers a special proviso in the help wanted ads: "No English need apply." Today, the more

radical tolerant Canadian businessman sets up another kind of wall: "No one over 35 need apply."

In British Columbia they now have, under The Fair Employment Practices Act, a bill that they do not allow discrimination in hiring. This is a fairly limited bill, but it does give some protection to the older workers. I wonder if the hon. Minister would comment on the fact that we have one province in Canada that realizes that there is a problem with the older worker and they are bringing in some legislation?

Hon. Mr. Rowntree: This is a very important area to be considered; I am glad that the hon. member raised this question. I would say that I personally have a very great interest in this matter, but at this point in March, 1965, I think I can say this with some real assurance to the House that the problem to which reference was made, the major block in this situation, will be removed when portability of pensions becomes effective, and—if Ontario pension portability is already in the process of being implemented—under the Canada Pension Plan, portability is one of the conditions and factors.

Then with the general interest, which I assess as being very real and alive on the part of many groups of responsible management in the over-45 age group, I think that between the interest that I know exists, plus the removal of the block in respect to pension plans and the implementation of portability, I think that as soon as the portability factor becomes operative the problem the hon. member raised will be solved in large part. But in solving it I am interested in assisting in the matter, and in discussions on this subject—reference was made by the hon. member for Parkdale in another context, Mr. Chairman. I have had discussions with certain publishing groups with respect to control of advertisements and that sort of thing, and in addition to that, I would hope—and I have not mentioned it as a part of our programme—but one of the things I hope we will have will be a resumption of public debate with this matter not being raised just at various conventions and conferences that are held, but that a working committee in the employing group will be established to advance the points which we have discussed today.

Mr. B. Newman (Windsor-Walkerville): Mr. Chairman, under vote 907, during the introductory remarks the hon. Minister mentioned that a human rights officer would be appointed for the southwestern Ontario area. For this we commend the hon. Minister. Is

the hon. Minister prepared at this time to state who will be appointed?

Hon. Mr. Rowntree: No!

Mr. Newman: Then may I bring up several other comments to the hon. Minister? The problem of the 45-years-of-age and older worker is one that—

Hon. Mr. Rowntree: I have just spoken to that.

Mr. Newman: I would like to stress another aspect of it. It is going to be of extreme importance in the area from which I come, especially with the dislocations that we hope will not come, but may come, as a result of the automobile plan. I have had individuals approach me who were not 45, but were under 45 and looked 60. When they go to apply for employment, their application is accepted, but as soon as they make their appearance at the office, they are not believed. What is—

Hon. Mr. Rowntree: Another instance—that question to which exception was taken about age—where a date of birth would be pretty helpful.

Mr. Newman: That is true. They do present their date of birth, but the—

Hon. Mr. Rowntree: I think that it is another reason why it should stay on the application.

Mr. Newman:—employer does not accept it at all. He judges the man by his appearance. Likewise, I have had the situation where the individual is physically handicapped. He goes to the national employment service; is sent to an employer; and he goes with the understanding that the job is available for him. He arrives at the employer's who takes one look at him; sees that the individual is not of the most pleasant physical appearance and as a result the man does not find employment.

Hon. Mr. Rowntree: There is an area with respect to the handicapped which is real, very real. I do not think much of the example of the handling of the case which the hon. member has just cited. I think that the handling of that kind of a referral of a man who is handicapped to a potential employer, requires just a little more careful handling than apparently took place in the instance the hon. member cited. I think that a little bit of commonsense is required, and a little bit of the milk of human kindness.

Mr. Newman: I am glad to hear the hon. Minister make such comments, because the individual that did apply for the employment came back and was practically crying. He sees no reason for him to live any longer he says.

There is another problem that does come up under human rights, and that is the problem of the immigrant worker. We accept the immigrant to our shores. He comes, but when he goes to apply for employment sometimes, some employers will give him a fairly long, detailed application form. The man could fill in the application form were he to have an individual who could speak the language beside him. He probably would have no difficulty. But because he is not conversant with the English language, he finds himself at a real disadvantage, and quite often the employer says, "Well, if you cannot speak English, how are you going to take instructions?" Yet command of the English language is not necessary in all types of employment, especially in certain types of factory employment where all a man has to do is be there, operate with hands and feet, and follow instructions. He can perform the job just as well as a man who has a college education.

There are also some employers who will give a fairly long, substantial test and they give a number of minutes for an individual to complete the test. If you are conversant in English you have no difficulty at all. But the poor, new immigrant takes one look at this and he is at a complete loss. He cannot complete the test and they immediately say, "You do not understand English; you are not well enough educated." The result is the man is not hired.

Hon. Mr. Rowntree: This is a real problem. It is a matter that goes back a little into the federal field of immigration. I am afraid it is a question of educational standards of the people who want to come to Canada or those who are being asked to come. But most important of all, this involves the basic question of where the language of the country to which he is going fits in.

Now most of these immigrants are sponsored individuals. In some cases relatives who are already here tend to look after and, in the initial stages, get the immigrant established.

There are many cases, and I think it is in that area where we can help in getting the immigrant to acquire a knowledge of the language, a working language as quickly as possible.

We are working in the case of the Italian

community—I have had meetings with the Italian consul here in Toronto and I think his objectives on behalf of his former countrymen are the same as ours. We are working together. I hope that in a few weeks we will come up with a programme that will be pretty practical. But even there we will be relying on the families of these people to encourage them to take these classes. I recognize the problem, and I think it will be something to resolve and improve the situation. It is going to take the interests of people like the hon. member, and those of us in our department and others who are community minded citizens.

Mr. Newman: Is an employer discriminating in the eyes of the commission if he asks—

Hon. Mr. Rowntree: I do not think he is in the context of discrimination. It depends on the kind of job. If the man is writing receipts or invoices or explaining things; if the job involves explanation to the public with whom the firm does business, I would think they would want somebody who is adept at English. It is an inexact field in which we are all working, and I think we have to deal with the situation. There are some employers who have work in a particular trade available where you do not have to meet the public, maybe that is the kind of job. The Italian group accomplished that in the construction business by those men from Italy who had been here over the years and owned construction companies invariably employing recent immigrants from Italy and then the process starts. It is not easy, it is not an exact area. We should keep working at it together.

Mr. Newman: Mr. Chairman, my prime concern actually was with the Italians, as the hon. Minister has mentioned.

Now he applies for production work in one of the big automotive plants and surely the command of the English language is not—it is to his advantage to have it—but it is not or should not be a requirement as far as the average type of employment in the plant, where he is simply going to take orders from a foreman and going to do manual work only. He would never be in communication with anyone with whom a good command of English would be required.

Mr. L. Troy (Nipissing): Mr. Chairman, I have just a few words. I was very much interested when I read the first brochures of the hon. Prime Minister of this province about human rights with no discrimination in the government of Ontario or any of the agencies. When I thought of certain discriminations—they may not be overt but certainly subtle,

and I speak of the Ontario Northland Railway. I do not know what religion you are and do not discriminate against you, but it always seems a strange thing to me in that railway that none of my faith ever had an opportunity to get any kind of an executive position. If you look over all the executive officers, you will not find one of my faith. I am sure they are not that dumb. They are junior officers all right, but no opportunity to advance farther in that particular railway.

It was always known if you had a special card, if you carried a card, then you had a good chance to advance. So it has always struck me that I could not take these brave words too seriously.

Mr. Newman: Mr. Chairman, one other question of the hon. Minister: Is the requirement of Canadian citizenship a proper qualification for admittance to a university? Can the university insist on a person acquiring that? Is this not discriminating?

Hon. Mr. Rowntree: This is away outside the code, it has nothing to do with the code at all. I think it has been the practice for the last 50 years or longer that residence or citizenship with respect to university studies was not a qualification. They may have certain fellowships and courses available to people coming from, say, the city of Windsor or particular districts with a tag on them and that sort of thing, but I have never heard of anything such as the hon. member suggests.

Mr. Newman: Well, Mr. Chairman—

Hon. Mr. Rowntree: It is one of the great factors, the international aspect of our educational system in the university area.

Mr. Newman: Mr. Chairman, may I read this letter then from one of the provincial universities? I will not use the individual's name, but if the hon. Minister wishes to see it I will be glad to show it to him.

Hon. Mr. Rowntree: If the hon. member could have a copy of that letter sent to the hon. Minister of University Affairs (Mr. Davis), I am sure he would be glad to take it up for him.

Mr. Newman: Well, I am just wondering whether this is not against the human rights code.

Hon. Mr. Rowntree: Race, colour and creed!

Mr. R. Gisborn (Wentworth East): Mr. Chairman, through you to the hon. Minister, I have a copy of the human rights code,

1961-62, and section 1, subsection 1, deals with discrimination prohibited in notices, signs, and so on:

1. No person shall publish or display or cause to be published or displayed or permit to be published or displayed, any notice, sign, symbol, emblem, or other representation indicating discrimination or an intention to discriminate against any person or any class of persons for any purpose because of their race, creed or colour, nationality, ancestry or place of origin of such person or class of persons.

Mr. Chairman, subsection 2 deals with exceptions as to the matters of opinion. It reads as follows:

Nothing in this section shall be deemed to interfere with the free expression of opinion upon any subject.

Now I am not a lawyer but several people have asked me about this clause. I can see the difference as a layman, there is some difference in the application of sections 1 and 2. But I wondered if the hon. Minister could tell the House how many prosecutions there have been under section 1 and how many convictions under section 1, and if in any case subsection 2 has interfered with prosecution procedure under this section 1.

Hon. Mr. Rowntree: I would have to search that out and get those figures for the hon. member. I would be glad to do that.

May I at the moment make reference to his comments with respect to the no sign prohibition? The first legislation of this kind was in 1944. That was legislation entitled Racial Discrimination Act and was directed to the type of signs such as obnoxious and unacceptable signs on the front windows of, shall we say, restaurants and so on, or even in the front door of rooming houses and so on: "No such-and-such allowed"; or "None allowed." These were objectionable in their nature and it was this type of thing that gave rise to the legislation.

The answer to the first part of the hon. member's question, as I understood it, is that since January 1, 1962, on that point there have been six cases and no prosecutions. In other words, settlement was reached and the matter was worked out. As to the second part of the hon. member's question, I would have to inquire more deeply and I would be glad to do it.

Mr. Gisborn: Just a brief comment, Mr. Chairman: I understand that in some cases where the commission has interfered in an alleged case of discrimination, or maybe in

more than one case, they have been able to conciliate and bring about an understanding and get the problem cleared up. I understand in some cases they can get the proprietor of an establishment to place the human rights declaration in their establishment. Is this the case, have we got the declaration in poster form and is it being used?

Hon. Mr. Rowntree: Yes, we have it available and it is being used, but there is no compulsion as to its posting. There has been a very wide distribution of the large size human rights code, as well as the smaller size.

Mr. Gisborn: I am glad to hear that because I think that the display of that poster across the province would do a lot to bring understanding and do the educational job that are the intent and purpose of the code.

Vote 907 agreed to.

On vote 908:

Mr. S. Lewis (Scarborough West): Mr. Chairman, when the hon. Minister of Labour issued his press statement on January 13 of this year, outlining his blueprint for labour, it contained references with some considerable pride to the research branch. The designated areas stipulated within that branch were the fields of automation, technological change, manpower training and manpower requirements generally. I think this opens up the entire area of technological change within this Legislature and, as the hon. Minister opposite knows, I have some small personal interest in that area. I hope he will allow me a perambulating survey over the field in the light of what has happened in the last year and the new information that has become available.

Hon. Mr. Rowntree: As long as you do not perambulate too far from the vote.

Mr. S. Lewis: I will perambulate within the confines of the vote.

Hon. Mr. Rowntree: I would be very much interested in hearing what you have to say about this important subject.

Mr. S. Lewis: I got the word "perambulate" from the hon. member for Sudbury, so I use it with discretion.

Thus far in this Chamber, Mr. Chairman, the hon. Prime Minister and the hon. Minister of Labour have spoken at some length about the area of technological change. I do not

think it unfair to say that the basic theme, or one of the basic themes, was that the computer is in the office and all is well with the world. They argue that automation is a bogey, it is not a Frankenstein monster, there is no—

Hon. Mr. Rowntree: Mr. Chairman, I do not want to be put in the position of interrupting. I would like to sit and hear, but if that is the nature of your approach to the subject I must, at this point, take violent disagreement. We take no such position. We do not put it in those terms at all—we say that we will never—

Mr. S. Lewis: But that is what the hon. Prime Minister says.

Hon. Mr. Rowntree: —solve the problems of technological change by going out and spreading fear and mistrust. That is what I say; the answer to the problem is by all of us digging in and doing something about it. That is the position; it is not in the terms in which you put it.

Mr. S. Lewis: I shall have cause to quote from both the hon. Prime Minister and the hon. Minister of Labour, and perhaps we can define our terms.

I think that certainly the hon. Minister of Labour advanced the thesis that there was no factual basis for the projected dislocation and upheaval, I quote him:

I have yet to be shown any sound factual basis for any of these blind forecasts of doom and economic chaos. This game of one-upmanship can only serve to seriously mislead the layman and the public generally.

I do not think, therefore, that I am misinterpreting the hon. Minister's remarks. Then, in the subsequent exchange with the hon. member for Grey North (Mr. Sargent), the hon. Minister revealed a curious attitude of mind in that agitated lapse when he suggested that automation was not new; it was a continuation of mechanization, it had come to us from the wheel.

I was rather saddened by that particular intervention, because I think it betrayed an attitude which suggests that the problems we are likely to be faced with over the next ten or 20 years will not be solved by this government. That particular approach in no sense appreciates the qualitative changes that are introduced in modern technology. It sounded rather like a chamber of commerce commercial and I do not think it befits the hon. Minister of Labour.

What is more, a great many eminent people in this field disagree profoundly with the suggestion that they are prophets of doom because they postulate exceeding difficulties. The Secretary of Labour in the United States—let it be pointed out to the hon. Minister—has said that automation is creating—and I quote him now—"a human slag heap," and that the United States is gradually being divided into millions of haves and millions of have-nots.

That is not a prophet of doom. That is a realistic appraisal of the situation, and a basis for some projected analysis.

Now, the hon. Prime Minister took a rather different emphasis and a very interesting one. The basic theme of the Prime Minister's speech was a careful recitation of the employment ratios, the range of employment in the province of Ontario, and the low level of unemployment. One has to say to him in his absence that you cannot disagree with the statistics he recited. They were sound, they were factual, they were reasonable.

But, I submit, Mr. Chairman, that they missed the point, because the fact is that the problem of manpower adjustment and manpower displacement is not necessarily, or even primarily, a problem of unemployment. To cast the context of technological change purely in the framework of unemployment is to miss the very difficult interrelated problems.

The hon. Prime Minister then said this, and I want to quote from his speech on February 23:

The winds of technological change consequently are not of hurricane force and need not be looked upon as a blind unreasoning type of force which cannot be controlled, which will strike without warning, and which will inevitably leave havoc and destruction in its wake. I would submit that these winds of change are propitious, they are predictable, we may harness them and we may turn them to our own use.

I think the serious flaw and an interesting revelation of the attitude of mind lies in the phrase, "they are predictable." This is a facile and unjustified phrase, because on the basis of what we know now about rates of technological change, and on the basis of statistical data which are available, that kind of contention is not justified. If the hon. Prime Minister was right in suggesting that the 1980s would be the crucial period, then the present attitude obviously portends little developments to meet the crisis.

I think that the entire presentation on the part of the hon. Minister of Labour and the

hon. Prime Minister missed six basic propositions relative to technological change and to the research which this branch will have to do. I should like to itemize them.

1. They did not take into account the basic and fundamental disagreement about the impact of automation, the totally new concept that that gives rise to; and the need for government to begin to define a position in relation to those concepts.

2. There was no suggestion of the specific studies or case analyses that are available for future planning.

3. The question of manpower analysis and the rudimentary labour market information was not outlined in any detail.

4. The state and adequacy of our present training and retraining programmes were passed over in cavalier style.

5. The existence of government co-ordination and involvement has not been defined.

Finally, I suggest to you, Mr. Minister, that the crucial area of the effects on the psychological and emotional stability of human beings in an automated process has not been discussed by the government.

I think that these are fundamental propositions and I would like to deal with them one by one and propose some concrete solution.

First, Mr. Chairman, through you to the hon. Minister, let me say that I disagree with the basic proposition of the hon. Minister of Labour. I think a great many others disagree with his sanguine approach. There are countless experts you can choose from, but I want to draw to the attention of this House—since it has been referred to under other circumstances—the conference on automation and social change in September of 1963, and the presentation made to that conference by John Snyder, invited on behalf of this government to speak. John Snyder said, and I think it is rather interesting, since it meets the hon. Minister head on.

I suppose it must be true that individuals here in Canada are reacting to all this furore in much the same way as individuals in the States do. Some must feel that those of us who are trying to do something about automation's effects are quite right. Others probably feel fairly neutral about the whole thing. Still others undoubtedly think we are overdoing it, that there is no serious threat to our economy or to our society or to men in today's technological changes—that there are no real problems at all.

Well, I disagree rather violently with the doubters in the States and I am willing to take issue with them here in Canada,

too. I understand their doubts, but I have maintained that they are living in a world of myths and if we can accomplish one meaningful task I think it should be the dispelling of such myths, and the focusing of attention rather on the facts and dramatizing how frightening the facts really are.

Then he went on to outline the facts, and I too will outline them in the course of the next short while. But first, who is John Snyder? He is co-chairman of the American foundation on automation and employment, which foundation was the model for the government proposal now abandoned. He is also the president of U.S. Industries, which develops automated equipment, and an undoubted expert in the field. In fact, it is the testimony of Snyder and John Diebold before the Senate sub-committee in the United States which has formed so much of the statistical basis for reflections on automation.

There are other people who disagree with this government, and they should be brought in. There is the famous ad hoc committee for the triple revolution. It is not as sinister as it sounds, and contains the following people: Robert Theobald, the economist who wrote *Abundance* and made the first major analysis in this field; Gunnar Myrdahl, whose capacity in economic affairs in the adjustment to automation is unchallenged; Michael Harrington, who wrote *The Other American* and upon whose book much of The Economic Opportunity Act is based, or at least motivated; W. H. Ferry, who is vice-president of the Fund of the Republic doing studies in this area; Gerard Peal, editor of *The Scientific American*; Donald Armstrong—perhaps this will appeal to the hon. Minister—retired vice-president of the Metropolitan Life Insurance Company.

All of these men generally accept the proposition that the impact of automation and technological change is of such dimension that it invalidates the traditional theories. It is no longer possible to talk cavalierly about income related to work; it is necessary to begin to think consciously about providing every individual and every family with an adequate income as a matter of right. In other words, they asked of this government and of other organizations, that thought be given to a guaranteed annual wage unrelated to work.

I want to suggest strongly to this government that that proposition is worthy of delineation within the research branch. It is not a dream, it is not a particularly irrelevant concept; it is one which flows from the area of technological change and one worthy of government analysis.

There are a great many others who disagree with the emphasis put on things. Ewen Clague who is the director of the U.S. Department of Labour Statistics, views the speeches of the kind that were made by the hon. Prime Minister and the hon. Minister of Labour, and then says:

We tend to emphasize new occupations created. We talk glibly of specialists in miniaturization, numerical control and astrophysics; but we are inclined to overlook the occupations that are declining.

The 1960 census of population lists more than 80 occupations, many of them skilled, in which employment declined since 1950. These include loom fixers, cabinet makers, locomotive engineers, paperhangers, plasterers, shoe repairmen, tailors, boilermakers, furriers, stone cutters and some highly skilled trades in the printing industry.

I dare say a Minister of Labour or two will be ultimately contained in the list.

The truth is again, Mr. Chairman, that this government persists in underestimating the impact of technological change and on the basis of employment ratios in the month of March, 1965, proclaims that you can meet the problem without the kind of basic economic analysis and basic study of manpower requirements which are indispensable. That simply will not work.

The number of computers introduced into Canada by the middle of 1964 was marginal to say the least. Somewhere in the area of between 300 and 400. The number that is likely to exist in the middle of 1970 could be three or four times that, some would project it further and say 10 or 20 times that. As it now stands, only one per cent of those machine tools which could be brought under computer control presently fall within that automated ken.

When we expand further in that direction, when Canada obtains the pace of development that holds true for the United States and at the moment for the United Kingdom, then Ontario will feel the shock in powerful and reverberating waves.

Therefore, I suggest strongly to the hon. Minister that the all's well with the world thesis is somewhat unjustified.

Now the other next area of lack, and I think it important, is that none of the specific studies which have been provided have been analyzed by the hon. Minister in this House. There are studies available upon which we can base our predictions.

Let me mention some of them: The first is a case study of displaced workers, bulletin

No. 1408 of The United States Department of Labour. It is a study of 3,000 workers in five plant shutdowns in the United States in 1962, 1963 and 1964. In petroleum refining, in automotive equipment, in glass jars, in floor covering, in iron foundry—in the whole range of employment opportunities. There are basic lessons and realities to learn from that study—a study, Mr. Chairman, which has not even begun to be contemplated in Ontario.

These were the lessons: Not one firm provided retraining for jobs elsewhere. Only two of the five firms gave assistance of any kind to find work; all of the five firms were multiplant but none of the firms provided the men with interplant transfers. The most effective assistance in finding new jobs came from friends and relatives—not from the state employment bureaus.

The average man thrown out of work by technological change was in his late 40s, he had a family of two dependents, his average educational level was one year of high school. The rate of unemployment one year later for these people was from eight per cent to 39 per cent, fully six or seven times that which prevailed in the rest of the work force. A search for a job was a frustrating and brutalizing experience.

This, let me point out to the hon. Minister in his sanguine haven opposite, is one of the very few studies available in North America which suggests what can happen in the case of technological change to displacing workers.

But there are others. There is a study in the United States on the introduction of office automation into 20 different firms in private industry. I would like to suggest to you what this study indicated.

Within one year the total employment was reduced by 25 per cent. Within one year one-third of some 2,800 employees whose work had been directly affected were reassigned to other positions—with serious psychological adjustment problems. Equal numbers were upgraded and downgraded in skill. There was an unexpectedly small number of new positions created.

A great many people talk in facile terms about automation creating new jobs. Where the studies have been done, and they have not been done in the province of Ontario—it is amply demonstrated that such jobs are not created. In fact you can have a serious attrition of the work force, and this too should be taken into account by the government.

The results of this survey were not earth-shattering, but they did form the basis for some government planning.

Here in Canada we have the little study, "Impact and Implications of Office Automation" by John MacDonald of the federal Department of Labour. He wrote it in the middle of the year 1964, for the economics and research branch. After he did this study, the only study of its kind in this country, the first that has ever been done in this field, he was moved to another position. That, alas, seems to be the result of foraging into these new areas.

What does MacDonald point out? Let me quote from his central thesis. He says:

The entire sociological organization of the office will change under the impact of computers. In such a situation, where the full potential of the computer is utilized to perform the operations of a centralized integrated system, the impact on the traditional structure of the organization is like a torpedo cutting clear across established functional and departmental lines. Whole departments, even vice-presidential empires, may be swallowed up in the wake of reorganization. Rumps of depleted departments may be combined into new organizational entities, while a new and powerful electronic data processing department emerges as the essential heartbeat of the organization.

His study confirmed the experience of the American study. He said that introduction of large-scale electronic data processing computers in a head office of 2,000 employees will eliminate 200 to 500 jobs in two to five years. I think he underestimates. The immediate layoffs are small; but he warns society, and the government in particular, that that is misleading; office automation is hidden rather than overt and the work force naturally contracts because there are no further hirings over a large period of time.

Up to three-quarters of the clerical jobs in any given industry where a computer is introduced can be affected, frequently with severe damage to the human psyche and the capacity to adapt. There are disastrous effects on the intermediate level of management, control and supervision, and the general portent for office automation is an exceedingly serious one.

Finally, Mr. Chairman, there is, of course, the survey of market conditions in Windsor, to which I am sure the more assiduous Windsor members here will refer in time. This, too, is a fascinating document. One of my hon. colleagues intends to raise it at greater length at some future time on this vote; but let me introduce into the House the elements that highlight it.

First, of 1,000 cases of unemployment in Windsor in the middle of 1964, fully 15 per cent were unemployed as a direct result of technological change. Fifteen per cent. I say to the hon. Minister that that is rather higher than I would have thought, and it is a frightening figure.

Approximately half of those who left to look for other jobs were unemployed for more than a year; 53 per cent have no high school education. Only 124 of the 1,000 enrolled in the oft-inflated programme 5, and of those only 62 completed the course. Among the under 25 years, the rate of unemployment was considerably higher than those within the 25 to 44 year range, and certainly than those above the 44 year range.

Thus, Mr. Chairman, I think it is possible to make—although the hon. Minister refused to make it—it is possible to make a tentative summary, which I would like to make on behalf of my party on the basis of the present available data.

1. Much of worker displacement is in no way tied to, or alleviated by, training programmes. In fact, I would say the majority of it.

2. There is no geographic mobility to speak of in the province of Ontario, which is fostered by industry or supported and stimulated by government.

3. The long-term diminution in-office white-collar workers is likely to equal that of the blue-collar manufacturing industries over the long run.

4. Age level and education of the workers who are thrown out of work because of direct technological change, either precludes or discourages retraining. That is standardized in every study we have available.

5. Unemployment after displacement is a long-term proposition, and the creation of new jobs within any effective plan is minimal, despite all that has been said. Of course this is one of the points which Snyder raised at the conference; one of the things which these men have tried to get through to governments such as this, without any success.

I ask the hon. Minister opposite, using this branch as an umbrella, what are his policies for geographic mobility? What are his policies to solve this problem of education, inhibited by age and by motivation? What are his policies to solve the problems of worker displacement unrelated to retraining procedure? What are his policies for the creation of new jobs in computerized offices?

I want now to move to the third area. One of the reasons I suspect that the hon. Minister

cannot give a policy—and indeed he has admitted it himself—is that there is simply no manpower data available in the province of Ontario whatsoever. Indeed, Mr. Chairman, there is no manpower data available in this country.

The hon. Minister nods his head. Let me remind the hon. Minister of something. In the 1960-61 debate in the federal House of Commons, there was considerable agitation for analysis to be made. In 1962, the federal Senate sub-committee submitted its report, manpower training, if you will, and begged for statistical data. None was forthcoming.

In February of 1963, there was tabled in this House by the select committee on manpower training, a report, only part of which the hon. Minister saw fit to implement. The other parts of it—the fundamental and crucial aspects relating to the need for data—are just now being tentatively explored. The Deutsch report is now before us, and many similar economic appraisals, but absolutely nothing in the way of market inventories is available.

It is astonishing that despite all these committee reports, the hon. Minister talks in vague terms about his research branch. I suggest to you, sir, that we need a provincial inventory of human requirements. We need it desperately, and we need it now.

There is no possible excuse for further delay. There is nothing available. The hon. Prime Minister promised only one study in his speech, and the only thing we have thus far received from The Department of Labour, is this rather interesting document on population and labour force productions for the economic regions of Ontario, 1961 to 1986. An interesting document, but it is hardly of use in coping with the problems of technological change.

Indeed the young research man with the select committee on youth who does not have an economics background—rather a sociological degree—prepared much the same material on short notice for our committee. I do not think that this kind of document will serve to divert our attention from the essential focus, which is the absence of any information at all.

What must we have? I want to suggest to the hon. Minister on behalf of my party that what we need falls under four areas.

1. This province needs five- and ten-year projections of labour demands. It needs five- and ten-year projections relating to market analysis, on a continuing systematic basis.

2. We need an industry-by-industry survey of future manpower requirements. We have

to know, and we have to know now, what measures or events are likely to affect the work force composition. I am referring to things like new machines and equipment, development of new products, increase or decrease of sales, plans for change of location, and so on. The Department of Trade and Commerce in Ottawa gets much of this information on a voluntary basis. Scandinavia has it. The United States, through its bureau of statistics, is gradually acquiring it. We need such data in the province of Ontario; at the moment we have not even a smattering of it.

3. We need comprehensive data on the changing occupational employment patterns within individual industry. You do not take measures regarding technological change without knowing the shift in the occupational structure of our work force. It is not enough to know the shift from industry to industry. You have to analyze it within industry. So far, we have not had any evidence of that. The hon. Minister may feel that is too much for his modest and novel branch, but it has to be found.

It is interesting to note that Ewen Clague, who is director of the bureau of labour statistics in the United States, came to the organization on economic co-operation and development in December of 1964 and gave statistical evidence available from 1954 to 1964, of the occupational changes within industry. He itemized baking, petroleum refining, and telephone industries, and he broke them down in precise fashion. I think it rather interesting: some of the hon. members of this House might find it equally interesting. He gave the total employed, the professional and technical percentage, the managers, officials and proprietors, the clerical workers and sales workers; the craftsmen and foremen; the operatives; the service workers; and the labourers. He analyzed the percentage shift within each grouping of that particular industry, the occupation shift between early 1950 and early 1960, this making it possible to project manpower requirements: to provide proper skills for the training programme; to adjust to technological change.

That information is not available; it has not even begun to be available. All we are now planning for is adjustment to the imbalances which presently exist and, of course, none of the necessary descriptive material is close to being available.

I would like to go one step further. There is a fourth aspect which we in the province of Ontario require. We must know how individual occupations are themselves affected

by technology. In other words, you have to know whether within individual occupations the skill has been upgraded or downgraded; to know that business machine service men and maintenance electricians, and tool and die makers, and appliance service men have been upgraded; and that machine tool operators, typesetters, intercity truck drivers, and so on, have been downgraded. Thus you can make an analysis, not only of the overall market, not only of industry by industry, not only occupational shifts in industry; but of the level of skilled requirements within occupations as well.

When we have that kind of manpower survey and comprehensive market data in this province, then we will be at the threshold of formulating a programme.

All of that data is obviously indispensable for intelligent government planning, Mr. Chairman. There cannot be intelligent government planning under the present circumstances, no matter what the protestations of the hon. Minister.

There cannot even be any intelligent retraining or training programmes, because there is no data on which to base the occupational choices for retraining. The hon. Minister cannot stand before this Legislature and say, with confidence, that retraining on the job or retraining in any of the stipulated programmes in the federal-provincial agreement is not, in fact, retraining for obsolescence—because no one knows; because there is no market data available on which to base the courses.

I just want to take a couple of minutes, Mr. Chairman, and look at these courses with the hon. members of this Legislature. I appreciate that some of this is perhaps a little involved, but in order to be presented in a logical and coherent fashion, I shall simply move in this way toward the end.

The basic federal-provincial programmes which affect this department and the government as a whole are numbers 3, 4 and 5. I know that the hon. Minister of Labour in his lead-off said that programme 4 is his major responsibility now, but I think that programmes 3 and 5 are so interrelated that they are worthy of some analysis.

Programme No. 3 is defined as follows: 1. To assist employed persons wishing to upgrade their skill. 2. To help those about to enter employment. 3. To provide training for those individuals wishing to retrain for change of occupation.

Curiously enough, in this province we have interpreted those three areas to mean only

the second, and our interpretation of programme 3 relates primarily to vocational centres and institutes of trade. I do not think I do my fellow members on the select committee on youth a particular injustice if I say that when technological and trades training came before that committee we were very dubious in our minds as to the precise status of vocational centres; how they fit in with the general overall curriculum, at what point the entry line is established, and precisely what they provided for entry into the labour market.

But then we move to programme 4, which is a particularly friendly one for this government. Programme 4, of course, has been a total and utter flop—I am sorry to put it in those words—but at the end of 1964, we had implemented one particular project under programme 4. This programme 4 has tremendous potential—let me emphasize that. This is the in-plant training part of the federal-provincial agreement. We had one project; it involved 30 people! It was the Leaside educational assistance project and it involved the firms of Honeywell Controls Limited, Philips Electronics Industries and Sagamo Company Limited. It was a programme for upgrading to grades 9, 10 and 11 levels in English, mathematics, and science.

Perhaps hon. members of this House would be interested to know something about that scheme. The students worked three hours a day from 3 to 6 p.m. It took three months to complete the three courses, which is really an interesting telescoping of academic achievement. The company agreed to pay the regular wages for class time during regular working hours—a highly civilized and intelligent move, I suggest. The skilled teachers had recently retired and were brought in to supervise the subjects.

What was the upshot of this experiment with 30 people? The only experiment up to that time under programme 4? The attendance was 98 per cent and there were no problems of punctuality. In grade 9, 26 out of 30 passed all courses; in grade 10, 25 out of 27 passed all courses and the average was 65 per cent to 75 per cent. It indicates beyond dispute that age is no factor in the learning process; many of the students have gone on to grade 11.

But there was one serious qualification to this course. The selection process was so refined as to mock the objectives sought. The students were given a plethora of forms to fill out; they were asked for motivational attitudes, employer references, work conduct,

and then they were made to sign on page 10—I smiled to myself when I listened to the debates on the human rights code and the civil service material earlier this afternoon—

I authorize investigation of all statements contained in the above-mentioned qualification record. I understand that misrepresentation or remission of facts called for herein will be sufficient cause for non-approval or dismissal from the upgrading project.

Basically, it is nothing to become terribly concerned about, except that it reads a little more like an income-tax form or a submission to the secret service than it does to upgrade one's educational achievements.

Mr. Singer: To keep the security of the state.

Mr. S. Lewis: To keep the security of the state doubtless was the crucial factor involved.

The truth is that although a great many applicants put in for the course, only 30 were chosen, ten from each firm. Despite the excellence of the course, I suggest that it has not expanded widely in the province of Ontario; that there are even now only three or four other similar experiments, and that this scheme of in-plant training, which is of exceeding excellence and in which the hon. Minister of Labour has a right to share some pride, has no foundation for future growth because there is no statistical data available on which to base courses.

The technological and trades training branch, and I think this can be placed more properly under The Department of Education, was rather embarrassed and concerned at the lack of data which they had available. In a branch of 14 men, only one was assigned to make labour market analyses across the province of Ontario.

In fact, I would like to quote a little exchange between the hon. member for Scarborough North (Mr. Wells) and the head of the trades and technological training branch at that committee session. The hon. member for Scarborough North—I do not think that I am misinterpreting him—thought it would be worthwhile to have some agency make an overall market analysis on which these programmes could be based.

The head of the training branch said: "There is very little of that being done at the present time. There may be some that may develop."

The hon. member for Scarborough North replied: "Would this not be the logical thing?"

The head of the branch replied: "Definitely," and later added, "I have one man whose job it is to try to do this area who is in contact with business and industry; one man cannot do it."

Of course one man cannot make a labour market analysis of the province of Ontario on which to base training in programmes 3, 4 and 5.

Programme 5, to move to it briefly, is of course, the heralded retraining of the unemployed. Let me give some national statistics: Between April 1, 1962 and March 31, 1963, seven per cent of the average unemployed enrolled. Between April 1, 1963 and March 31, 1964, there was an astronomical jump to 10 per cent.

In other words, anywhere from 90 to 93 per cent of the work force in the past two years has been unemployed and has not sought retraining in programme 5.

It is noteworthy that in 1963-64, although 18,000 took the courses, almost as many dropped out of the courses. It is necessary for the hon. Minister of Labour to ask himself, and to direct his research branch to finding, the answer for men dropping out of courses. Could it be the impoverished per diem payment? What happens to the women with children? What counselling services are provided? How do you boost human incentives? What knowledge has the department about the relationship of men who are unemployed and the programmes offered under programme 5?

The Windsor survey showed that very few had any motivation to attend. One must ask why. Our party is concerned about this area precisely because the present programmes—I say this forthrightly and in full knowledge of what I say—are meagre, ill-founded, perilous and totally inadequate. And the hon. Minister of Labour presides over them all.

Programme 5, according to a member at our select committee meeting, is the reaction to emergency programming; and so it is. But a reaction to emergency programming in 1965 consigns to obsolescence those people in 1975 or 1980. Although the number placed of those who complete the courses is impressive, the fact remains that as many drop out as enroll, and a minuscule proportion of the unemployed have any interest whatsoever. No one knows what courses to give because no one has any market information and the entire thing is an exceedingly vulnerable scheme.

That leads us, Mr. Chairman, logically to the role of government in all of this: what the hon. Minister of Labour should be doing,

what might be done in government involvement and co-ordination.

What frightens me about this area is that I suspect the government is still maintaining the wisdom, the dubious wisdom, of the former Minister of Economics and Development who has been so ably succeeded in this Legislature by my hon. colleague to my right. Mr. Macaulay said at the conference on automation and social change—and I want to read it into the record again—it should be branded on the conscience of this government because of its neanderthal reflection on Tory capacity to adjust to change. I quote:

I do not believe that the solution to automation lies in legislation, nor do I believe that governments can or should accept the responsibility for finding the solution.

Legislation should not be involved—governments should not be involved: This according to the former Minister of Economics and Development in this government! Perhaps that is why, at this precise point in time, the government remains statistically nude in the area of market analysis. Perhaps that is why, at precisely this point in time, we are only beginning to catch up with imbalances rather than analyzing the root economic causes. Perhaps that is why, at this time, the hon. Minister of Labour is trying to salvage the wreckage by setting up a research branch in, let it be said, hugely generalized terms.

What we have had up until now, and I contend that it still persists, Mr. Minister, is an incredible labyrinth of competing agencies; a jungle of misinformation gathering, rather than intelligent information gathering. We did have the foundation on automation and employment. It was conceived in bravado, it was disbanded in silence. This government simply consigned it to limbo.

Then we had the federal manpower consultative service. The hon. Minister in his lead-off said he looked forward to their reports. The hon. Minister knows as well as I that the federal manpower consultative service is a labour market joke. He knows that equally well. He chuckles to himself—he is pleased to hear an Opposition member saying it rather than the government having to say it.

I will say it on his behalf. This is a passive agency, this agency is not doing anything. This agency sits quietly by and waits for trade unions and management to make submissions to it, instead of making the analysis itself. Listen to the way its director described its functioning at the organization

for economic co-operation and development in Washington in December—Mr. Brooks, I believe it is—and I quote:

We offer to industry and to labour the services of the officers of the MCS to help structure the research and assessment programme, guide it and bring to it the benefits of experiences developed through similar programmes elsewhere.

It is to be stressed that the MCS is just that. It will not do the research but will certainly be prepared to assist in the identification and location of suitable research talent.

It sounds like a civil service advertisement. No wonder the Deutsch report referred to this particular group as a “disembodied branch” not at all integrated into the labour market programme.

Then the hon. leader of the Opposition and the hon. Minister of Labour had a little exchange about the national employment service. That, too, is a laughing matter in relation to labour market analysis. The national employment service has one economist's position. The position has not been filled in five out of the last eight years. The national employment service has none of the data. In the *Globe and Mail* for March 24, 1965, there was a heading: “Data Lack, Study Gap Hinder NES.” Then the story says precisely what everyone knows, we will have no substantial statistical documentation from that source.

Well so much for the foundation on automation and employment, so much for the manpower consultative service, so much for the national employment service. Now we move into the provincial area.

We suddenly learn that the Ontario Economic Council is to take hold of research; yet all the hon. Prime Minister indicated to us was one promised survey of a rather limited kind. Then we expand, and we hear that the research branch of The Department of Labour may provide the key; but there is no delineation of responsibility and authority. One might ask about the technological and trades training branch of The Department of Education. Where is the substance there?

What are the joint combined efforts to which the hon. Minister refers? He need not worry about duplicating federal work, there is no federal work to duplicate. At the moment there is no provincial work to emulate. On what is the hon. Minister basing his research programme? I think that we in the House have a right to learn precisely what he intends to investigate.

I want to suggest, Mr. Chairman, that fundamentally there are two root questions to ask of this research branch.

First, we do not need the vague assurances that you are going to look into technological change, Mr. Minister, we assume that of your department. We want precise specifics on the following matters—and I shall raise them. Some of them you may wish to deal with in reply.

What overall work force analysis is under way? To how many years do future projections relate? Where are the likely gaps in the statistical material required?

Which industries are presently under study, or contemplated for study? What sampling technique is employed? When will the precise reports be tabled in this Legislature?

Are there any areas of changing occupational trends being investigated? Has the trade union movement been involved?

What expansion plans are there for programme 4? Which industries have actually been contacted? What are the various grounds for refusal, if any?

Are individual studies of office and white-collar automation contemplated? If so, where; and why were those specific industries chosen?

What breakdown can be offered on the capacity of the private or public sectors to provide new jobs? How do such figures relate to the Deutsch report requirements?

What studies are currently underway to facilitate geographic mobility?

Mr. D. C. MacDonald (York South): That will keep them going for five years.

Mr. S. Lewis: One could go on endlessly, but this is the material we require.

I suspect the hon. Minister of Labour agrees, but it would be of much greater satisfaction to this House if instead of saying, if I may say so, in his peculiarly sanguine fashion that we have it under control and will investigate technological change, it is of crucial importance that we have precise analysis offered.

The second question that has to be answered by this branch is: What are the channels of communication, authority and decision making? What are those channels? Not at the senior civil service level! I am pleased to know that you are going to have a little *tête-à-tête* between senior civil servants of The Department of Labour and The Department of Education; but where are the channels of authority and decision-making at the Cabinet level?

Do they lie with the Ontario Economic Council in The Department of Economics and Development? Do they lie with the research branch of The Department of Labour? Do they lie with the technological and trades training branch of The Department of Education? Does one set of statistics go to the other? Which set of statistics are authoritative? Which plans are based on which statistics? Who makes the ultimate decisions? Who has the final authority?

Not a word has been offered, and I suggest, frankly, Mr. Chairman, that time is surely running out. Not in the sense that we cannot adjust to certain little imbalances but that we will never correct the fundamental economic ills until we have these lines of delineation clear.

Now, I have dealt with those obvious areas, Mr. Chairman. There are these crucial lacks in government co-ordination, in manpower data, in the delicate and sensitive area of retraining.

Let me add a sort of incidental reflection: One cannot speak facilely of retraining. It is terribly difficult. Many training projects have foundered because of the psychological and emotional adjustments required, because of the educational levels, because of the inadequacy and irrelevance of the courses. I strongly put to the government that they should give us a precise and specific set of proposals.

After they have given us that overall blueprint, not in general terms but in particular specifics, I think this research branch should give some pretty serious thought to bringing people who will analyze the emotional and psychological impacts on workers in an automated industry; of workers who are subject to severe technological change.

I might say that never did so many men co-operate so closely to produce such marvelous goods, and never did they get less satisfaction either from the experience of co-operation or from the experience of creation.

There is an interesting quotation from John MacDonald that I would like to read into the record, because I think it is exceedingly relevant:

A large segment of these automated jobs consists in that strain-evoking trigger attentive idleness—

I do not think it could be captured more effectively.

That strain-evoking trigger attentive idleness that is the hallmark of the monitors of automation and advanced mechanization.

A first step in coming to grips with the present problem of occupational mental health would be frankly to admit the magnitude and endemic nature and social dynamite in what is referred to as the neurotic personality of our times.

I do not suggest that the hon. Minister of Labour contributes to social pathology. I do not suggest that the government wishes pre-meditatedly to develop neurotic personalities throughout this society. But the question of mental health has now become fundamental, Mr. Chairman.

The world federation of mental health which met in the middle of 1964, had as its leading speaker, Sir Geoffrey Vickers, who was also at our conference, and his subject was, "Human Relations in Industry and Mental Health." One sees, at least amongst those who are sensitive to the field, a shifting sense of responsibility, a shifting emphasis. I suggest to the hon. Minister that nowhere in his outline of the research branch, and the data that they compile, has there been even an implication that some of the human psychological effects will be analyzed.

Why should they be analyzed? Let me read the opening paragraph of a British magazine, *Personnel Management and Methods*, May 1964, under the title, *Industrial Neurosis*:

Every year, an estimated 18 million man hours are lost through psychiatric illnesses against four million through strikes.

Put differently, neurosis causes at least 35 per cent of all absence from work due to illness, and accounts for an average loss of about three-and-a-half working days per annum in the case of men, and six days in the case of women. Moreover, statistics indicate that the incidence of neurosis throughout the population is increasing steadily.

I think that rapid and unplanned introduction of technological change will increase the incidence of industrial neurosis, and I do not have the absolute conviction that the hon. Minister of Health (Mr. Dymond) will adapt his community mental health programme sufficiently rapidly to contain this debilitating emotional experience.

I do not wish, in this age of automation and technological change, to put together the bits and pieces of human wreckage. I respect that fact that there is inherent in this whole proposition, immense scientific possibilities. But at the moment, frightening gaps exist, and this government is to be faulted on those gaps.

Automation, like any other technology, is morally neutral. But the capacity for men to adapt, and for their lives to be effected, either happily or adversely, lies with the policies of this government. Although I agree that some very modest and tentative steps have been taken; this government has not yet shown the economic awareness, and the social conscience required, to provide the data and the training and the alterations of the work force, plus the government co-ordination on which everything must be based. I have as much optimism as the hon. Minister of Labour in the capacity of the human spirit, and its inventive and creative power. I do not have the same optimism in the capacity of this government, of its front bench and of this department and this branch similarly to adapt.

Mr. Newman: Mr. Chairman, are we going to continue with this, because I would like to speak for about ten minutes?

Hon. Mr. Rowntree: Well, with respect, and I congratulate the hon. young hon. member, for his presentation on this subject, it is obvious that he has done some homework, to acquaint himself with some of the problems which are concerning me. Let me assure you that the subject with which we are dealing under the title of research, involves more aspects and problems than he has mentioned, and probably was aware of. In fact, I might say in the spirit of the approach you have taken to the debate, that never have I heard so many words compressed into so few new ideas. However, I move the adjournment of the committee.

Mr. MacDonald: That is a typically Tory attitude.

Hon. Mr. Rowntree: That is exactly what he was handing out over here. You do not like to take it.

Mr. MacDonald: You are doing nothing—

Hon. Mr. Rowntree moves that the committee of supply rise and report it has come to certain resolutions, and ask for leave to sit again.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of supply begs to report it has come to certain resolutions and asks for leave to sit again.

Report agreed to.

Hon. H. L. Rowntree (Minister of Labour): Mr. Speaker, before moving the adjournment of the House, tomorrow we will proceed with estimates. I see there are some bills available for the committee of the whole House and we may have time for some Budget debate.

Hon. Mr. Rowntree moves the adjournment of the House.

An hon. member: Which estimates tomorrow?

Hon. Mr. Rowntree: Department of Labour, and, as announced before, Reform Institutions, Highways and Energy.

Mr. S. Lewis (Scarborough West): Mr. Speaker, may I ask the hon. Minister, since at some point I am personally involved, is it your intention to travel right through with estimates—move from one to the other? You have mentioned three or four?

Hon. Mr. Rowntree: There are certain other items on the agenda that are available to us, and I think the House should be prepared for them. Budget debate, committee of the whole House and the continuation of estimates.

Motion agreed to.

The House adjourned at 6.05 o'clock p.m.



ONTARIO

Legislature of Ontario

Debates

OFFICIAL REPORT—DAILY EDITION

Third Session of the Twenty-Seventh Legislature

Thursday, April 1, 1965

Afternoon Session

Speaker: Honourable Donald H. Morrow

Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER
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LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, APRIL 1, 1965

The House met at 3 o'clock, p.m.

Prayers.

Mr. Speaker: We are always pleased to have visitors to the Legislature and today we welcome as guests in the east gallery, students from Mill Street senior public school, Leamington; and in the Speaker's gallery the remaining members of the Hamilton Independent Labour Party, chartered in 1909, accompanied by Mr. Joseph Easton, former member of this Legislature in the 23rd Parliament.

Petitions.

Presenting reports by committees.

Motions.

Introduction of bills.

THE BRUCELLOSIS ACT, 1965

Hon. W. A. Stewart (Minister of Agriculture) moves first reading of bill intituled, An Act to amend The Brucellosis Act, 1965.

Motion agreed to; first reading of the bill.

Hon. W. A. Stewart (Minister of Agriculture): **Mr. Speaker,** by way of a word of explanation, the main feature of the amendment to The Brucellosis Act is to provide for the voluntary rather than the compulsory vaccination of female calves.

THE LIVESTOCK COMMUNITY SALES ACT

Hon. Mr. Stewart moves first reading of bill intituled, An Act to amend The Livestock Community Sales Act.

Motion agreed to; first reading of the bill.

THE CORPORATIONS ACT

Hon. J. Yaremko (Provincial Secretary) moves first reading of bill intituled, An Act to amend The Corporations Act.

Motion agreed to; first reading of the bill.

Hon. J. Yaremko (Provincial Secretary): **Mr. Speaker,** these amendments are of a limited

nature. By legislation passed this year, the Parliament of Canada has extended the class of assets in which insurance companies under federal jurisdiction may invest. The amendments are for the purpose of equalling the extension with respect to Ontario insurance companies.

Hon. A. A. Wishart (Attorney General): **Mr. Speaker,** I rise on a question of personal privilege.

In the Toronto *Telegram* of this date, which I have before me, there is a headline "AG to Recommend Shulman's Dismissal." Then follows an article under the name of Peter Bruton, *Telegram* staff reporter.

I should like to say this, sir, that insofar as I am quoted in the article, the quotations are quite correct. The rest of the story is entirely speculative and I would like the House to know that.

Mr. K. Bryden (Woodbine): Is it true, though?

Hon. Mr. Wishart: If the hon. member would just wait I will complete the statement then perhaps he will not need to interrupt.

Although there was a Cabinet meeting this morning, the matter of Dr. Shulman was not on the agenda, it was not discussed and I made no recommendation to Cabinet. What I said to three reporters yesterday, one representing the *Telegram*, one representing the *Globe and Mail* and one the *Toronto Star*, is as quoted in this article, that I had no intention as Attorney General of engaging in a public controversy in the press with an official of my department on a matter of government policy or on any other matter. I added that I had not seen the report or the letter to which Dr. Shulman had referred in the previous day's press and again yesterday morning; that I would reach a decision with respect to the matter and that I would communicate any decision to Dr. Shulman. This article is therefore, except for what is quoted, pure speculation.

Mr. J. R. Knox (Lambton West): **Mr. Speaker,** may I rise on a point of personal privilege at this time?

Mr. Speaker: Order!

Mr. Knox: I would like to correct an error. This is reported in the *Telegram* of Thursday, April 1, in Mr. Peter Bruton's column—at least I presume it is Mr. Peter Bruton's column. His picture is at the side, although I may say it does not do him justice. He is a much finer looking man than that.

Mr. Speaker: Order!

Mr. Knox: But the statement reporting a meeting of the public accounts committee, says as follows: "The most sensational item yesterday came when committee member Ralph Knox (P.C., Lambton West) fell off his chair."

The report shakes me, whether the other did or not. I would like to state categorically, Mr. Speaker, that I did not fall off my chair at the public accounts committee meeting yesterday. I am not a member of the public accounts committee. I did not attend their meeting yesterday, in fact I have never attended a meeting of the public accounts committee.

I would also like to say, Mr. Speaker, that I did not fall off my chair elsewhere yesterday, and I would further like to state that I cannot recall ever having fallen off my chair, nor can I recall ever having been reminded by anyone else that I fell off my chair.

I have a high regard for Mr. Bruton's column and I am sure he will find some way to inform the thousands of my friends who read his column daily, that I was not there and did not fall off.

Hon. M. B. Dymond (Minister of Health): Mr. Chairman, before the orders of the day, I would like to draw to the attention of the House, that among the many matters under continuing study by the Ontario hospital services commission in relation to hospital costs, has been the matter of fringe benefits for public hospital employees. This study has been intensified during the last few months in conjunction with the appraisal of the 1965 hospital budgets, now almost completed.

Before the inception of the Ontario hospital care insurance plan, total fringe benefits paid by public hospitals in the province of Ontario amounted to something more than \$1 million. In 1960, the amount paid for fringe benefits by public hospitals in the province amounted to \$4.3 million and in 1964 this had risen to \$9 million. At the present time, the commission accepts as an allowable cost of hospital operation, the employers' contribution to an approved pension plan, half of the single premium for hospital insurance for each employee, half of the cost of group medical insurance at the

single rate for each employee, and half of the cost of group life insurance for each employee at the single rate, with certain limitations on the amount of the insurance, and half of the cost of weekly indemnity insurance upon certain conditions, for example, that the insurance does not duplicate sick leave benefits.

I am now pleased to advise the House that the Ontario hospital services commission will extend its policy in relation to fringe benefits for public hospital employees. The commission will now accept as an allowable expense of hospital operation, half of the cost for both hospital and medical insurance at the family rate. This policy will be introduced with effect from today, April 1, 1965, and the operating details will be worked out between the commission and the various public hospitals concerned. This is expected to add a further \$2 million to the gross annual cost of hospital operation, and will bring the total paid for fringe benefits by public hospitals to their employees, to an estimated \$11 million.

This change in policy is part of a programme to provide hospitals, within reasonable bounds, with the greatest possible freedom in negotiating levels of remuneration and working conditions for hospital employees.

Mr. Bryden: Mr. Speaker, before the orders of the day, I would like to ask the hon. Minister of Health if it is normal procedure for mail addressed to patients in Penetanguishene to be opened by officials of the institution.

Hon. Mr. Dymond: Mr. Speaker, the answer is that mail received at Penetanguishene for patients is not opened routinely, but if there is reason to believe that the contents will be detrimental to the patients or to the security of the institution, it is opened.

As an example of this, about a year ago a parcel mailed to a patient was opened because of suspicion which arose in the minds of the staff, and it was found to contain a fully loaded revolver.

You will understand, Mr. Speaker, that this is a maximum security institution and it is quite essential that we take every possible precaution for the patients' safety and for that of the staff.

Some hon. members: Hear, hear!

Mr. Bryden: Mr. Speaker, may I ask the hon. Minister a supplementary question?

Hon. Mr. Dymond: I will hear the question.

Mr. Bryden: Pardon?

Hon. Mr. Dymond: I will hear the question first.

Mr. Bryden: Has any mail addressed to Fred Fawcett recently been opened at Penetanguishene and, if so, for what reason?

Hon. Mr. Dymond: Yes. A letter was received a few days ago addressed to Fred Fawcett and there was a legend on the outside of the envelope which gave the staff cause for concern, and for that reason it was opened.

Mr. D. C. MacDonald (York South): Mr. Speaker, I have a question which I should like to address to the hon. Prime Minister (Mr. Robarts), a copy of which he has received.

Has the government been able to get any assurance that the opportunity for FAME to renegotiate its purchase of the Fearman plant will remain open until after the report of the judicial inquiry has been made?

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, I would say first that Farmers' Allied Meat Enterprises Co-operative Limited has continued to deal with the Fearman company and would be the party to whom such an assurance would be given.

I am given to understand, however, that the Fearman company, while leaving the door open for negotiation, has reserved to itself the right to make a deal with any other interested party, and it must be understood that when the due date passed, FAME then was left with no legal rights in the matter at all.

This parallels the situation which existed before the shareholders of FAME requested the government to conduct a complete investigation into the affairs of FAME and its relation to other farm organizations.

At the present time I will say that we will continue the efforts we are now making to assist in any way possible in FAME's contacts with other farm organizations.

Mr. F. R. Oliver (Grey South): Mr. Speaker, may I ask the hon. Prime Minister if the inquiry is under way?

Hon. Mr. Robarts: Oh, yes. Mr. Speaker, we have asked the presiding commissioner to proceed with all despatch. The full background of the situation has been explained to him and he understands. He is proceeding with the utmost speed to complete the investigation.

Hon. Mr. Robarts: Mr. Speaker, before the orders of the day, I have here answers to 24 more questions that are on the order paper: questions 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 53, 58, 59, 60, 61, 64, 65, 67, 68, 69 and 84.

The hon. Prime Minister tabled answers to questions as follows:

38. Mr. V. M. Singer (Downsview): Inquiry of the Ministry: (1) How many applications were made in Ontario for legal aid in the year 1964, or for the last complete year for which records are available? (2) Of those applications received in the year 1964 or for the last complete year for which records are available, how many applicants received legal aid?

Answer by the hon. Attorney General:

(1) According to the report of the provincial director of legal aid for the year 1963 (last available), 13,269 applications were made for legal aid in Ontario.

(2) Of the above applications, 11,956 applicants received legal aid.

39. Mr. Singer: Inquiry of the Ministry: Of those applicants who were refused legal aid in the year 1964 or for the last complete year for which records are available, how many were refused by reason of the means test which was applied?

Answer by the hon. Attorney General:

According to the report of the secretary of the Ontario legal aid plan, no records are available of the number of applicants who were refused legal aid by reason of the means test.

County and district directors of the legal aid plan have a wide discretion in granting legal aid. In all criminal cases, they give the benefit of the doubt to the applicant in granting legal aid, and in civil cases legal aid is usually granted also. The applicant is requested to pay some fee whenever his ability to make such contribution is established.

40. Mr. Singer: Inquiry of the Ministry: How many lawyers, rendering legal aid in the year 1964 or for the last complete year for which records are available, recommended criminal appeals after convictions of their legal aid clients?

Answer by the hon. Attorney General:

According to the report of the secretary of the Ontario legal aid plan, there are no records for either the year 1963 or 1964, indicating how many lawyers rendering

legal aid, recommended criminal appeals after convictions of the legal aid clients.

Note: Regulation 6 of the Ontario legal aid plan states as follows:

Legal aid should not include the following matters:

(8) Appeals, except where in the opinion of the provincial director, on the report of the county director, there appears to have been a miscarriage of justice.

(See also answer to question 41.)

41. *Mr. Singer*: Inquiry of the Ministry: How many such appeals in the year 1964, or for the last complete year for which records are available, were in fact carried forward under legal aid?

Answer by the hon. Attorney General:

In 1964, the provincial director of the Ontario legal aid plan received 13 requests for appeals in criminal cases.

These were disposed of as follows:

(a) Eight were carried forward under the legal aid.

(b) In two cases, the legal aid committee assisted the applicants by way of opinion and advice in connection with their appeals.

(c) Three applications were refused.

42. *Mr. Singer*: Inquiry of the Ministry: (1) Of the recommendations for appeals made in the year 1964, or for the last complete year for which records are available, how many were not carried forward because sufficient money was not available to provide for the cost of the transcript of evidence? (2) How many convicted persons in the year 1964, or in the last year for which complete records are available, have been unable to appeal their convictions and/or sentence because of their inability to obtain a transcript of the evidence taken at their trial?

Answer by the hon. Attorney General:

(1) If an appeal under the legal aid plan is recommended, the transcript of evidence is made available under the plan.

(2) No such records are available.

43. *Mr. Singer*: Inquiry of the Ministry: As of December 31, in each of the years 1963 and 1964, how many municipalities are responsible for their own policing?

Answer by the hon. Attorney General:

As of December 31, 1963: 270; as of December 31, 1964: 270.

44. *Mr. Singer*: Inquiry of the Ministry: As of December 31, in each of the years 1963 and 1964, which municipalities were policed by the Ontario provincial police, and advise the amounts paid by each such municipality for such service?

Answer by the hon. Attorney General:

Municipalities policed by the Ontario provincial police as of December 31, 1963, and amounts paid for policing service: town of Acton, \$27,600; town of Almonte, \$16,200; town of Bala, \$10,616; improvement district of Balmertown, \$10,800; village of Bancroft, \$5,400; village of Belle River, \$22,200; town of Blenheim, \$17,332.44; town of Blind River, \$6,000; township of Bosanquet, \$2,549.58; township of Brantford, \$16,200.

Village of Casselman, \$2,100; village of Chippawa, \$22,200; town of Cobalt, \$9,600; town of Cochrane, \$27,600; village of Crystal Beach, \$29,956.86; village of Fonthill, \$15,631.68; town of Geraldton, \$22,457.82; township of Gosfield South, \$10,800; village of Grand Bend, \$8,400; town of Harrow, \$10,800; village of Iroquois, \$2,100; township of Malden, \$10,800; village of Maxville, \$2,025.

Township of Neebing, \$11,509.92; village of Newcastle, \$1,620; township of Nipigon, \$16,200; town of Parkhill, \$1,814.40; village of Port Stanley, \$8,638.74; township of Red Lake, \$10,800; town of Ridgetown, \$16,200; village of Rockcliffe Park, \$21,600; township of Schrieber, \$10,800; township of Sunnidale, \$7,001.43; town of Tecumseh, \$22,200; village of Thedford, \$2,700; village of Wasaga Beach, \$9,701.43; village of Watford, \$2,430; village of Wheatley, \$8,100.

Municipalities policed by the Ontario provincial police as of December 31, 1964 and amount paid for policing service: town of Acton, \$27,600; town of Almonte, \$22,200; town of Bala, \$11,041.86; improvement district of Balmertown, \$10,800; village of Bancroft, \$5,400; village of Belle River, \$27,600; town of Blenheim, \$22,200; township of Bosanquet, \$2,623.53; township of Brantford, \$16,200; village of Casselman, \$2,100; village of Chippawa, \$22,200; town of Cobalt, \$16,200; town of Cochrane, \$27,600; village of Crystal Beach, \$36,811.44; village of Fonthill, \$16,200; town of Geraldton, \$27,000; township of Gosfield South, \$10,800; village of Grand Bend, \$8,400; town of Harrow, \$10,800; village of Iroquois, \$2,100; township of Malden, \$10,800; village of Maxville, \$2,025; township of Neebing, \$16,200; village of Newcastle, \$2,700; township of Nipigon,

\$16,200; town of Parkhill, \$1,814.40; village of Port Stanley, \$8,860.59; township of Red Lake, \$10,800; town of Ridgetown, \$22,200; village of Rockcliffe Park, \$22,123.60; township of Sunnidale, \$9,217.23; town of Tecumseh, \$22,200; village of Thedford, \$2,700; village of Wasaga Beach, \$12,000; village of Watford, \$4,050; village of Wheatley, \$8,100.

45. *Mr. Singer*: Inquiry of the Ministry: As of December 31 in each of the years 1963 and 1964, of those municipalities responsible for their own policing, how many had forces consisting of nine or fewer members?

Answer by the hon. Attorney General:

As of December 31, 1963: 195; as of December 31, 1964: 190.

46. *Mr. Singer*: Inquiry of the Ministry: As of December 31 in each of the years 1963 and 1964, of those municipalities responsible for their own policing, how many had forces consisting of two to five members?

Answer by the hon. Attorney General:

As of December 31, 1963: 97; as of December 31, 1964: 94.

47. *Mr. Singer*: Inquiry of the Ministry: As of December 31 in each of the years 1963 and 1964, of those municipalities responsible for their own policing, how many had forces of one member?

Answer by the hon. Attorney General:

As of December 31, 1963: 62; as of December 31, 1964: 61.

48. *Mr. Singer*: Inquiry of the Ministry: As of December 31 in each of the years 1963 and 1964, how many of the existing police forces in Ontario had detective, identification, or other specialized branches and the names of such forces?

Answer by the hon. Attorney General:

As of December 31, 1963, there were 44: Belleville, Bertie, Brantford, Brockville, Burlington, Chatham, Cornwall, Dundas, Eastview, Elliot Lake, Fort William, Guelph, Hamilton, Kapuskasing, Kingston, Kitchener, London, Metro Toronto, Neelon-Garson, Nepean, Niagara Falls City, North Bay,

Oshawa, Ottawa, Peterborough, Port Arthur, Port Colborne, Port Credit, Riverside, St. Catharines, St. Thomas, Sandwich East, Sarnia City, Sault Ste. Marie, Stratford, Sudbury, Teck, Toronto Township, Vaughan, Waterloo City, Welland, Whitby, Windsor, Woodstock.

As of December 31, 1964, there were

44: Belleville, Bertie, Brantford, Brockville, Burlington, Chatham, Cornwall, Dundas, Eastview, Elliot Lake, Fort William, Guelph, Hamilton, Kapuskasing, Kingston, Kitchener, London, Metro Toronto, Neelon-Garson, Nepean, Niagara Falls City, North Bay.

Oshawa, Ottawa, Peterborough, Port Arthur, Port Colborne, Port Credit, Riverside, St. Catharines, St. Thomas, Sandwich East, Sarnia City, Sault Ste. Marie, Stratford, Sudbury, Teck, Toronto Township, Vaughan, Waterloo City, Welland, Whitby, Windsor, Woodstock.

Note: The information given above, for both years, is based on the results of surveys of the police departments named, or from the knowledge of the commission and its advisers. There may be need to effect revision to these figures as further survey information becomes available. It should be noted that a complete survey of all police forces in Ontario was started in August, 1964, and is still proceeding.

49. *Mr. Singer*: Inquiry of the Ministry: As of December 31 in each of the years 1963 and 1964, which municipalities in Ontario provided for recruit or in-service training for their police officers?

Answer by the hon. Attorney General:

As of December 31, 1963: Barrie, Belleville, Brantford, Brockville, Chatham, Cornwall, Eastview, Fort William, Galt, Guelph, Hamilton, Kingston, Kitchener, London, Metro Toronto, Niagara Falls, North Bay, Oshawa, Ottawa, Owen Sound, Peterborough, Port Arthur, St. Catharines, St. Thomas, Sarnia, Sault Ste. Marie, Stratford, Sudbury, Waterloo, Welland, Windsor, Woodstock.

As of December 31, 1964: Barrie, Belleville, Brantford, Brockville, Chatham, Cornwall, Eastview, Fort William, Galt, Guelph, Hamilton, Kingston, Kitchener, London, Metro Toronto, Niagara Falls, North Bay, Oshawa, Ottawa, Owen Sound, Peterborough, Port Arthur, St. Catharines, St. Thomas, Sarnia, Sault Ste. Marie, Stratford, Sudbury, Waterloo, Welland, Windsor, Woodstock.

50. *Mr. N. Davison (Hamilton East)*: Inquiry of the Ministry: 1. Were the Ontario provincial police called in for the following labour disputes: (a) Wolverine Tube, London; (b) Lanark Manufacturing Co., Dunnville; (c) Globelite Batteries Ltd., Scarborough? 2. If so, what was the cost of their involvement to: (a) the province; (b) the respective municipality?

Answer by the hon. Attorney General:

1. (a) No; (b) Yes; (c) No.
2. (a) \$7,143.42; (b) Nil.

53. *Mr. J. Renwick (Riverdale)*: Inquiry of the Ministry: 1. (a) How many civil cases had been set down for trial in the Supreme Court of Ontario at January 1, 1965; (b) of them, how many were automobile accident cases? 2. (a) How many civil cases had been set down for trial in the county and district courts of Ontario at January 1, 1965; (b) of them, how many were automobile accident cases?

Answer by the hon. Attorney General:

1. (a) 3,977. (b) 1,332.
2. (a) 2,291. (b) 1,433.

58. *Mr. Singer*: Inquiry of the Ministry: (a) Has a central criminal records office been established for the benefit of the Ontario provincial police and all other Ontario police forces? (b) If such an office has been established, (i) where is it located, (ii) how long has it been in operation, (iii) how many persons does it employ, (iv) when did it commence operations?

Answer by the hon. Attorney General:

- (a) Yes.
- (b) (i) At the headquarters of the Ontario provincial police in Toronto; (ii) Under the present organizational system for more than five months; (iii) 51; (iv) September, 1964.

59. *Mr. Singer*: Inquiry of the Ministry: (a) Have there been any additional recommendations to the Attorney General by the Ontario police commission since the Ontario police commission report to the Attorney General dated January 31, 1964? (b) If so, (i) will such recommendations be tabled in the Legislature, and (ii) how many of such recommendations have been carried out?

Answer by the hon. Attorney General:

- (a) No.
- (b) Not applicable.

Note: Additional recommendations of the Ontario police commission will be submitted in its annual report, which is forthcoming and will be tabled in the Legislature during the current session.

60. *Mr. Singer*: Inquiry of the Ministry: (a) Has there been any new organization established for the purpose of liaison on a permanent basis between police forces in Ontario, the Royal Canadian Mounted

Police, the Federal Bureau of Investigation, and various other forces in the United States of America? (b) If such an organization has been set up, (i) when did operations commence, and (ii) how are such operations carried on?

Answer by the hon. Attorney General:

(a) Yes; the intelligence section of the Ontario police commission.

(b) (i) In December, 1964; (ii) By direct consultation, exchange of information and collection and maintenance of vital statistics and records.

61. *Mr. Singer*: Inquiry of the Ministry: (a) How many persons have attended the Ontario police college in Aylmer since its creation? (b) How many applications for permission to attend have been received by the Ontario police college in Aylmer? (c) What is the annual student capacity at the Ontario police college in Aylmer?

Answer by the hon. Attorney General:

- (a) 1,666.
- (b) 1,863.
- (c) 970; with maximum student capacity of 240 at any one time.

64. *Mr. Singer*: Inquiry of the Ministry: (a) Has the Attorney General received the report of the special committee set up to investigate legal aid in Ontario? (b) If so, when will it be tabled in the Legislature? (c) If so, will there be a statute introduced, implementing all or any of the recommendations in the said report? (d) If not, when is the report expected?

Answer by the hon. Attorney General:

- (a) No.
- (b) and (c) not applicable.
- (d) By April 1, 1965.

65. *Mr. Singer*: Inquiry of the Ministry: (a) Has the Attorney General received the report of Mr. Kimber, made as a result of his investigations into the trading in Windfall Oils and Mines Limited? (b) If so, when will it be tabled in the Legislature and copies be made available to the members? (c) If so, will there be a statute introduced, implementing all or any of the recommendations in the said report? (d) If so, will there be any charges laid as a result of the observations made in the said report? (e) If not, when is the report expected?

Answer by the hon. Attorney General:

(a) The Attorney General has not received the final report of Mr. Kimber

regarding his investigation into the trading in Windfall Oils and Mines Limited.

This investigation is still in progress.

The investigation is being conducted in co-operation with the Royal commission of the Honourable Arthur Kelly, justice of appeal of the Supreme Court of Ontario, and any information received by the Ontario securities commission is immediately referred to the above Royal commission.

(b), (c) and (d) Not applicable.

(e) The report is not expected before the completion of the investigation by the Royal commission of Mr. Justice Kelly.

67. *Mr. Singer*: Inquiry of the Ministry: Will the Attorney General advise: (a) In the years 1963 and 1964, how many charges have been proceeded with, either under the provisions of The Ontario Securities Act or of The Canadian Criminal Code relating to stock market activities in Ontario? (b) How many such charges have resulted in conviction? (c) How many such charges have resulted in acquittals? (d) How many such charges were withdrawn, and for what reasons?

Answer by the hon. Attorney General:

(a) 96.

(b) 47.

(c) 41.

(d) Three. One was withdrawn because of insufficient evidence. The other two were withdrawn because there has been a conviction on another charge arising of similar circumstances.

Note: (i) Eight charges are pending; (ii) Dismissals have been included under (c) above; (iii) Where more than one person was charged of one count and all were found guilty or acquitted, such facts are shown as one acquittal or conviction on one charge as the case may be; (iv) The above figures are only ultimate results as determined by trial or appeal if applicable.

68. *Mr. Singer*: Inquiry of the Ministry: (a) In the case of Regina vs. Michael Jay, does the Attorney General intend to appeal the recent decision of the Ontario Court of Appeal to the Supreme Court of Canada? (b) If the Attorney General does not intend to appeal, what new steps, if any, does he propose to take to control so-called "wash trade activities"?

Answer by the hon. Attorney General:

(a) No.

(b) The problem of so-called "wash

trade activities" will be considered by the Attorney General immediately following the receipt of reports and recommendations of the Royal commission of Mr. Justice Kelly and of the committee on securities legislation chaired by Mr. Kimber.

69. *Mr. Singer*: Inquiry of the Ministry: (a) Is there any report made and are there any records maintained by The Department of the Attorney General or any other branch of government relating to bylaws passed by municipal police commissions which affect public conduct? (b) If such reports are received and records kept, how many such bylaws are now in existence? (c) List the names of the municipalities whose police commissions have passed such bylaws, and briefly summarize each such bylaw. (d) Do the police commissions, which have passed such bylaws, have the right to keep such bylaws secret, and/or deny the public the opportunity to examine them?

Answer by the hon. Attorney General:

(a) No.

(b) Not applicable.

(c) Not applicable.

(d) It is the opinion of the Attorney General that all bylaws passed by municipal police commissions or boards which affect public conduct should not be kept secret and should be open to examination by the public.

Note: Under the provisions of section 15 of The Police Act, RSO 1960, chapter 298:

A board may, by bylaw, make regulations not inconsistent with the regulations under section 62 for the government of the police force, for preventing neglect or abuse, and for rendering it efficient in the discharge of its duties.

There is no legal requirement for approval or filing of such bylaws with provincial authorities. According to section 11 of the above-mentioned police Act, such bylaws shall be received in evidence in all courts.

84. *Mr. D. A. Paterson (Essex South)*: Inquiry of the Ministry: (a) Will the province of Ontario be represented on the Canadian travel trade mission to Japan and Hong Kong? (b) If so, what is the estimated cost of sending our representative?

Answer by the hon. Minister of Tourism and Information (Mr. Au'd):

The Department of Tourism and Information will not be sending any representative on the Canadian travel trade mission to Japan and Hong Kong.

Hon. Mr. Yaremko begs leave to present to the House the following reports:

1. The 59th annual report by the Ontario municipal board for the year ended December 31, 1964.

2. The 1963 annual report of the municipal statistics of The Department of Municipal Affairs.

3. The annual report of the Ontario energy board for the year ending December 31, 1964.

4. The 9th annual report of the Ontario water resources commission.

Mr. Speaker: Orders of the day.

Clerk of the House: The seventy-fifth order; House in committee of supply; Mr. W. E. Sandercock in the chair.

ESTIMATES, DEPARTMENT OF REFORM INSTITUTIONS

Hon. A. Grossman (Minister of Reform Institutions): Mr. Chairman, in presenting the estimates of The Department of Reform Institutions, I take this opportunity to reiterate and emphasize the philosophy and policies of my department. Our philosophy is that which is recognized by all modern correctional jurisdictions, and our policies are designed to implement that philosophy, with vigour, energy, and all the resources at our command.

We work on the premise that all offenders must be evaluated and assessed in such a way as will indicate the most effective programme for their social orientation. And, sir, we have some very good resources. In our Mimico clinics, we have a fine programme for dealing with offenders who are drug addicts and alcoholics.

In the guidance centre and the treatment centre at Brampton we have as progressive, as intense, as enlightened and effective a programme as can be found anywhere, dealing with these types of offenders.

We have a most progressive unit at our neuro-psychiatric clinic at Guelph and, incidentally, the TB hospital there is the only one of its kind in a corrective institution in this country.

And as for open institutions, it is just not possible to have so-called "open institutions" that are more open than ours—institutions relying entirely on classification and psychological restraint coming from within the inmate, so that physical measures can be reduced to the absolute minimum—no locks, no bars, no fences—physical methods of restraint completely absent.

At the forestry camp at Hillsdale, the only man on duty at night is a night watchman and he is an inmate. This is minimum security at its best. There was not one inmate who even attempted to escape in the last five years. Not a single one. This is a credit, sir, to the staff charged with the responsibility of classifying inmates and choosing those suitable for such institutions. I doubt if there is a better system of minimum security with the same good record anywhere.

We have a fine classification system. We have a most varied programme, which is one of our strengths. I think it would be difficult, also, to find a system of comparable size with more varied training and treatment methods and a more detailed classification and segregation system.

However, even though I am aware of the many strengths of the department's policies, I am equally aware of many things which remain to be done and I freely admit this. There will always remain much to be done and we will be ready to move forward to those things which appear to offer advances as they develop. That is progress.

I have read literally hundreds of briefs, brochures, books, theses—yes, and every word from *Hansard* for the past ten years relating to correction—and from all these I have sought guidance for the future. I evaluate all this and if, from any reliable source, we find suggestions of merit, we study them with a view to adapting whatever is sound, progressive and practical.

One problem we must face is the necessity of directing our resources to their most effective area, and in this connection, experts in the field of correction point out that there are four different types of people undergoing sentence:

First, there are those who seek help, and may be able to be helped.

Second, there are those who refuse to be helped, regardless of whether or not it might be beneficial.

There is, unfortunately, a third group whose condition has become chronic. They have, as a result of the aging process, suffered a true decline in both physical and mental powers. It is quite evident to all who know them well, that they can no longer maintain themselves. A good number of this group, generally referred to as the chronic petty offenders, do not, in my view, belong in our corrective institutions as they are structured today. This is a subject which is engaging the attention of many of us who look forward to some early developments in this field.

Finally, there are the troublemakers. Some of these persons are particularly quarrelsome and even inclined to take legal action on little or no foundation. They show a lack of sympathy and of sentiment. They do not understand other people. They have few, if any, true friends. They are basically extremely egotistical, selfish and thoughtless of the rights, property and feelings of others. Their troublemaking grows out of their dominating selfishness, their lack of human understanding and their craving for prestige, plus a constant warfare with persons who have crossed their path. They may be a danger to their fellow inmates and to staff alike. Their own ideas are sacred to them and must not be questioned. Where they are associated with others, either in their own families, in social groups, or on the job, their touchiness is a source of continual discord.

It is from this group that well-intentioned people sometimes draw their source material for making strong pleas on behalf of the inmate, either for his comfort or his rehabilitation, believing that what can be done for one inmate can be done for all inmates. Unfortunately, this is just not so. But we must exert every effort to help these people, whatever the type.

In helping them we recognize their types. We recognize that these types need different levels of security or custody. We have, as mentioned, very open institutions. Equally necessary are institutions organized under strict security conditions. As in some cases, a great degree of custody is imperative for the protection of the public.

I say this, fully realizing that for some people the term custodial conditions is anathema to their ideals. I recall very vividly the many charges made in past years against the department—that it is custodial minded—and *Hansard* is replete with this oft-repeated and much abused phrase. I would like to deal with this concern about the alleged emphasis on custody in our system.

Let me say at the outset that any serious-minded person involved in corrections is aware of the dilemma in our work. We are attempting to rehabilitate people whilst at the same time we are their custodians. Or to put it more bluntly, in the case of a great number, particularly adults, we are attempting to be doctors and jailers at the same time. We are in the difficult position of attempting to gain the confidence and trust of an offender whilst at the same time restricting his freedom. A most difficult task.

I am certain that the basis for much of the criticism directed at corrections authorities

is not so much criticism of a particular aspect of a correctional programme, including ours, but—whether the well-meaning critics believe it or not—is criticism of the whole concept of penal institutions as such. In principle, I agree that it would be easier to obtain a therapeutic atmosphere with incarceration. Nevertheless—and this is the whole basis of the dilemma—no one has, as yet, produced an effective substitute for it.

If a man breaks a law, society insists that he be punished, in some fashion, for his crime. It may be rationalized as punishment for wrongdoing, for security purposes, as a deterrent, or for corrective purposes. Whatever the reason, society insists that the offender be restricted in his movements. Whether that restriction is confined to a probationary type of restriction—that is, outside an institution—depends on the nature of the offence and the number of previous convictions. Even probation presupposes that at some stage repeating offenders will have to be imprisoned.

Within the limits of our present knowledge of this complex matter, there is no other way, certainly none that I have heard of. And until such time as some modern Solomon comes up with the answer, I am afraid that we shall just have to bear the slings and arrows of those who are constantly irritated by the present correctional systems—even though they have no other solution. So custody is needed and can, if used intelligently, be of benefit in the reformation of the offender.

I want to emphasize that our modern approach, our efforts towards rehabilitation, do not mean that we are in any way mollycoddling the offender. It is wrong to think that because of the many services used in the rehabilitation process, prison is in any way becoming a soft touch. To some it may appear so, but in fact, it is just the reverse. In the old days the repeater had grown used to prison routine. He knew what to expect. He knew how he was expected to behave. He sometimes even knew what to do in order to get himself a cushy job, sit there and wait until his release.

This is no longer true. Inmates today are constantly being made to face up to the fact that they have many commitments to themselves and to society. They are involved in group and individual therapy programmes and are assessed by their peers. This often hurts, because it is not so easy to manipulate your colleagues as it is outsiders.

They are made to think, and think deeply. This is most disturbing to many of them and

prison is, in fact, a far greater challenge to the old lead-swinger, the repeater, than it used to be. We demand so much more from them.

Sometimes, however, there is a danger of misinterpretation on the part of offenders. In our anxiety to improve our corrective processes we must be most careful not to give offenders the impression that we are sympathetic to the view many of them hold—that is, that they are really the innocent ones and that their troubles lie not within themselves, but with society, the police, the courts and the correctional institutional staff.

This is what we must be most careful to avoid. We must always make it quite clear to the offender that he is in the institution because he has broken the law, and that the staff in the institution will do everything in their power to help him straighten himself out. They will give him every opportunity to change his ways but, and this is a most important but, he must in no way be encouraged to feel that public sympathy for penal reform in any way implies that it is the law enforcement agencies, the courts, and our staff who are on trial, with the idea that they are in some way the guilty ones rather than the inmate.

Hon. members may find it interesting to know that many of the offenders with whom I have talked, in answer to my questioning as to why they committed some petty crime, answered time and again, almost word for word, "I thought I could get away with it". This emphasizes the necessity to give strong support to our law enforcement agencies, so that they can do an effective job, so as to deter potential lawbreakers from getting into trouble in the first place.

I am most anxious that the public be made aware of the need for its co-operation in the rehabilitation of offenders in our care, but I am just as anxious that the public be aware of the need to support their law enforcement officers and agencies in carrying out their work as effectively as possible. Without any doubt, an effective police force is our most potent weapon in the fight against crime. It is our duty to support it as much as possible.

Rehabilitation is, of course, another weapon in our fight against crime. We place great emphasis upon it. However, in fairness to my staff, there is a most important fact which should be brought to the attention of this House: It is a more difficult task to rehabilitate inmates today than it was ten years ago. The reason may not be obvious to the layman, but to those in this field it is clear. Ten years ago probation services in this province were in their early stages of

development. Today they have been greatly improved.

Perhaps I might read you an extract from a letter received in our department a year ago from the inspector of penal institutions in another province. This short extract is most interesting and I quote:

I hope to send two men to Ontario next year to take a look at Danny Coughlan's probation service, as personally I feel the Ontario probation service is the best organization of its kind in Canada.

Now, Mr. Chairman, probation service is, of course, under The Department of the Attorney General, even though this letter was written to a member of our department. I agree—it is a fine service, and it is doing most excellent work—but one result of that fine work is that those who labour in our corrective institutions are for the most part engaged in the complex, stubborn, difficult task of trying to rehabilitate those who have failed on probation and in many instances, not just once, but several times.

In other words, by the time we get them, we are dealing with those who have not responded to anything else. They have not felt the influence of family life. They have gone through the social and family agencies, children's aid societies, other welfare groups and even the vastly improved probation services. At what is apparently the end of the road—the road they have continued to tread even though all these other people have tried to help them—they are sent to us. Is it any wonder that by this time, rehabilitation is a most difficult task?

Difficult, but by no means hopeless. We never give up. But some people seem to think of rehabilitation as something like a surgical operation, they almost infer that maladjustment can be almost cut out of an inmate. Take a certain approach, give them a certain type of treatment and care, and viola! We have a rehabilitated citizen.

These people, well meaning though they may be, just fail to understand the problem. A comprehensive programme, directed by specialists of many disciplines, is the only known, effective treatment, not only in the adult field but in the juvenile field as well, and in our department, dealing with both the adult and juveniles, we have probably the largest treatment team of any correctional department in Canada.

We employ either on a full- or part-time basis, 77 teachers; 39 trade training instructors; 18 chaplains; 27 doctors; 29 nurses; 18 psychologists; 8 psychological assistants; 17

psychiatrists; 11 social workers and 60 rehabilitation officers.

In all, 225 full-time and 79 part-time treatment and training staff as of today's date.

I realize that it is easy for us to say we have the largest treatment team, but of course we also have more offenders than any other province, having as we do, the largest population. However, I am convinced that we also have the largest treatment staff in terms of percentages.

Now, I said earlier that all offenders must be evaluated, indicating the most effective programme for them at all times, and I emphasize the phrase, "at all times," because we firmly believe that the period immediately after arrest or sentencing, the first time a man is in jail, the time he spends in the local jail, has a great effect on his future conduct. Those who can be helped should be evaluated and receive that help at that time and this is the area which, insofar as the local jail is concerned, has, at least to this moment, been completely overlooked.

Most of the present local jails are inadequate for today's needs, many of them being nearly or even more than 100 years old.

This is why we have spent a great deal of time promoting the regional detention and classification centres plan. The main purpose of this is to encourage county councils to amalgamate their jails with neighbouring counties in establishing one unit to serve a number of municipalities. We have met with many councils during the past year to discuss this project. With the increasing use of pre-sentence reports, the new units will provide proper interview facilities for probation officers and medical and psychiatric evaluation where indicated. Adequate segregation of the various types of inmates will be made possible in the new centres. Proper facilities for visits by relatives, lawyers, and so on, will also be provided in the new centres.

Our studies reveal that about 40 per cent of people committed to jail do not require maximum security. Consequently the new units will be planned to accommodate this section of the jail population in a minimum security setting with provision for a meaningful work programme.

This government has approved a grant of 50 per cent of construction costs to any group of counties which will build and operate an approved regional detention and classification centre. Action has already been taken in a number of counties, which have approved in principle the establishment of such units in their areas, and we are hopeful that agree-

ments will shortly be signed, implementing the plans in those areas.

I want to say here that the people and the councillors in these municipalities have responded in a very gratifying fashion. They are making a fine contribution to a progressive and forward-looking plan, realizing that this will be a major breakthrough in this field, not only from an economical point of view, but also for the rehabilitation of the offender. And when these units are established, Ontario will again provide the lead for the rest of country and even the continent.

Activity at the department's staff training school continues to centre around training of custodial officers from adult institutions and supervisors from training schools. For the first time in the history of the department, we held week-long seminars for senior custodial and supervisory personnel. These seminars were designed to acquaint our officials with recent trends in corrections, to discuss the philosophy of the department and to bring and keep our staff up to date on changes within the service. Some 66 senior officers attended such seminars in 1964.

The major emphasis in terms of numbers and time continues to be with junior personnel with less than a year's service. We have recently moved away from mere content in courses. We are now primarily concerned with a modification and sharing of attitudes. Personnel often enter this field with preconceived notions about prisoners, preconceived attitudes towards them and preconceived ideas of what their job should be. Some of these attitudes are more positive than others. Sometimes attitudes can be placed, as can the attitudes of the general public, at a level varying between highly negative and highly positive.

It is our job to try to modify attitudes where necessary in such a direction as to ensure that the aim and purpose of our correctional policy and practice will be enhanced. We encourage our staff to develop with prisoners the kind of relationships which are most likely to contribute to this aim.

For example, most prisoners tend to have highly negative attitudes towards authority figures. Therefore, one of our aims is to help prisoners see authority figures more positively, as reasonable people. To do this, it follows that authority figures act in reasonable ways in dealing with prisoners. Because custodial officers have the closest kind of relationships with prisoners on an eight-hour-a-day basis they are in the key position with respect to changing attitudes about authority.

It is vital, therefore, that custodial officers

have the right set of attitudes themselves. The rehabilitative process takes place essentially at this level. Work by psychologists, social workers and psychiatrists, will be of little avail if the relationships between custodial officer and prisoner are damaging ones.

It is for these reasons then that we are most concerned about training our staff in a basic understanding of prisoners and see prisoners as people with certain kinds of problems.

In the last year, 64 custodial officers and 33 training school supervisors have received such training. We also rely on the positive attitudes found in our institutions to amplify some of the modifications that have occurred as a result of the course. It is a continuing process and it takes many years to make a good correctional worker.

Currently we are attempting to ascertain with some degree of precision, just what are the attitudes of staff prior to training and immediately after training, and some months after training. In this connection, we are developing an attitude-scale test, in the hope that it may effectively measure attitudes. Attitude measurement is, of course, fraught with difficulty and it may well be some months before meaningful results are obtained.

Our director of staff development, Mr. Douglas Penfold, feels that the calibre of custodial officer trainees has improved over the past few years.

We plan to expand the seminar type of training of senior staff. This group ranges from superintendents, assistant superintendents, rehabilitation officers, to office managers. Without this, one sometimes finds junior personnel who have been exposed recently to a form of training programme, more familiar with later correctional trends than some of their seniors. This kind of situation creates obvious difficulties. I personally participated in some of these courses and tests and appreciate the problems involved. They are many.

The department continues to provide financial support to staff members taking the three-year correctional course at McMaster University. Some 60 of our staff have been involved altogether, and 21 have graduated recently from this course, which has been accepted by the civil service commission as a standard of education requirements for certain positions within the department. McMaster University, at the request of our department, is currently engaged in polling correctional jurisdictions across the country to assess the feasibility of developing a

correspondence course version. If this develops, the course will be available to staff members in our outlying institutions.

Once more, I ask hon. members to take note that there is no more comprehensive programme of staff training at all levels, available in this field in Canada. This is the very basis on which we build our programmes—ability, dedication and training of our staff. I have placed a great emphasis on it just as I have placed great emphasis on another aspect of rehabilitation and that is, research.

I think, as I have attempted to point out, that one should not oversimplify the problems inherent in producing and operating a rehabilitation programme. I must admit that in my early days in this portfolio, I had an idea that one could appoint more clinical personnel, listen to their advice, and arrive at great solutions. However, I found that they themselves, the expert psychiatrists of long standing and the psychologists, were loath to direct me in many situations, because they knew that there was no general agreement about the effectiveness of particular programmes. They told me that, dealing as we are with the problems of human behaviour—society's attitudes, anti-social, deviate and criminal actions—that the extent of knowledge in this area still leaves very, very much to be desired.

In consequence, I determined that even though there are no absolute answers, at least we could actively encourage research in this field and that, as it was within my power, I would establish the machinery for seeking out these so necessary guide lines.

The appointment of Professor Taduezy Grygier as director of research in April, 1964, has helped the department to utilize research data in shaping departmental policy. The new Training Schools Act, presently before this House, is an outstanding example of this. The bill introduced several weeks ago was based on social, psychological and legal research carried out by the director of research and his graduate students at the University of Toronto. His cross-appointment with the university has added an important channel of communication between the government and the resources of scholarship, research and professional education available solely in a university setting. I take this opportunity of expressing particular appreciation of the help received from the University of Toronto School of Social Work under the direction of Professor Charles E. Hendry.

In one research project on the attitude change in correctional staff following a new method of using psychiatric resources in a

training school, Professor Grygier has been working closely with our director of staff development, and the director of research of the civil service commission, Dr. S. D. Saleh.

It is of great credit to the morale and the enlightened attitude of my staff that the research just mentioned was undertaken at the initiative of the superintendent of our training school at Simcoe, Mr. G. W. Stewart, and his staff.

In several other instances, initiative in research matters came neither from the university nor from our director of research, but from the staff of the institutions and of the head office of my department. We have been commended by the university people for the excellent co-operation which they have received in all cases from the staff at our institutions. The staff have not only helped in studying the offenders and the children in training schools under their care, but were willing to undergo various tests themselves. They understand that it is impossible to help effectively the offender or the child in trouble without taking a good look at the results of our operations and at the personnel called upon to do the job. This is further evidence, Mr. Chairman, that our department is always anxious for any new approach that holds out hope for advance.

A further conclusion from research data was that we need more specialized services, especially for the children classified up to the present time as unmanageable, and in the past as incorrigible. These children are neither unmanageable nor incorrigible, but have been deprived of necessary care and control by their parents and guardians and need a setting which a training school can provide. This was confirmed in a study by Mr. F. E. A. Ewald, now supervisor of casework services of the John Howard society of Ontario, who found, and I quote him:

Excellent evidence that Ontario training schools exert a positive influence on the value system of the children in their care.

This is particularly noticeable in units which, and I quote again:

—are small, with high staff/student ratio, or, if large, have a fair amount of structure and clearly stated rules, which help the children to know where they stand.

Later, when Dr. Grygier's studies were extended to private training schools, it was confirmed by Mr. John Cosson, now caseworker at the children's aid society in Guelph, that treatment suffers when staff/student ratio is insufficient. We know that

correctional institutions throughout the world suffer from shortage of staff, especially professional staff. What was found in this particular study was the effect of insufficient staff on treatment. We, therefore, studied this matter further and took positive action to relieve that most acute shortage, insofar as the extent to which insufficient funds had been the cause, by providing for the subsidization of the complete operating costs of these private training schools as against a fixed per diem rate, which had obviously become inadequate.

The general conclusions from these studies was that the best set-up for a training school would be "one offering an intensive and flexible treatment programme within a clearly defined structure."

This is the basis of our present system, which will be developed on a more elaborate system as we go along. In general, as mentioned earlier, we have been always ready to implement recommendations based on research, wherever it has proved feasible. In this respect my department is now, with the possible exception of the state of California, a unique example of policy based on scientific evidence. I repeat, we pay great attention to those experts who base their judgment on scientific grounds.

Since 1960, the *Canadian Journal of Corrections* has been published, in abstract form, progress reports on all correctional research being carried out in Canada. When we reviewed these journals, we were pleased to note that a large portion of the research had been initiated and carried out in our department.

At the present time, Professor John Spencer and a team of eight graduate students from the school of social work at the University of Toronto, are carrying out a research project in four of our adult institutions, the purpose of which is to ascertain the effects of disciplinary action. This is a subject, incidentally, that has received little attention from research workers to date. We hope to have a similar team make a like study in our training schools. In some cases, research data have led us to a better utilization of existing resources, as in Port Bolster.

Time, of course, does not permit me to quote all the examples of research assisting our programme.

Another area in which great strides have been made during the year is in our chaplaincy department where, under the direction of the Reverend Maurice Fline, a most effective programme has been built up. Dr. Fline is a chaplain and also a doctor of philosophy

in psychology and pastoral care. Through his direction, and initiated by this department, a consultative committee on chaplaincy affairs, representing the major denominations, has been formed, through which a total of 222 denominational representatives, responsible for weekly visits to all local jails in the province, have been appointed by the various religious denominations.

Full- and part-time chaplains have been appointed in many institutions, and a full-time Roman Catholic chaplain who has been appointed to the Mimico reformatory and clinics, has assumed responsibility as senior liaison chaplain to all Roman Catholic chaplains. A number of our newly appointed chaplains have had wide experience and they are conducting group counselling sessions; one, who is a specialist in clinical pastoral training is conducting sessions for chaplains, senior ordinands and other interested personnel. The benefits of group therapy conducted during the past few years amongst female narcotic addicts by a chaplain trained in such work, have now been effectively demonstrated. The impact of our growing chaplaincy department is being felt and I am satisfied that we now possess the nucleus of one of the finest chaplaincy departments in the field of corrections.

In the summer of 1964, a three-week orientation course in clinical pastoral training for 12 chaplains and interested clergy was held at the rehabilitation centre of the Andrew Mercer reformatory, with internship experience being offered at Mimico and Brampton. The success of this pilot project warrants the establishment of a three-month course this summer, which will be followed during the ensuing academic year by evening seminars for interested clergy, in the interviewing, counselling and treatment of offenders, and practical training sessions at our institutions for qualified ordinands and seminarians under the supervision of our most experienced chaplains.

We have a programme of treatment for addictions that has been built up over the years. We now operate four treatment centres for men and women who are addicted to alcohol or narcotics. Last year more than 800 men were treated for alcoholism at our clinics at Mimico. I am happy to say that, including those who attended our conference on addictions, more than 600 people came from all parts of Canada, and from abroad, in order to observe how our clinics are operated.

In this connection I have, this last week, authorized Mr. Frank Potts, our director of

psychology, to accept an invitation from The Department of Hygiene for the state of New York to help advise on establishment there of a research institute on alcoholism. This shows their appreciation and the appreciation of other jurisdictions of the work being done in our department, and is a very great tribute to Mr. Potts.

Since 1955 our 32-bed neuro-psychiatric clinic at Guelph has been providing valuable services for those inmates who come to us suffering from some form of mental illness. There, a team of doctors, nurses, psychologists and psychiatrists establish a diagnosis and provide psychotherapy for all adult males who require it. It is interesting to note that a senior member of our treatment team at the neuro-psychiatric clinic is presently studying in Europe on a Nuffield travelling fellowship, further evidence of the esteem in which our professional staff is held.

In conjunction with the clinical complex at Mimico, we are planning a treatment programme for sex offenders. There is some evidence to believe that among convicted sex offenders there is a percentage who could be helped by modern therapeutic methods. It is, therefore, our intention to set up such a programme.

Another area in which we have a well established and effective treatment and training programme, is with female offenders. The programme for female offenders originates with intensive testing and assessment at the main Mercer reformatory. This includes intelligence, special aptitudes, and an evaluation of behaviour problems. From this total assessment, it is decided which programme available will be of most benefit to the inmate.

There is a milieu therapy unit for the addict in a separate building of the Mercer reformatory. There is a guidance centre at Brampton known as Ingleside for the younger offender who is capable of assimilating an intensive training programme. There is also at Brampton the treatment centre for offenders requiring intensive group and individual therapy. Presently this centre is concentrating on the female alcoholic.

There is obviously a number of female offenders who fit into none of these categories. These include the very short-term offenders, with whom we attempt rehabilitation training. We have industrial and a certain amount of vocational training—although it is obvious that stencillers and hairdressers cannot be trained in two months. This whole purposeful programme of rehabilitation bears comparison with anything else in this country for female

offenders of this type and with this length of sentence.

There is no doubt that the King Street branch of Mercer is physically outdated and for that reason inhibits, at least in some aspects, our programme, and for that reason should be replaced. Since the early part of last year, plans for the replacement of this building were well advanced until the pronouncement by the Minister of Justice, that changes in our responsibilities were fairly imminent, caused us to reappraise our plans. However, the Minister's advisory council on the treatment of the offender is presently engaged in the planning of a new institution which will become part of the complex at Brampton.

I stated earlier that rehabilitation is not a surgical process. You cannot cut the wrongdoing out of man. But there is one area in which surgery can play its part, and that is in plastic surgery. It is quite likely that with some of our youngsters, physical deformities play some part in forming their attitudes and behaviour patterns. In consequence, we were gratified when, in 1964, Dr. Harold L. Silver, a distinguished plastic surgeon in Toronto, at my invitation very generously offered to perform plastic surgery without fee on any child or inmate in any of our institutions, providing there was evidence that such work would help rehabilitate that person. I should like at this time to express our very warm appreciation to Dr. Silver, and pay public tribute to him for this very generous, humane and helpful use of his skill as a plastic surgeon. It is our intention to formulate a research study around the work that Dr. Silver has been doing, which will enable us to establish its value in the rehabilitation process on those cases where plastic surgery has been utilized.

Mr. Chairman, we have made efforts to give greater readability to our annual reports. We have on occasion complained of the misreading of our statistics, of people taking wrong implications from figures provided by us, and, in fact, coming to completely erroneous conclusions. Hon. members will note that our report this year has some innovations designed to give a clearer statistical picture, and it is only a start, because changes in this field of statistics need to be made well in advance.

It is planned to collect information on behaviour whilst in custody, prognosis, evaluation of progress, and data from the parole and rehabilitation statistics, all of which can be mechanically collected and then evaluated. We are co-operating with other departments and organizations, and with the Dominion

bureau of statistics, in the collection and evaluation of statistics, which can be meaningful for our work.

We are planning a farm training centre for a group of between 25 and 50 young men who are too handicapped by their limited ability to pursue further formal academic training, and who cannot meet the educational requirements of most of our skilled trades. Despite these limitations, many of them are strong workers, who take instruction willingly. We believe that by housing them together in a separate unit and employing them under experienced staff at farm work, they can be taught good work habits and the basic skills required for such work as general farming, market gardening, greenhouse work, poultry farming, and so on.

By providing training in such work and then placing them on some good farm, we believe that we will help them become not only self-supporting, but to find good homes for themselves as well. Also, by establishing this farm training centre, we will be reducing still further the population of the reformatory in Guelph, which is one of our objectives.

We are building a dormitory for 60 beds and a vocational training and academic building at the industrial farm, Fort William, where we are in the process of setting up a training centre for younger offenders from the Lakehead area. We hope to have in operation shortly the three vocational training shops for boys between the ages of 16 and 25. This will obviously have great benefit for the younger inmate who has the ability to take up a trade in this area. Furthermore, it is advisable, wherever possible, to encourage family visiting so that on his release an inmate has the assistance of family ties when he is trying to re-establish himself in society. The establishment of such a centre will enable us to extend our philosophy of open trade training institutions to the north of the province.

This was one factor in our decision to close the reformatory at Elliot Lake. We were finding that as time went on it was proving to be less effective, and in consequence, could no longer be justified in our total rehabilitation programme.

During the year we have made a good start on constructing chapels at Guelph and Brampton, stores at Burwash, and a motor mechanics trade training shop at Brampton. All these projects will be completed during the year. In addition, we intend to build an addition to the cannery in Guelph and a new laundry and reception building at the Burtch industrial farm.

During the year we began construction on a new forestry camp at Wendigo Lake, which is a few miles from South River. It is our intention to operate this camp as the minimum security section of the district jail at North Bay, just as our forestry camp near Thessalon is the minimum security section of the district jail at Sault Ste. Marie. We now have four forestry camps for adults and one for boys and we plan another similar camp for the coming year. In addition to their value in a rehabilitation programme, these camps are most useful in reducing the numbers at our larger institutions.

Finally, in the adult field, there is our parole and rehabilitation service. The work of the Ontario board of parole has grown steadily during the past year, and this is interesting in view of the Fauteux commission's recommendations for the abolition of the indefinite sentence and provincial parole boards which, incidentally, exist only in this province and in British Columbia. The increased number of indefinite sentences being given by the courts is evidence that the judiciary has confidence in our Ontario parole system.

Despite the increase in the number of paroles granted by the board, the percentage of failures has not risen, and this can be attributed to the expanded programme of the rehabilitation service. The purpose of parole is twofold—the rehabilitation of the offender and the protection of society. If a prisoner is reaching the end of his sentence and has given an indication that he has changed his outlook on life, and competent staff advise that he is ready to return to the community, it is far better, when possible, to release him under guidance and supervision, which can be done under parole, than to release him when his sentence is completely finished and no supervision and guidance is possible.

In this way society is protected and also relieved of the cost of institutional care, and the released person receives help in his adjustment back to the relative freedom of society, and encouraged and directed to accept his responsibilities and his role as a law-abiding citizen. We have rehabilitation staff located at all our institutions as well as at five outside offices throughout the province, and plans have been developed for additional offices and staff as the overall caseload increases, and staff becomes available.

There are many service organizations, religious organizations and private agencies that work closely with the department in the rehabilitation programme, and I wish at this time to thank them, on behalf of the govern-

ment and the people of Ontario, for their interest and co-operation, and to commend them on the splendid job they are doing in this most challenging field of work.

One project involving co-operation between a private agency and our department is the pre-release day out which operates from the Mercer reformatory. This is most useful in giving the inmate the experience of a day back in society prior to release so that she may seek employment or make other arrangements before her release. Although there are restrictions as to some activities, the programme has proved to be a positive part of the rehabilitation programme, and the inmates have been most co-operative and enthusiastic. There could very well be an extension of this scheme, after further experience and evaluation.

Mr. Chairman, at this time I would like to pay a very sincere tribute to the staff of our training schools section and give a brief outline of the problems which face them and how they carry out their duties.

When children are committed to our care by the courts, they have, more often than not, been beyond the control of their parents and teachers for some considerable time. They have often been in the care of social workers for years. Individual foster homes and group foster homes have been tried, as has probation. After welfare agencies and a great number of social workers have tried every other kind of approach that communities have to offer, they come to us.

Surely it is not difficult, therefore, to imagine the problems the training school staff contend with—and why I am most anxious to give them every credit for doing such tremendously effective work in such a difficult task.

With respect to the development of training schools, we intend to introduce a good deal more variety into the programme as a whole. We do not intend to have our new schools patterned largely on the systems of the old. We must try a number of different types of treatment so that we can judge which is likely to produce the most effective progress with a particular type of child. We obviously cannot do this if we have the same programme for all. It is our intention, therefore, to examine a number of programmes that presently differ from our own—with a view to adopting any aspects of them which might appear to be at all suitable to our needs.

The past year has produced some major developments in the operation and administration of our training schools. In some areas we

felt the time was ripe for another forward movement in developing the facilities and programmes of these schools.

The reasons warranting these new developments stem from: the substantial increase in the number of children being committed to training schools in recent years, which has resulted in some overcrowding, and the resultant strain which this has placed on existing facilities; the need to provide a more intensive classification system to assure that the individual needs of each child are not overlooked; the wisdom in developing more selective academic and vocational training facilities.

The overcrowding which has recently developed has inhibited the effectiveness of the training programme. In order to accommodate this ever-increasing enrolment, hon. members will recall the announcement I made in November, 1964 of the establishment of an Ontario training school for boys in northern Ontario. This school will be located in the Sudbury area and will accommodate 120 boys of all religious denominations. All costs, both capital and maintenance, will be assumed by this government.

This is a completely new departure from present policy. It will be the first inter-denominational training school and it will be the first training school in northern Ontario. Facilities will be included for the diagnosis of behaviour problems so that any child requiring intensive clinical care may be transferred to a treatment centre at an early age. Provisions will be made for academic and vocational training programmes in keeping with The Department of Education standards.

Presently, boys sent to training schools from northern Ontario must travel great distances to our schools which are in the southern section of the province. The location of this school will now make it possible for parents to visit their sons, who previously were unable to do so because of the long distances involved.

In addition to the school in northern Ontario, as hon. members now know, we have purchased the RCAF station at Hagersville, thereby obtaining facilities which will further reduce the population in other training schools. The new school at Hagersville will provide:

(a) A vocational training school for older boys.

(b) A complex of small cottage homes for the younger boys.

(c) Additional facilities which will enable us to revise and intensify our classification system.

Incidentally, it is interesting, especially in view of the many statements made about the increase in juvenile delinquency, to report that the number of children committed to training schools in this province over the past ten years shows very little variation per 100,000 of juvenile population.

In addition to expanding our present facilities to take care of the multiple needs of the children under our care, my department has, as mentioned earlier, just recently made changes concerning the financing of the private training schools.

The government will now assume the full operating costs of the private training schools, putting them on an equal financial basis to the eight Ontario training schools operated by the department. With a need to expand their services, the private schools have found it increasingly difficult to continue the high standards of treatment and training necessary in this field. Therefore, this new policy is a most beneficial step forward in providing greater financial aid to these Roman Catholic schools, in order that they may carry out the essential work they are doing with the juveniles entrusted to their care.

It has been well said that the cost of maintaining training schools such as ours is an investment. By the nature of the difficult correctional work involved, these schools cannot fail to be costly, but where an effective training programme is properly implemented, the cost is offset by dividends which will be of great benefit in the years to come.

The training schools advisory board in its annual report has indicated that consideration should be given to the establishment of a recall centre for those children who have failed while on placement from our schools and have to be returned for a further period of training. Placement officers are encouraged to return those wards to school who are not making a satisfactory adjustment to their placement, rather than be satisfied with repeated warnings to the child which, if unheeded, may even eventually result in the child getting into more serious trouble. While this procedure does not normally cause too great a disturbance, the superintendents of our schools have also indicated that the return to the school of wards who have been convicted of new offences does sometimes create difficulties, and has a disturbing influence on the rest of the students. Their findings are in line with the recommendation of the training schools advisory board regarding a recall centre.

We are, therefore, presently doing preliminary research and planning for a special recall adjustment centre which would analyze

causes of failure to adjust on placement; where required, it would provide a more intensified training and treatment programme for this particular group.

Progress in the modernization of treatment techniques within our schools continues to be the focus of our attention, and we now have clinical treatment teams functioning in all our training schools. Every effort is being directed to the recruitment of professional staff so that each of our schools may eventually become a fully equipped treatment centre.

Mr. Chairman, much has been recorded and much has been said about the emotionally disturbed child. I will paraphrase a statement which I read a short while ago, and it runs something like this:

I can understand the feelings of those who make speeches on behalf of the emotionally disturbed, neglected and otherwise underprivileged children. But when the members who make these speeches go to sleep at night, filled with the virtue that affects all of us when we make such speeches, they should not forget that as they sleep, other people are sitting up long into the night, trying to achieve the very objective which was the main purpose of making those speeches.

This is very pertinent, I believe, and very true.

Mr. L. Troy (Nipissing): Is that what you do?

Hon. Mr. Grossman: Yes, sir. There have been suggestions that many of the children committed to training schools should not have been sent there because they were emotionally disturbed, but that they should have been admitted to some other type of institution. I would be the first to admit that there are emotionally disturbed children in training schools. In fact, the majority of the children in our training schools are emotionally disturbed to some degree and perhaps this can probably be said of practically everyone in society. It is a matter of degree.

However, almost all the very many social histories I have studied, indicated that these children required the controls, training and treatment that are offered in a training school. It has been advocated that many of the children presently in our schools could be better rehabilitated if placed in small residential units directly from the court, after classification and diagnosis, rather than in one of our present training schools. Well, we have this type of residential unit within our training schools system.

Many hon. members no doubt know that my department operates such a small school

at Port Bolster, called Trelawney House, accommodating 20 girls. The hon. member for Parkdale (Mr. Trotter) had great words of praise for that training school.

In regard to the suggestion that many children should not be sent to training schools, but to some sort of outside residential school, it is interesting to note that this school, Trelawney House, is not at the moment up to full capacity with girls of this type. You may well ask: What is the reason for this, when so many girls are being committed by the courts? The reason is that after testing and diagnosis at the reception and diagnostic centre at Galt, very few girls could be immediately recommended for this type of open setting. Girls who were sent to Trelawney House when the prognosis looked poor, and where the controls of one of the other schools was indicated, did not adjust, and eventually had to be transferred to another school.

So the suggestion that we have many youngsters who would be suitable for immediate transfer to such small units or schools, is just not factual. This does not, however, preclude the value of this type of unit. Initial research has indicated that after a short stay in one of the larger schools, there are more children in a better position to take advantage of the small residential unit. Therefore, we intend to plan small residential centres of various types which would accommodate approximately 15 children, who would be transferred to this small residence after a period of training in an ordinary training school.

These units would be satellites of a larger school, but dispersed throughout the district in various communities. It is intended that these small units will become part of the community, the children attending the local schools, and taking an active part in community activities, as in the case at Port Bolster. Eventually the child would be returned to his own home or placed in a foster home from here, as is now done under our placement system.

Now, in 1960, the department established a 30-bed diagnostic and treatment centre for girls at Galt. By so doing, we were able to have a clinical team made up of a teacher, social worker, psychologist and psychiatrist establish a diagnosis on all girls committed to our care by the courts. When the diagnosis has been established, they are sent to the appropriate training school. A proportion of them remain on at the diagnostic and treatment centre for treatment, if this is indicated. This procedure has proved so successful that we propose to expand this operation by utilizing an additional building for this

purpose at the training school in Galt. This will enable us to strengthen the treatment team there, expand our treatment services and relieve the regular training school at Galt of those girls who require more treatment or control than that school could offer.

Emphasis on programmed activities in each school continues to be stressed. These activities have included the active participation of the students in community recreational programmes and has also included the involvement of the community in recreational and social activities held at each school. Last June I had the opportunity to be in attendance at the commencement exercises held at the girls training school at Galt. This function is held each year at the end of the regular academic school year. The auditorium was filled to capacity with parents and interested citizens of the community. It was a most impressive and heart-warming ceremony to see the look of pride and accomplishment on each girl's face as she came forward to the front of the auditorium to be rewarded for her efforts and work in the school during the past year.

After the ceremony, girls, parents and friends mingled together creating a most informal atmosphere, with little groups wandering throughout the school. On display in the auditorium was a large variety of craft projects made by the girls. These articles were for sale and the money derived from this endeavour is being used by the girls to maintain a foster child in Greece. This, I submit, is indicative of the atmosphere within our training schools.

As with adults, the after-care programme is also important in the juvenile field. Each school has a review board which sees a child at different intervals during his or her stay in the school. A review board usually consists of the superintendent, psychologist or social worker, teacher, housemaster, or house-mother and reviews the progress of each child, making recommendations for changes in the child's training programme as a result of this case conference.

The final recommendation is to the training schools advisory board concerning the child's placement from the school. It is at this stage that many of these unfortunate youngsters, who have no decent families of their own, who belong to no one who cares, are really brought into sharp perspective. It is here that our placement officers take over and show a youngster that he is not really alone, that there is somebody ready to help. The placement officer will locate a foster home for the child, who will also require supervision and a friend to call on him and

guide him. This, too, is the role of the placement officer. This child may get into difficulties; his readjustment will not be an easy process. The community is not always ready to accept him. The role of the placement officer is, therefore, not an easy one. He must enlist the aid of the community if the child is to be successfully rehabilitated. This he accomplishes by understanding and interpreting to the community the real needs of these children, sympathy, love and a helping hand.

The placement and rehabilitation programme has proved invaluable in supplying resource information from the community while the child is still in our school, as well as assisting the girl or boy on returning to the community, whether it is to his own home, foster home, or work placement. The rehabilitation officer then does a service which is quite extensive, including: liaison with school principals and teachers for those children who will be returning to the local school on graduation; securing foster homes for youngsters who require this type of placement; obtaining employment and a boarding home for the older child on graduation; arranging for extracurricular activities such as the Boy Scouts, YMCA, YWCA, sporting activities and so on, all designed to help a youngster re-establish himself in the community. There is no doubt as to the success of this service. However, we are never satisfied with its intensity, and intend to expand as the case load increases and as staff becomes available.

Our training schools have played host to many visitors during the past year, including staff from government and private treatment centres, students from teachers' colleges, community service associations and so on. Many have expressed publicly their commendation of the work being carried on by the superintendents and their devoted staffs.

The new training schools Act, which I have mentioned in connection with research, is evidence of our intention to plan our facilities in conjunction with changes in our programme. This is exactly what we have done with the new Act. The Act creates a completely new philosophy in respect of youngsters coming into our training schools' system, that is, youngsters who have not been judged delinquent, but who are sent to training school because a judge is convinced that they need the facilities available to them and, in addition, neither their parents nor any other organization is able to provide for their special needs. This new legislation expresses most aptly the philosophy of the department.

I have reported to you a most detailed and carefully considered year's work, and I have indicated areas in which we are making great advances. I want hon. members to know, that without any shadow of doubt, the staff of my department are among the most hard-working and dedicated of civil servants. They are doing a magnificent job in a most difficult field, perhaps the most difficult in all of the government. It is to their great credit that I am able at this time to announce such an active and purposeful programme as I have in my department.

I regret that, since September, my deputy Minister has been away ill, and I would like to thank publicly Mr. Leo Hackl, the assistant deputy Minister, and indeed all the staff, for the way they have assisted me and have carried the extra burden caused by Mr. Graham's absence, and an especially heavy workload. I must particularly thank, in addition to my own staff, the religious orders operating the private training schools and commend them for the fine work they are doing. I refer to the Sisters of Our Lady of Charity of the Good Shepherd who operate St. Mary's training school at Downsview, and the Christian Brothers of St. John de LaSalle who operate the two schools for boys, St. John's at Uxbridge and St. Joseph's at Alfred.

In addition, I am very grateful for the strong support given to me by so many volunteer workers in this field, including the Minister's advisory council on the treatment of the offender, the training schools advisory board and the planning committee for the new detention and classification units.

I should like, Mr. Chairman, to conclude with a brief recapitulation of progress made during the past year alone:

1. We have built a new forestry camp at Wendigo Lake, an open air camp which will also help reduce the size of our larger institutions.

2. We are completing a new training centre for young men at Fort William.

3. We supported actively the establishment of the centre of criminology with a large grant and continuing close co-operation of the department.

4. A director of research was appointed.

5. We have completely evaluated our statistical methods.

6. We are reorganizing our information services.

7. We have reorganized administrative positions within the department, creating new senior posts for greater effectiveness. These are administrators in charge of adult male

institutions, adult female institutions, training schools and inspections and jails.

8. We have strengthened our chaplaincy services, and built chapels in many of our institutions.

9. We have met with judges and magistrates and set up an organized programme for them to visit our institutions.

10. We have actively promoted a plan for the replacement of the old county jails with modern regional detention and classification centres, and we are offering a 50 per cent grant toward the cost of their construction.

11. We have held a most successful clinical conference on addictions and have arranged for this to be an annual function.

12. We have closed the reformatory at Elliot Lake in accordance with our policy of locating institutions only where they can maintain effective services.

13. We have been actively engaged in planning a new women's institution to replace the King Street branch of the Mercer reformatory.

14. We began to make practical use of plastic surgery as a tool in the rehabilitation process and will carry on research as to the results.

15. We have reorganized our method of hiring teachers under a new system of contract hiring, with a larger allocation of funds, which should finally solve our teacher shortage problem.

16. We introduced a completely new financing system for the Roman Catholic private training schools, at considerable extra cost to the government.

17. We proceeded on the establishment of an interdenominational training school in northern Ontario.

18. We purchased facilities for the two new training school units which are to be opened in the spring at Hagersville.

19. We have completely rewritten The Training Schools Act.

20. We have established a consultative committee on regional detention and classification units, and

21. We have strengthened and enlarged our staff training programme.

I would ask all hon. members, Mr. Chairman, to indicate their concurrence in this most extensive programme and our policies by the approval of these estimates, thus paving the way for another year of meaningful progress in this most important field of corrections.

Some hon. members: Hear, hear!

On vote 1901:

Mr. J. B. Trotter (Parkdale): Mr. Chairman, in listening to the hon. Minister's 21 points at the end of his speech I was reminded of Mr. Drew's 22 points and I hope that there is more substance in what the hon. Minister has to offer than in what Mr. Drew had to offer.

This is a department that over the years has been neglected and I do hope that a new Minister will be a new broom and sweep things clean and bring about a lot of improvements, because after all, if we look back at 1950, 35 per cent of the inmates in reform institutions were in those institutions at least twice, or more often, and today we find that nearly half of the inmates of reform institutions have been in there twice or more. In other words, things have been getting worse instead of better, despite the efforts that have seemingly been made.

Now, if we are to believe the hon. Minister, things are going to improve in the future and a lot more is going to be done. I am still going to be sceptical; I have a right as many have a right, not to be just sceptical but to be cynical at the whole programme of the reform institutions department as we look at the record from what we have read and from what we have learned from other people who have been associated directly or indirectly with penal reform over the last number of years.

Certainly the one matter of which we on this side of the House made an issue—Mercer reformatory—is still standing. We are still being told that they are actively considering making a change and, again, I have to keep throwing back the old story that must be told and retold, that for 44 years this government has been going to do something about that building.

The hon. Minister said that Mercer reformatory for women compares favourably with anything in this country. Again I remind him that this country ranks 44th according to the United Nations and comparison with the rest of the country just is not nearly good enough. It is a mighty feeble excuse that the hon. Minister has when he mentions Mercer reformatory. To me, as I have said before, Mercer reformatory has become a symbol; it has been standing for years and it is an indication to me of the attitude of this department. Now maybe this attitude is changing but I will tell you this, that the report that was handed down by the advisory council to the hon. Minister is nothing but evidence that he will go out of his way to cover up the sins

of commission and omission that have been committed.

Mr. Chairman, there is no doubt in my mind that the report of the hon. Minister of Reform Institutions' advisory council was nothing but a whitewash report. The government has been embarrassed because of what has been revealed at the Mercer reformatory and is making a very ineffectual attempt to cover up what has long been known to many people. It is most unfortunate that a new Minister should make such an attempt to cover up the inadequacies of the present system of reform institutions.

It would be impossible to blame the new Minister for all that has gone wrong or taken place over the past number of years. Certainly we can blame the present administration for what has taken place over the last 22 years, but this has been, for the hon. Minister, a marvellous opportunity to come forward and to admit quite frankly that many changes had to be made. Instead of that, he has gone to ridiculous lengths to cover up a sordid situation at Mercer reformatory and I repeat, Mr. Chairman, that the fact that this situation could exist at Mercer reformatory for so long is an indication of the thinking, of the energy or lack of energy, in The Department of Reform Institutions.

Earlier this year, Father S. G. West, an Anglican priest in the city of Toronto, who has taken a great interest in penal reforms, had this to say:

—York county grand jury published its report on the Mercer reformatory in Toronto. It was an adverse report which in the main was true enough. It has been to some extent supported by the Elizabeth Fry society of Ontario. Denials and re-creminations spattered over the air and in the press. The Minister of Reform Institutions arranged for an investigation by his rather hand-picked advisory committee and most of us forgot about it.

Well, Mr. Chairman, I want to remind Father West and everybody here that we on this side of the House are not going to forget about it. This is something that should be cleaned up now. The government has had literally years, it has been advised by its own select committees of this House, it has been advised by individuals learned in penology that they should get rid of this place, and even the hon. Minister today says "We are actively considering it." It is no use blaming the federal government. This place should have been removed long ago, long before there was any change and any responsibilities of the provincial and federal government.

In a letter of November 10, 1964, to its members and its supporters, the Elizabeth Fry society released a letter supporting in the main the findings of the grand jury, and in that letter the Elizabeth Fry society said:

In general, the board of directors concurs in the findings presented in the most recent grand jury report and we are studying their suggested recommendations. It feels that the citizens of the province of Ontario should be gratified that this grand jury has had the courage to express its views.

Mr. Chairman, there is no doubt that during the past number of years many people have expressed their views about the conditions at Mercer reformatory. In fact, the Elizabeth Fry society in its letter of November 10 had this further to say:

Since the society was formed in 1952 we have in many respects suffered frustrations in bringing suggestions and recommendations to The Department of Reform Institutions. Many, many times our inquiries and suggestions have been ignored. For instance, specific inquiries about the educational programme within the institution have been made without success.

We have always been concerned about the type and extent of medical care in the reformatory, and have continually tried to interpret to The Department of Reform Institutions our feelings in this area. We consider that good health and hygiene habits should be taught and that adequate medical and preventative dental care should be available as part of the rehabilitative programme of the institution.

Then, Mr. Chairman, out came the advisory council's report to the hon. Minister, and on page 4 of the report is a chart showing the procedure and organization of the so-called "Mercer complex." Even the term Mercer complex is something really new. What the council means by this is shown on page 4, in "Procedure and Organization Chart." Provincial courts are first, city and county jails next, and then the Mercer complex. This is broken down into the reformatory itself, the treatment centre for alcoholics at Brampton, and the rehabilitative services.

The alcoholic centre at Brampton is a good thing. I am glad to see it open. I believe it opened late last year, at some time around Christmas, so that even that is something very new in the so-called Mercer complex. I, for one, as I said, am glad to see that we have this idea developing, but how much is it actually used?

For example, on page 4 the council lists

under the word institutional such things as academics, arts and crafts, domestic science, group therapy, hairdressing, religious instruction, sewing and typing. Mr. Chairman, from what I have seen, from what I have read, from the former teachers, psychiatrists and psychologists who at one time were at Mercer and with whom I have talked, and from what I have learned from the inmates, to talk about academic instructions, arts and crafts, domestic science, sewing and typing, is to talk of some things that were just non-existent or that were part of a very feeble effort.

On page 4 of the chart the council lists special services under which come medical, psychological, psychiatric and dental services. Again I say that a lot of this on page 4 of that report is just window dressing. The medical treatment has been universally condemned. It would be interesting to hear from the hon. Minister how many psychologists and psychiatrists have quit The Department of Reform Institutions. I would say that the psychiatrists and the psychologists had been going in and out that department as if they were going through a revolving door. Even the evidence in the advisory committee's report substantiates the complaints I have heard that the dental treatment amounted, in the most part, to pulling teeth and doing very little to preserve the teeth of the inmates.

Yes, the department may talk about its rehabilitation services, Mr. Chairman, but the truth is still the same, that the average inmate of the Mercer reformatory leaves with \$10 in her purse, no job to go to, and not enough proper clothing that would make a woman presentable if she was seeking employment.

What a feeble apology for the neglect of Mercer reformatory is this statement, which appears on page 7 of the report:

There is evidence that the department has not lost sight of the need to close down the old Mercer building as soon as possible without waiting for federal action. We were supplied with copies of correspondence between The Department of Reform Institutions and The Department of Public Works of February, 1964, and subsequently, which clearly indicates that negotiations were in progress for a rebuilding programme.

Evidently, sir, the Minister's advisory council is willing to accept the hon. Minister's advice that the hon. Minister is interested in replacing Mercer. Again, I hope he is, but I would like to know when. After all, the

government of Ontario has been replacing Mercer for so long, and this has been repeated so much that it is becoming monotonous to have to say it. Yet if we do not continually harp on it and hammer away and draw this problem to the attention of the public, we are never going to have that building removed, and I for one will never let up as long as I have an opportunity to speak in public life in the province of Ontario.

I remember one instance when I met a well-known business man who was on a grand jury years ago. He saw that I was interested in this problem and he said, "That place stank then and I guess they have not done a thing about it." Here is a man who is very active in business, looking back over a period of 25 years. Obviously, a vast majority of any people who have come in contact with this building, as decent citizens from the public, have been shocked by what they have seen.

Mr. Chairman, in chapter 2 of its report, the advisory council deals with the problem of lesbianism. It says that reasonable precautions were taken at the Mercer to control this problem. The report says nothing about treatment. If women had proper living facilities, Mr. Chairman, if they were given some hope, if they had some training, the vast majority of them would have nothing to do with lesbianism, or even to think about it. The fact that such a sordid thing as lesbianism has even been rumoured to be so widespread, is evidence that Mercer reformatory, instead of being a rehabilitative centre, could in some instances be regarded as a cesspool supported by the taxpayers of the province of Ontario.

The fault lies with the administration in its whole theory and approach to the problem of reforming the offender. At page 12 of its report, the advisory council says this:

The select committee of the Legislature in 1954 recommended the establishment of adequate library facilities in all custodial establishments. Steps have been taken by The Department of Reform Institutions to implement this recommendation.

The advisory council said the books were catalogued and indexed. It quoted the former superintendent as saying that the library had "no old books," with the exception of those left over by the Toronto public library, but these were good and serviceable. That is it—blame the public library, blame anybody but do not blame us.

Mr. Chairman, if the books were catalogued and indexed, why did the Mercer authorities not tell the grand jury? Why did

they not tell me or the hon. member for Downsview (Mr. Singer)? Why did they not tell the hon. member for Etobicoke (Mr. Braithwaite), when we visited Mercer reformatory?

The council says there were no old books. That is simply silly. The latest book I saw was a collection of *Reader's Digest* stories dated 1956. If they have the new books that the hon. Minister's council claims, why in the world would the authorities at Mercer not show them to the members of the Opposition when they were visiting Mercer reformatory? Because, after all, we were asking and we were there. Maybe the new books are there now, but they certainly were not there when I visited that institution.

Mr. Chairman, I would like to deal with the conduct of the so-called typing class at Mercer reformatory. You may recall that the grand jury report stated that the students sitting at the typewriters were typing gibberish. At page 16 of the Minister's advisory council report, the council says this:

The accusation made in the grand jury report and repeated in public by the foreman that inmates had been placed at the typewriters merely to give the appearance that this was a typing class, cannot be treated with indifference, since, if true, this would strike the basic principle governing administration of any correctional institution.

Well, Mr. Chairman, this is so true. And I have talked to former teachers at Mercer, going back over a period of nearly 18 years, and the stunt of setting up phony classes for visiting VIPs and typing gibberish, has been going on continuously over the years. It is too bad that the hon. Minister's self-appointed council did not call on some of the former employees at Mercer. One pet stunt was to place one or two girls who could type a little bit, in a seat closest to the aisle so that the passing VIPs, should they care to look over the student's shoulder, could see that they were typing. How shallow the investigation of the Minister's council must have been, Mr. Chairman.

Imagine this! This is what the council says:

We are satisfied that the class was being conducted in a proper manner and in accordance with the practice of typing instruction, even though it may not have been quite so well organized as when a qualified teacher of typing was in charge.

Well, Mr. Chairman, when in the world have they ever had a qualified teacher? I know of one teacher who taught at Mercer, who knew nothing about typing. She thought that she

was there to teach the ordinary academic subjects. The first job she was given was to teach typing. She told me that to instruct her students properly, she set about learning the course. But I do not think that even she considered herself the best of teachers insofar as typing was concerned. But what nonsense to talk about "when the qualified typing teacher was in charge." And even, Mr. Chairman, the production of exhibits in the report and appendix 11 condemn the whole teaching set-up. I would say from the evidence produced by this whitewash council, Mr. Chairman, that just by good luck, the committee had exhibits by student A and student B showing that they could type. These are what are marked as exhibits in this report. Fine. I have even heard it suggested that when the grand jury saw typing, what was considered gibberish could easily have been typing exercises that they do. In other words, they do not necessarily make sentences, they are just exercises. But if the students were actually typing exercises, why did they not produce the exercises? They seem to be able to produce something that had been typewritten so my only conclusion can be that the reason typing exercises were not produced is that they just were not being done. In fact, gibberish was being typed.

The truth of the matter is, no doubt, that the students, with the exception of the two who could type, were really typing gibberish.

Now, at page 15 of the council's report, they say this:

We were informed that there were some beginners in a class who were learning the initial touch of the keyboard and there is no doubt that it was their initial typing efforts that led the grand jury to use the word "gibberish."

Well then, again I say to the hon. Minister, why does he not produce the exhibits? Is it just coincidence that something that was typed properly by two of the students can be shown? Again I say, this council and its investigation has been very, very shallow. To allow a council or a committee appointed by the hon. Minister to get away with this tommyrot would be failing in our duty as members of the Opposition to point out how this administration is trying to cover up in an area where it has failed badly.

I intend to go into some detail how this council of the Minister has, I think really been misused by him to cover up the sins of commission and omission of this administration over a long period of time.

Again, for example, Mr. Chairman, the hon. Minister's committee on page 17 of its

report goes so far as to defend what is called the sham class. That is setting up those typists who are supposed to be typing for the benefit of the VIPs as they walk through. I think it is a shocking thing that a committee or council of the Minister should come along and defend this type of thing.

For example, Miss Trudi Hersink, a matron who resigned from Mercer in November, is quoted in the Toronto *Daily Star* as saying this:

In the gymnasium, visitors find calisthenics in progress. But as they move on to another part of the building, gymnasts quickly change to their dresses and are herded down a flight of stairs at the back of the building in time to be seen at one of the centres.

Well, that is something that happened recently. This will give you an idea that this has been going on over a long period of time and incidentally, I have talked to these people personally and I have no doubt in my mind that they are telling the truth. The hon. Minister seemed to think that a lot of the information came from those inmates who were troublemakers. The truth of the matter is that the vast majority of any information I have gathered on the reform institutions here has come mostly from teachers, psychologists and psychiatrists who have either been employed full time or part time by this department over a period of years, from 18 years ago probably to about the end of 1964. And there is most certainly a pattern established. When you talk to the inmates there is definitely a pattern established. Certainly they cannot all be lying, in fact I do not think any of these people whose word I have taken are lying, it has been nothing but the truth. Some of them I have visited in their homes and the vast majority of them certainly are very well educated, well informed people. Some have visited my home, and I have had an opportunity to trust their credibility.

Now, from former employees, Mr. Chairman, I have learned that this type of thing—that is, the sham class—is standard procedure. In fact, in the days when they used to have babies of the girls kept at the institution, even the babies were used as a ruse to deceive the VIPs. Now I understand that the children are no longer kept there; I do not think they have been kept there for more than seven years. The VIPs—by that I mean, be they law students or members of the Legislature or the grand jury or anybody who has been taken through, somebody they want to impress, and I guess they would maybe impress the hon. Minister this way, in fact I do not

know how a new Minister—we have had so many in The Department of Reform Institutions, because as we all know, the ministerial post of Reform Institutions is a political football in this Tory government—I do not know how a new Minister would ever have an opportunity to know what is going on, not just because he is there for such a very short time in the office, but because he is getting the run-around while he is being shown through an institution like Mercer. They really would not know how good or how bad the situation is, believe me.

Hon. Mr. Grossman: How did you find out?

Mr. Trotter: How did I find out? Simply by talking to people.

Hon. Mr. Grossman: That is what I did.

Mr. Trotter: All right. Well, I am glad you take an interest. Obviously with what has gone on over a long period of time, the hon. Minister has not bothered to find out.

Hon. Mr. Grossman: I bothered.

Mr. Trotter: Well, all you did so far was come up with a whitewash report, saying how fine everything is. So you have got a long way to go before you prove yourself and as I said at the very first of these estimates, you had a wonderful—

Hon. Mr. Grossman: Nobody is lying to these people.

Mr. Trotter: —you had a wonderful opportunity, because neither I nor any member could blame you as the Minister for what has gone on. Certainly blame the administration, but not the Minister. When the Minister comes along with this garbage, this whitewash report, well, we certainly do blame you.

Mr. G. H. Peck (Scarborough Centre): Gibberish!

Mr. Trotter: Well, this is the gibberish we get from this government, of which you are a part.

Mr. R. A. Eagleson (Lakeshore): Speaking of gibberish, go ahead.

Mr. Trotter: Well, now, the VIPs would be shown as they were taken through—this is the system that has gone on—the girls working in a schoolroom, or in the sewing room and then the VIPs would be taken to see the cooing and gurgling babies. Then while the

VIPs were looking at the babies, the girls would be taken from the schoolroom, or the sewing room, or wherever they happened to be, and changed into their gym suits, and as the VIPs came down, they could see a vigorous performance going on down in the gym. Then when the VIPs went home, the inmates went back to the sewing machines and the laundry room. This is how our educational and hobbycraft situation was in Mercer.

Hon. Mr. Grossman: That was quite a show.

Mr. Trotter: There is never an attempt to show what is going on. No wonder the rehabilitative record of this government has been so bad, and no wonder that Mercer reformatory is really looked upon as a place of horror here in the city of Toronto. It is a disgrace to the province as well as to the country. It is an appalling thing that a Minister's council could come along and condone a procedure such as this, of deceiving people who are trying to see through an institution.

Mr. Chairman, during my investigations into the administration of Mercer reformatory, the comments that I heard from anyone I talked to concerning medical treatment at Mercer were simply blistering. The grand jury report said this about the medical treatment:

In discussing the medical supervision, as the writer has a great respect for the medical profession, he wishes only to state that in our opinion medical supervision is inadequate. We might add that from our subsequent inquiries, in and out of the institution, we could find no one with anything good to say about the medical supervision.

The hon. Minister's council says that criticism of the medical section by the foreman of the grand jury was based entirely on hearsay. Of course it was. None of us who have investigated this problem has actually seen these things happen, or gone about with Bibles in our hands taking oaths of what other people have seen. It has been learned from a great number of people who have had experience over a long period of time, and of course it is hearsay. Almost anything the hon. Minister knows about this is hearsay. The hon. Minister shakes his head; I do not know if he was in attendance when girls were examined or not. Certainly, everybody would be on their best behaviour if the hon. Minister—

Hon. Mr. Grossman: I am just denying what you said—that everything I know is from hearsay.

Mr. Trotter: The vast majority are learning this.

Hon. Mr. Grossman: Well, I am not—

Mr. Trotter: But to accuse the foreman of the grand jury of using hearsay is ridiculous, because, as I said, we would have to walk around being commissioners, taking oaths with a Bible in our hands, and getting sworn statements.

But the council had this to say at page 22, when it was talking about the medical treatment:

It became apparent during our investigation that Dr. Hills was not popular with many inmates and some ex-inmates. Weighing the evidence of his co-workers against that of the inmates and ex-inmates, we accept the evidence of the former as being more reliable.

It is difficult, Mr. Chairman, to beat the establishment. The Department of Reform Institutions evidently has no confidence in any of the former inmates from Mercer, no matter who they are. At least the council did not seem to want to believe any of them.

It is rumoured, I believe, that the present medical staff has been changed—I may be wrong—that Dr. Hills has gone and that a community doctor is in there. Maybe this is something the hon. Minister has done. If so, it has been done very quietly. If these changes are taking place, Mr. Chairman, they are taking place very quietly. Then I suppose, maybe in a few months if we want to go through Mercer, great improvements will have been made.

For example, the reformatory authorities never served coffee until the grand jury and some of these other people went in. Then the next thing we heard, they served coffee once a week, for the first time in the history of Mercer.

Hon. Mr. Grossman: Entirely wrong! Entirely wrong!

Mr. Trotter: And now they are serving it three times—they still do not serve it?

Hon. Mr. Grossman: You are completely misinformed.

Mr. Trotter: They still do not serve coffee?

Hon. Mr. Grossman: They certainly do, and always did.

Mr. Trotter: They never did.

Hon. Mr. Grossman: You are entirely misinformed.

Mr. Trotter: Then they never did, so if they are serving it now, that is new, because this was back years—

Hon. Mr. Grossman: They were serving it at the time you were claiming they were not.

Mr. Trotter: I am just saying they never served it, and I have been told they started just recently. Then that rumour is wrong. You are worse than I thought you were. I was trying to give you credit—

Hon. Mr. Grossman: I said you were wrong. I said they had been serving coffee all the time.

Mr. Trotter: They have not.

Mr. K. Bryden (Woodbine): Since when?

Mr. Trotter: Since when? They have not. That is utterly wrong.

Hon. Mr. Grossman: Well, I will not argue.

Mr. Trotter: Mind you, you are in the government and have the opportunity; but I understand that even new clothing has been brought into the institution because we complained about the clothing of the girls. This may be wrong; I am trying to give you credit for doing something.

Hon. G. C. Wardrope (Minister of Mines): What a joke!

Mr. Trotter: It may not be, and you are not doing anything.

Hon. Mr. Grossman: I do not want credit where I am not entitled to it.

Mr. Bryden: You do not want much credit.

Mr. Trotter: I believe that the medical organization at Mercer has been changed, and you are not denying it. I just hope that a community doctor is there, and if that is so, it is a move for the good. The fact you are not denying it may mean that it is taking place.

I want to point this out, that despite the fact that the grand jury complained about the medical treatment, and despite the fact that we in the Opposition heard of so many complaints, the whitewash council wanted to say that everything is fine. But in the meantime, before we even get to the estimates, it would seem from rumblings, that changes are surreptitiously taking place. I am glad that at least by causing an uproar, we can bring about this improvement, whether the hon. Minister admits it or not.

At page 19 of this report the committee

talks about the six "airy and light rooms" in the hospital, and says the narrow window cells used by the patients and referred to by the grand jury were only used for admission cells. The report says:

These cells are never used by sick patients but are reserved solely for admissions.

When I visited Mercer reformatory, there was one patient in the cells condemned by the grand jury and not supposed to be used. So in that case, I can only go by what I have seen.

The report also says at page 19:

They do not have mattresses because some inmates are incontinent, and therefore they are given four blankets which can be readily laundered and kept hygienic.

Mr. Troy: Have they got no rubber sheets?

Mr. Trotter: It is rather hard to believe, Mr. Chairman, that all the inmates—in fact it is hard to believe that even a small fraction of them—are that incontinent. Rather, I would think that it comes from the almost punitive attitude that obviously has existed, that the rougher things are, the better chance you have to reform inmates. As I said before, if such treatment reformed people, they would all be angels after they had been mercerized in Mercer.

But here again, even when they are sick, they get no mattresses, only four blankets. I think it is a shocking thing for the council to give this feeble excuse for that stinking hole they call a hospital at Mercer; it is a shocking thing to have here in the government of Ontario and it is extremely hard to believe that there are so many inmates whom the council seems to think are unable to look after themselves.

The only thing I can conclude is that the administration of reform institutions has been sick and I hope the new Minister can revive it and do something instead of believing these apologetic councils he has set up:

Now, Mr. Chairman, at page 20 of the council's report is a typical whitewash paragraph, and it is this:

There was no log book for prescription drugs, but we did examine the doctor's order book and also the inmates' history charts where a record is kept of drugs ordered and given. We recommend that there should be a properly prepared and printed register for prescription drugs which would show the drugs given and the stocks on hand. Such a register would

have the advantage of ready reference and avoid the necessity of having to search for information through the numerous pages of the doctor's order book.

Well, the council has passed over a shocking state of affairs when it says, "there was no log book for prescription drugs." Every doctor, every institution, every organization that handles drugs, is supposed to keep track of them but not at Mercer reformatory. An odd thing that even at a penal institution they do not keep track of drugs. One would think that it would be one of the places that it would be most necessary to keep a record. Of course, if you want to find out if the inmates are getting drugs, all you do is look at their personal charts.

The hon. member for Downsview spent some considerable time checking those charts. I do hope that the inmates did not require any drugs, because no evidence of prescription drugs could be found on the charts of the inmates.

In fact, if the hon. Minister—

Mr. V. M. Singer: (Downsview): That is not hearsay.

Mr. Trotter: No, that is not hearsay. We saw this. In fact, if the hon. Minister would care to look at appendix 16 of the committee's report showing the medical supplies purchased for Mercer reformatory from April 1, 1964 to October 16, 1964, he will find that besides oil of cloves, vegetable laxatives—and there are a lot of hard to pronounce names which add up to a collection of headache pills and ointments—and bearing in mind that there were inmates in there who might need drugs, because some of them did suffer from a drug addiction. There evidently was no possibility of a proper medical withdrawal and they just did it "cold turkey." It is true that a lot of them go through what is called "cold turkey" at the Don jail. A lot of them are still, even when they get to Mercer, suffering to some extent. Anyway, they required treatment.

Hon. Mr. Grossman: How does the hon. member know that?

Mr. Trotter: We will get into that later on when we come to some of the estimates.

One of the many complaints that I heard was that the inmates did not like to accept dental treatment because the ailing tooth would be pulled, instead of filled, and as a result, the inmates at Mercer reformatory did not want to go to the dentist. They wanted to wait until they got out. I was going through the records and took a quick look

and saw that the extractions outnumbered the fillings six to one. We all know today that a dentist tries to save a tooth, and after all, the majority of the inmates in Mercer are younger people. If we look at dental practice the vast majority of work is done in treating a tooth; the last thing that a dentist does is extract it, and yet I looked at the records produced by the whitewash committee and I find that in 1964 the extractions outnumbered fillings ten to one.

Mr. Singer: That is not hearsay, either.

Mr. Trotter: That again, is on the hon. Minister's records. The treatment in the dental department at Mercer is contrary to all conception of modern dental practice and this, again, I would like to dwell on when we get to the estimates.

Mr. Chairman, I do not intend to dwell long on the detention cells at Mercer reformatory. Much has been said about them and to my mind they are a disgrace; that type of detention cell and treatment that the inmates in detention receive have no place in modern penology. I am not saying that detention cells are not needed at all; I am saying it is the type of detention, the type of treatment, that a person in a detention cell gets at Mercer. Certainly, in some instances detention cells are going to be needed, but not the way they do it at that place down on King Street. But the Minister's council says this:

Physically, the detention area at the Mercer does not lend itself toward the development of a modern and positive approach for dealing with inmates who have behaviour problems.

Even in this case things were so bad that even the whitewash council could not defend the detention cells. They came out with this weak statement, while hoping the whole thing would be passed over. But the fact that even a committee attempted to lean over backwards to apologize to the government—

Hon. Mr. Grossman: Why would they do that? Why would this committee lean over and apologize to this government? What is in it for them?

Mr. Trotter: All I know is what I am reading here—

Hon. Mr. Grossman: What would be in it for them?

Mr. Trotter: Well, the witnesses they listened to were part of the establishment, you know—

Hon. Mr. Grossman: What purpose would this committee have in doing a job for the government?

Mr. Trotter: They have been sitting there for five years; they are certainly a part of the establishment—

Hon. Mr. Grossman: Why—

Mr. Trotter: Certainly this report of theirs is absolutely in defiance of what so many have known for so long. Almost anybody with any commonsense who has a chance to look at things would realize that this whole report is nothing but a system to try to fog the issue and the mess that is down on King Street. Again, the council says this:

We find that the present detention facilities have definite limitations but we are satisfied that they are being used in a practical manner, pending availability of adequate facilities in a new building.

Well, Mr. Chairman, we have been waiting for 44 years since it was recommended that this be done away with, but how long are these new facilities they talk about going to be available? Think of the harm done to hundreds of people in that period of more than 44 years.

I admit the hon. Minister has a real problem to get interest from the government. I think that the public is taking more interest. For example, Mr. Chairman, when the hon. Minister was speaking, less than one-third of government supporters were in their seats and only two Cabinet Ministers, one of whom was reading the paper.

I can realize that when the hon. Minister goes with his estimates to the Treasury board, he and other hon. Ministers must have had a rough time getting money because of the very narrow view of the present administration, and the only way that money will be voted is when a hue and cry is caused among the public when we point out the mess that The Department of Reform Institutions is in, which is the only way the hon. Minister is going to get any money, just from his own colleagues.

An hon. member: Hear, hear.

Mr. Trotter: And I might say this to the hon. Minister, that if he is really interested in cleaning up Mercer, in cleaning up the whole Department of Reform Institutions, we on this side of the House are the best friends he has. In fact, we are probably better friends than those he has on the Treasury board.

But here is the prize quote from the report—

Hon. Mr. Grossman: You always hurt the one you love!

Mr. Trotter: —at page 28:

The practice has grown up at the request of the inmates of substituting jam for the meat loaf.

Mr. D. C. MacDonald (York South): At least you know what is in the bread!

Hon. Mr. Grossman: Plum and apple!

Mr. Trotter: Is that not a revealing statement for what it does not state? They are requesting bread and jam, instead of meat loaf. In fact, the meat loaf is referred to, as I said before, as Puss 'n Boots—I think that is a cat food that is sold, and this is how it is regarded.

Hon. Mr. Grossman: It is not meant to be attractive.

Mr. Trotter: The hon. Minister might say again that I am going by hearsay, but again I quite believe what I have heard. And, of course, there has been much discussion as to how long inmates are kept in detention. Well, here is another prize quote from this whitewash committee:

There have been instances, however, in which an inmate has stayed in detention for longer periods because she has so desired.

Well, now, if you have seen that place, the dismal area; some cells have very feeble lights; in other cells if you ask them where they get light they point to the lights out in the halls which shine through a small slit above the door. If you see those places and then are told they stay there because they so desire, you realize there is something mighty weird going on. It is no way to rehabilitate anybody when you have a number of younger people there—the majority are probably between 16 and 20; certainly the vast majority are probably under the age of 24.

Hon. Mr. Grossman: Where?

Mr. Trotter: It is in your own records.

Hon. Mr. Grossman: The hon. member is confusing Mercer with the other institutions.

Mr. Trotter: No, in Mercer. Just on this point, its normal capacity is approximately—right now it would be somewhere in the neighbourhood of 100, but during the year in the hon. Minister's report there were 698

people kept in Mercer at one time and another, and their age groupings are—

Hon. Mr. Grossman: What page is that on?

Mr. Trotter: Page 49, The Department of Reform Institutions, and the first—

Mr. Bryden: The first of the two that have your picture in it.

Mr. Trotter: Yes. Now the age of prisoners—this is at Mercer reformatory, page 49. We are very glad to inform the hon. Minister about his department: 16 to 20 years inclusive—124; 21 to 24—59; then 25 to 29—80. So these are relatively young people. The vast majority would be under 30. Then they go down the line. But these are certainly younger people.

Hon. Mr. Grossman: Mr Chairman, I am sure the hon. member does not want to mislead the hon. members of this House. I have been trying to tell him that he is taking all the women who have to go to Mercer first for classification. There are very few of these young ones ever kept at King Street Mercer which is what he has been condemning all along. Most of these wind up at Ingleside. The ones who remain at Mercer proper usually total 24.

Mr. Trotter: Oh, Ingleside holds 24 and it is never capacity. You go around and see—

Hon. Mr. Grossman: Ingleside does not hold 24, Ingleside holds about 40.

Mr. Trotter: Ingleside?

Hon. Mr. Grossman: Yes.

Mr. Trotter: Then you have recently raised the number.

Hon. Mr. Grossman: Yes, since you got up on your feet I ordered some changes made.

Mr. Trotter: Because the capacity of Ingleside right along has been 24.

Hon. Mr. Grossman: We dress them in different clothes and when you go to Ingleside they run around the back door and get into King Street, and when you go there they run to Ingleside.

Mr. Trotter: I would not put it past you because they actually do this. They go to Ingleside and some are brought back to Mercer. This is true. Even those who go to Ingleside are brought back to Mercer and this is no joke, this is a fact.

Mr. MacDonald: I remember a juvenile—

Hon. Mr. Grossman: There is never a juvenile in an adult institution in this province.

Mr. MacDonald: Well, I docketed one six or seven years ago.

Hon. Mr. Grossman: Six or seven years ago, you can do better than that.

Mr. Trotter: Mr. Chairman, even when we were looking at the records of some of them at Mercer, I started speaking to one because she seemed exceptionally young. I asked her age. She was sixteen.

Hon. Mr. Grossman: You said a juvenile.

Mr. Trotter: I am not saying a juvenile, I am saying 16 and over.

Hon. Mr. Grossman: Of course there are. I did not say there were not any young women there. There are some young women who cannot be trusted in an open institution like Ingleside because they will walk off.

Mr. Trotter: There have not been any under 16 years old at Mercer as far as I know in probably the last ten years, when they used to bring so-called incorrigibles from Galt. I have never at this stage said you had juveniles at Mercer.

Hon. Mr. Grossman: No, but you were saying there were young girls there—

Mr. Trotter: Sixteen, 17, of course there are.

Hon. Mr. Grossman: Very few, very few.

Mr. Trotter: And some of them are immature—

Hon. Mr. Grossman: Most of them are immature.

Mr. Trotter: At 16 and 17 do you consider them old women?

Hon. Mr. Grossman: They are young girls.

Mr. Trotter: All right. Mr. Chairman, as I was saying, if you had seen the detention cells and how they live, and the attitude and the whole outlook on life, you could not for the life of you imagine a girl requesting that she stay down there and eat jam sandwiches. And for any council to come along with that kind of nonsense is almost an insult to the commonsense of the people of Ontario. Now, the committee says on page 27:

The detention cells in the west wing have windows and lower ceilings, but do

not have artificial light within. Artificial light is supplied from lights in the corridors without. These cells are approximately five feet by nine feet six inches.

Well, as I mentioned just a short time ago, the artificial light from the corridors without is just about useless for reading. All they can do there is sit. It may be that you prefer the old Calvinist idea, you sit there and think about your sins, but later on even in this report of the council of the hon. Minister they say that boredom is the greatest enemy of any inmate and this is something I want to emphasize later. I am sure, Mr. Chairman, that none of us, neither man nor woman, would want to sit down—whether he or she was eating that famous meat loaf they serve at Mercer or jam sandwiches—would want to sit down there if he or she could possibly avoid it.

Now, at page 31 of the advisory council's report they say this, that the grand jury's investigation of the educational programme at Mercer was inadequate to justify the recommendations the grand jury made. The council said that the foreman and one of his fellow jurors visited Mercer on a Saturday afternoon when the institution is operating with a limited staff and it is quite understandable that it would be difficult to have access to all the samples of work, and so on.

Well, from what information I received, Mr. Chairman, from what I have seen, no matter what time of day or what day of the week you visit there, you are not going to see much in the way of exhibits of any kind of activity except in the laundry room and around the sewing machine. Sure, it is true they have a schoolroom, it looks clean and neat, but there is not much learning taking place. Sure, they have a domestic science room, but when the grand jury went through they found that there was rust in the sink and there was nothing in the refrigerator. In other words, the sink was not being used very much.

Admittedly, when the Opposition was there some activity was taking place, but after all we gave them four days warning and surely, Mr. Chairman, you cannot blame me if I am a bit sceptical at seeing one class in domestic science taking place. I have a great tendency to believe what some of the former employees, very well informed people, have told me. For example, they had in one case an exhibition of handicraft. They are particularly proud of some bones they got from the kitchen and painted up. Actually, it is well done, I am not criticizing that, they actually make good book shelves; and if you ask when that was

done they say, "Oh, some time ago." I had been told beforehand that they were ten years old. Finally the authorities admitted it would be about that time. There is no exhibit of handicraft work being done in recent years, so if any of my fellow members of this House ever go there, I would suggest they bear that in mind.

I think one of the newspaper reporters of the *Globe and Mail*, Lotta Dempsey, even she, when she went through, found out that there was rust in the sink in the domestic science class. So if we saw some activity there, again I say, you cannot blame me, Mr. Chairman, for not being overly impressed.

You know, one thing that is so important—and this is not just having to do with Mercer but it is the whole system of reform institutions—the whole theory is that you must give people some dignity, some opportunity to learn. I am not saying that everybody is going to learn, but that you are going to have far better results if you at least give them the opportunity and the encouragement to apply themselves in handicrafts, through education or even hairdressing. Now, a trained hairdresser comes and the girls get their hair dressed or whatever they do once every two weeks. I asked, "Do they teach them?" And the answer was no. A lot of those women could learn to be hairdressers. It is a type of trade for which there is a market. Why can they not use the facilities—they are there—and make some attempt to give the girls a trade in which they can make an honest living?

So they work at dressmaking machines and on this they work long and they work hard, but it is the type of work for which there is not going to be any demand when they get out into the workaday world.

So, it is true, there are facilities at Mercer to train girls, but they are not being used. It amazes me that the committee, the advisory committee of the hon. Minister, could come out with such a report, that it seems to lose sight of the fact of what is actually being done.

You know, you can walk into a building and say, "Yes, it is clean," but they do not show you what they are doing. Just to give you an example: You come out in the corridors in front of the girls' cells, they have radios, phonograph players, TV sets, and it looks as if at times it would not be too boring, but you go over and you turn on a record player. Of course, nothing works. You lift the lid up and there is no record player in it. You find out that the radio is a combination radio and record player, and

the radio does not work. That could happen any time, but you look at six of them and none of the record players works, and only one of the radios work. You try a little yellow radio there, and it does not work. You go into the gymnasium, and the radio there does not work. There are four TV sets, and two of them do not work.

So this is a sham that you see there. You wonder what really does go on. If you did not take the time to check, it would look so good.

There is a combination radio and record player there with the records underneath. You pick up the records and they are so old that they are only printed on one side. I picked up one, made nearly 40 years ago by a recording star named Alma Gluck. They had her record there—"Whispering Hope."

An hon. member: She was very popular.

Mr. Trotter: It is a good song.

An hon. member: She was a popular artist.

Mr. Trotter: Maybe she was, but that record would be a collector's item. I checked the other records that they had and they were all of the same vintage, going back for years, Mr. Chairman.

This is what I think is so wrong. You are not mollycoddling if you give someone the opportunity even to listen to some decent music—even "Whispering Hope." I happened to spot that because I like some of that music; Mitch Miller has an excellent recording of it. Why is it such wild spending if we can give some modern records and a decent record player to the girls there? Again it is something that is going to affect their whole attitude when they get out into the world. You have little chance of reforming people under those types of conditions.

At page 31 of the advisory council's report, it makes another broad statement that leaves a lot of questions begging. It says:

At the time of the grand jury inspection, there was a vacancy on the teaching staff left by a qualified teacher who had recently resigned.

Indeed, Mr. Chairman, there was only one teacher there—a Mrs. Steinberg. At one time, at Mercer, there was a physical education teacher, a home economics teacher, a sewing and handicraft teacher, and a school teacher. Now there is only one teacher. Why?

Hon. Mr. Grossman: When was that? When was that that they had all those others?

Mr. Trotter: They had them in 1956; there were a whole lot coming and going.

Hon. Mr. Grossman: Does the hon. member not appreciate the reason for that, now that we have three in the complex? Most of them now are at Ingleside where they can do the most good with the younger ones and the first offenders.

Mr. Trotter: Even so, you have girls there at Mercer practically full time.

Hon. Mr. Grossman: No.

Mr. Trotter: And even among the girls who have gone to Ingleside, again I say some are brought back.

Hon. Mr. Grossman: Of course.

Mr. Trotter: Of course they are. What are you going to do, let them go up the flue? That excuse of a complex is feeble.

Hon. Mr. Grossman: I did not mean to interrupt the hon. member.

Mr. Trotter: At the very time in the history of this province, Mr. Chairman, when we are preaching the urgency of education, we in The Department of Reform Institutions, as symbolized by Mercer, do less.

At page 31, even this council that does all this apologizing, is starting to admit that the textbooks on some subjects have not been kept up to date. You may recall that the grand jury dwelt on this because it said in the foreman's report that if you judged by the content of the books in Mercer, the inmates would not have known that there was a World War II. The latest geography book they had was dated 1947, and certainly when I took a look at the library, there was nothing to contradict the grand jury's report.

Mr. Chairman, I would like to know what textbooks have been kept up to date. The hon. Minister's self-appointed advisory council says this:

Your council expects that the whole question of textbooks will be re-examined as part of the educational programme, with adequate staff and security.

After all, at one time an inspector from the board of education used to go to that school. Why they did away with her or him, as the case may be, I do not know, but they certainly need to be inspected and checked on. I would like to ask, Mr. Chairman, when the hon. Minister has an opportunity later on to reply, where in the world is he ever going to get adequate staff? How long are we going to have to wait? Here is one

of the well-located buildings. It might be a poor building, but it is in a good location; it is central, in a wealthy city, in a wealthy province, and can we not afford teachers? Can something not be done? When are we going to have adequate staff? It would seem to me that the grand jury's criticism, despite what the hon. Minister's council says, was more than justified.

Again, the council says:

In our opinion it is unfair to judge the Mercer educational programme solely by the programme of the King Street institution.

Mr. Chairman, why should we not judge its programme by this institution? It has been standing there since the 1880s; it has been virtually the main and only institution for women until very recent years. To come and tell us all these new things that are being added on may be very fine, but they are still, in the main, pilot projects and they are of a very recent vintage.

Admittedly, Ingleside is an improvement. We are glad to see it. We think there should be more Inglesides and no Mercers. But the heart of the whole system has been Mercer reformatory on King Street, and this is the legitimate symbol, the legitimate organization, by which we should judge The Department of Reform Institutions.

Mr. Chairman, despite its attempt to pull the grand jury's report apart, even the hon. Minister's advisory council ends up saying this:

Your council recognizes that the facilities available at an institution such as the Mercer are inadequate.

I am certainly glad to see that even it comes to that conclusion—

Hon. Mr. Grossman: You mean it only whitewashes sometimes.

Mr. Trotter: All right, here comes a typical whitewash statement, and this is why I feel that the council just made no attempt to go into the heart of it, or if it did find out, it avoided the problem. The council says this:

A gymnasium was also available, though it appeared to your council that it was inadequately equipped and insufficiently used.

Mr. Chairman, I had an opportunity to ask some questions on that when I was there and I think I got pretty ridiculous answers. When the members of the Opposition were there, we asked why the inmates did not play volleyball or basketball or some other healthy

physical exercise, and we were told that pregnant women might get injured. Even at that time, there was one inmate known to be pregnant and another one who was believed to be five months pregnant, although it had not been decided whether she was pregnant or not.

You may recall the hon. member for Downsview mentioned in the House that he had gone through the records and found there was one pregnant with a question mark beside the word "pregnant." Now I do hope they have found out. But whether it was one or two, surely this is no reason for throwing out completely the use of the gymnasium, in which, incidentally, the radio did not work. Again, I say this is why you have this sordid talk of lesbianism, and why you have such a poor record of rehabilitation—because you do not use the facilities that could be used.

The council said one very great truth on page 33:

Boredom is perhaps the greatest curse of present life.

You may recall, Mr. Chairman, and I will not dwell at length on this, that when I was speaking on the Throne debate, I said the greatest weakness in this system as exemplified by Mercer is the administration's refusal or utter inability to see to it that the inmates use their time in a proper and constructive manner. I say again, why can they not use the gymnasium?

So many of these inmates are young people; they are 16 and over. Let us bear this in mind, that most of the inmates, if not all, have a record of coming from broken homes, and of having nothing but a difficult life in childhood. If we, as a government, continue a rough and difficult treatment for them, or even worse than what they have been receiving, we are going to have little hope of reforming these people. It is far more inexpensive, regardless of the humanitarianism, to have a decent system and reform at least a good percentage of the inmates, than to turn them loose and have to pick them up again on another charge, have them go through the whole court system, and leave them as free boarders in our institutions. It is time that we set about bringing about a system in this department that justifies the name reform institutions.

There is little or no outdoor activity at Mercer, and again this has to do with activities. Yet at one time there was. You might think that in the wintertime it is too cold. I asked if there were any clothes for the girls in the wintertime, and they said, "Oh yes,

there are." They opened the door of a cupboard and they showed me some old sweaters, all thrown together like junk. They did not look too inviting to wear, or to go out in. Yet at one time, a number of years ago, there was a skating rink at Mercer, there were teachers, there were matrons interested enough to see to it that a skating rink was set up, that the girls had equipment, and that they got skates. Where they have gone to, I do not know. But at least there was some attempt made a number of years ago. Why all this has been forgotten, I do not know, but it is certainly the duty of the hon. Minister to find out why and to see to it that some improvements can be made.

The hon. Minister's advisory council does not think much of the recommendation of the grand jury that the educational programme should be turned over to the Toronto board of education. It says this seems unrealistic. The council says the classroom teachers under the public educational system do not have the specialized training or the experience necessary to teach in a penal institution. Well, where are you going to find them? If our educational department and our educational facilities cannot produce teachers, who in the world can? Of course it is specialized training, but you have not had specialized teachers up there for a long time. Very few teachers who have been at Mercer had specialized training. But certainly I would suggest to you that the board of education could produce something far better than what this particular department has been able to produce.

Mr. Chairman, at page 50 of this report, the hon. Minister's council deals with the grand jury and one of its complaints is that the grand jurors had no special training. Of course they did not. The grand jury is called from the general public.

Hon. Mr. Grossman: Why do you not read the whole paragraph?

Mr. Trotter: Sure, I will put it on the record if you wish. This is the particular paragraph I want to deal with, because it shows to me that if anybody is biased it is the council of the hon. Minister. You want this read in, Mr. Minister?

Hon. Mr. Grossman: Yes, read it.

Mr. Trotter: Right. From page 50:

We found that these jurors had no special training or knowledge in matters of penology or criminology and were not qualified to express opinions on the complex problems arising in the operation of

penal institutions or the treatment and rehabilitation of prisoners. Yet the report contained many expressions of opinion rather than findings of fact.

The report was based on two inspections of the main Mercer building on King Street. The other buildings included in the Mercer complex (page 4) were not inspected. We found that although information was available as to facilities and programmes, the jurors did not avail themselves of such information but rather indulged in irresponsible statements such as, that the last teacher employed on the staff was apprehended for shoplifting and resigned.

Just at that point, I want to stop.

Hon. Mr. Grossman: May I suggest you finish that paragraph?

Mr. Trotter: Yes, I am going to finish it. I mean to finish it. It so happens I want to stop here and make some remarks.

First of all, people who are picked as grand jurors, as we all know, are from the general public. If they have special training, they are not supposed to be on the jury—and let us remember this, that the jurors called in were not conspirators. They were forced to come in. They were served—

Hon. Mr. Grossman: We will go into that later, too.

Mr. Trotter: No, I am on my feet.

Hon. Mr. Grossman: Do not stick your neck out.

Mr. Trotter: And so they come in, and they go about and bring in a report. But any of these grand juries seldom has an expert on it; particular experts are forbidden by law. Doctors or lawyers simply cannot be on them. So to say these men have no special training, would almost destroy the jury system; it would almost say—in fact, it does say—that no person of the general public is really capable of giving an opinion on how the government spends the taxpayers' money. I say this is a ridiculous statement on the part of the Minister's council.

Then it says this:

They make irresponsible statements, in that the grand jury said this, that the last teacher employed on the staff was apprehended for shoplifting and resigned.

That is true.

Hon. Mr. Grossman: Well, finish it.

Mr. Trotter: That is quite true. To say that it is an irresponsible statement is wrong; it is a statement of fact. And then:

The foreman of the grand jury admitted to us that this had not been verified and we found that the charges had in fact been withdrawn.

He is not saying that the person was convicted, but there were charges and the charges were withdrawn.

Hon. Mr. Grossman: Would you suggest that was a proper statement to have made?

Mr. Trotter: He said exactly the truth.

Hon. Mr. Grossman: We are very careful even of letting the public know that any releasee—an inmate who had committed a crime—had in fact committed a crime, yet here is a person who had not even been charged with a crime and it is publicized. That is a terrible thing.

Mr. Trotter: She was picked up and charged but the charge was withdrawn.

Hon. Mr. Grossman: Well all right, an innocent person. Why would you publicize it in this way?

Mr. Trotter: They stated the fact that she was charged and resigned.

Hon. Mr. Grossman: In other words, there was more care taken about the education and the comfort of the inmate than there was about an innocent person.

Mr. Trotter: Well, that is a pretty feeble argument. They were making a statement about the staff and it was perfectly correct.

Hon. Mr. Grossman: I am surprised at you, as a lawyer, saying that.

Mr. Trotter: The council says of the grand jury report:

It should be noted that the report was hastily prepared, and in the words of the foreman, "I dictated this report to a good friend of mine in my living room in about 15 minutes."

Whether a man can do it in 15 minutes or half an hour, there are many people who can spend a long time thinking about a subject and then quickly draw their chains of thought together. In fact, I know one of the best lawyers here in the city of Toronto who can draw a contract in a very rapid period of time after reading things over. This is an ability some have. When he says he did it

in 15 minutes I would say it would be a credit to the man because the report reads well. It reads well enough that it stirred this government up; it reads well enough that men such as Father West of the Anglican Church, who knows a considerable amount of penology, said it was a good report; it was good enough that in part it was supported by the Elizabeth Fry society, and certainly supported by a number of people whom I know to be well informed on the subject. So, whether the man took 15 minutes or 15 hours certainly is not a legitimate attack on the report itself.

Again, I would just like to say this, that the grand jury again pointed to different organizations that the so-called Mercer complex had worked with. Then it said the reformatory got along well with all of them, except the Elizabeth Fry society. I noticed also that the report said the Elizabeth Fry society had facilities for the treatment of nine girls. This is what surprises me, that anybody who has criticized the government, even in trying to be helpful—it seems anything they do is downgraded. For example, the hon. Minister's report says that the Elizabeth Fry society has facilities for nine girls. And yet when I read their 1963 report I find out that they have extended help to 516 people and among them—and this is what interested me—they served 206 people between the ages of 16 and 25 years. I asked for copies of this report. The background of this is prepared by their executive director.

Hon. Mr. Grossman: Elizabeth Fry of where?

Mr. Trotter: Elizabeth Fry here in the city of Toronto.

Hon. Mr. Grossman: Elizabeth Fry of Toronto, is it?

Mr. Trotter: Yes. It is Phyllis G. Haslim, executive director, Toronto.

At that time, they treated 516 people. But then, to have a government report come out in this fashion, it is rather downgrading an organization that really has done a tremendous work. It is well respected among the public and has a great number of members, 414 paying members. I think that it was most unfair, most unjust. I looked over some of the reports of the Elizabeth Fry society, going back to 1955. I find that in many instances they have been most complimentary to the government and they have at times made suggestions, but as years have gone on, as you got up to 1960, you see creeping into their annual reports their objec-

tions and what they term as their frustrations in the fact that certain things were not being done for the educational facilities, that not enough was being done for rehabilitation.

To me, it is a tremendous amount of evidence that a group taking an active part who have the knowledge and the ability to speak out should deserve a great deal of credit. But it does not bring much credit on the administration that whenever anybody seems to criticize, whether they are trying to be helpful or not, they are immediately jumped upon and anything they do is downgraded, as certainly the Elizabeth Fry society was in that report.

Hon. Mr. Grossman: Where was that, where is it in the report?

Mr. Trotter: Where they mention the nine people—

Hon. Mr. Grossman: That is what they have accommodation for; that is all that is saying.

Mr. Trotter: Yes, they said they had accommodation for nine people.

Hon. Mr. Grossman: Well, that is true.

Mr. Trotter: Yes, but with so many of these other groups, when they were speaking of them, they could be reasonably complimentary. But with the Elizabeth Fry society they said on two different occasions in their report, that they had complaints about Elizabeth Fry, that Mercer got along well with all the other associations, except with Elizabeth Fry.

Hon. Mr. Grossman: That is not critical of Elizabeth Fry, it is a fact.

Mr. Trotter: And then, of course, from my reading of it, I felt that when they pointed out that they had only space for nine people—

Hon. Mr. Grossman: But you are reading that out of context.

Mr. Trotter: They were trying to downgrade—

Hon. Mr. Grossman: You read that within the context in which they were mentioned; there is nothing wrong with that at all.

Mr. Trotter: It is certainly the way I took it and I took it with some considerable justification.

Now, Mr. Chairman, in this problem of penal reform, whether it be at Mercer or any place else, we might ask, what is needed?

Well, in this report, even at page 40, they give an answer. They say:

The first essential is to assess the problems of the new admission and the underlying causes that have contributed to her anti-social behaviour.

Well, nobody can disagree with that. I hope that this is going on throughout the reform institutions and I hope it will now begin to be carried out in Mercer. Certainly it was not being carried out. For example, even the select committee of 1954 recommended that cards be kept so that the matrons in charge of the floor where the inmate was kept in the cells, should be familiar with the girl's background and her problems and how she arrived at an institution. This was so that the matron or the guard who is in charge would have some understanding of the inmate.

There was certainly none of that at Mercer,

because I would ask when I was going through. I do not think they have held conferences of their staff which again was recommended in the report of 1954 of the select committee. These things that have been recommended for so long have not been carried out. Again I urge the hon. Minister to accept them and again to read—this is one part of the council's report I can accept—to read page 40. And the other thing they say:

The second essential is to gain the inmate's confidence and endeavour to obtain her full co-operation in that part of the institution's rehabilitation programme most likely to suit her needs.

Well, Mr. Chairman, how can any system, how can any matron gain anybody's confidence with the treatment that they receive?

It being 6 o'clock, p.m., the House took recess.



ONTARIO

Legislature of Ontario

Debates

OFFICIAL REPORT—DAILY EDITION

Third Session of the Twenty-Seventh Legislature

Thursday, April 1, 1965

Evening Session

Speaker: Honourable Donald H. Morrow
Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, APRIL 1, 1965

The House resumed at 8 o'clock, p.m.

ESTIMATES, DEPARTMENT OF REFORM INSTITUTIONS

(continued)

On vote 1901:

Mr. J. B. Trotter (Parkdale): Mr. Chairman, before we rose at 6 o'clock I was speaking in regard to some of the things that are needed in order to bring about a change in attitude in our reform institutions and I mentioned that, on page 40 of the council's report to the Minister concerning Mercer reformatory, they stated that one of the first essentials was to assess the problem and secondly to gain the confidence of the inmate. A third one was that an assessment of the inmate's ability and potential should be made by a psychologist and a psychiatrist.

Now, in this report it says at page 40 that these special services are in operation at the Mercer complex continually. Well certainly, partly they are, and to some extent at Brampton and at Ingleside they are more available, and to a very small extent at Mercer, because even in the report itself it makes mention of the difficulty to get personnel.

The report says at the bottom of page 40:

This factor together with serious staff recruitment difficulties has tended to slow down and in some instances curtail the operation of the services available within the main Mercer reformatory.

Well, Mr. Chairman, there is no doubt in my mind from what I have seen of Mercer and what I have been able to learn that the actual assessment from a psychiatric and psychological point of view is relatively very small. I think efforts are being made to try to improve it, but certainly the record in the past has not been good and it is still far from really coming to grips with the problem. Certainly, I think, and these are facts—the actual figures I do not have but the hon. Minister (Mr. Grossman) will have—that over the last number of years, and I have said this earlier, there has been a great number of psychiatrists and psychologists, either working full time or part time with The Department of

Reform Institutions, who have literally given up in disgust.

This is one of the difficulties, sir, that they have not been able to retain trained help in The Department of Reform Institutions because of the attitude of those in command, and I say the main responsibility for this attitude rests with the hon. Minister of The Department of Reform Institutions and the department itself.

Now, they talk about gaining the confidence of inmates. For example, again the report says at page 41:

In contrast to the conclusions reached by the grand jury during its brief visit to the Mercer—

And incidentally, Mr. Chairman, any visit or visits of a grand jury to any institution are going to be brief, but the amazing thing is that they were so accurate and so much support could be found to substantiate the findings of the grand jury, but they say:

In contrast to the conclusions reached by the grand jury during its brief visit to the Mercer, we find these rehabilitation services to be very much in existence. The availability of these services is known to every inmate in the Mercer but there is no compulsion for them to accept. Many prefer to go their own way and return to their families or former friends. Since they are free to make their own decisions there is little that can be done about it.

Now let us just dwell upon this business of being free to make their own decisions. Here are inmates who come into an institution like Mercer that is strictly custodial. They make no decisions for themselves, then they are suddenly thrust out into the world where they have to make all their decisions. There is not even a simple thing like a canteen where, if they were allowed so much for a day's work, even a few cents, they could spend the money on a choice of cigarettes or greeting cards, or anything that might be used to write home to the family or to anyone else.

Every possible thing, the cigarettes they smoke, the toothpaste they use—any small decision of any kind is taken away from them.

Literally there is no choice in the matter of food. If only there was a canteen where they could buy a chocolate bar, which, incidentally, is not allowed in the institution. They are people who have become so restricted in their thinking that you completely destroy whatever hope or element there is for reform. Again, this is something that is a part of the attitude of the system. Even worse than the old buildings—mind you, the old buildings give an atmosphere that is bad enough, and even the council's report admits that this is the type of building in which you cannot properly carry on a reform institution—but worse than the buildings is the attitude; and this is something that needs to be radically changed in the hon. Minister's department.

The training of the staff—now I know that improvements have been made in The Department of Reform Institutions, I think for the first time in the history of the department we were told that they had a week's seminar. I do not think that this included the matrons at Mercer but at least it is something to the credit of The Department of Reform Institutions that the people in charge of the inmates are getting some extra training. These seminars are good, but this just happened this year, Mr. Chairman. In all the years that we have had a Department of Reform Institutions, they can now come to us and say for the first time—and it is long overdue, and I hope that it is a symptom that despite whitewash reports, the hon. Minister is going to make a real effort to bring improvements to this department. But when we know of the many failures in trying to re-establish women—particularly seeing that I am dealing with this report—in society, I think that the statement made on page 47 of the report is nonsensical when it says:

We find that the criticism and the comments of the grand jury have no foundation in fact and that the rehabilitation of inmates from the Mercer is real in spirit and achievement.

Certainly, it is not in spirit, and if it is in achievement, it is more by luck than anything else, that despite the co-operation of many church organizations, the Elizabeth Fry organization and other people who are interested, the rehabilitation efforts have been very poor, particularly at Mercer. The possibility of these girls getting jobs, because of their lack of training and their lack of help when they get out, from the placement services, is very meagre indeed.

I am not saying that none gets a job or that none is found for them, but in the vast majority of cases, very little is done, and penologists will tell you that when an inmate

is released, whether a man or a woman, from an institution, how they go in the future depends on the first days after they have been released from jail. So many of the women from Mercer do not even have proper clothing, especially in cold weather, to go out and get a job and to approach a proper employer. The most a girl can have in her purse, as a result of being at Mercer, is about \$10, and I think they are paid about six cents a day for the work they do.

So we have a tremendous amount to do in these fields, in the attitude and training of the staff, and providing decent buildings and even more, in the training of the inmates. But you cannot train the inmates to live in this world, unless you have the proper facilities to help them.

I still do not think, with all the protests of the hon. Minister that we have a proper classification service in The Department of Reform Institutions. This is a whole broad picture. There are still too many inmates and not enough help to classify properly those people who come under the control of The Department of Reform Institutions.

Then you have the problem of the alcoholics and the drug addicts. It is my belief that the day will come, and it should come, that drug addicts and alcoholics will be considered sick people who should be kept in entirely separate institutions—more properly a community that can support itself—rather than continually being sentenced and put into jail. The worst thing that can happen to an alcoholic is a jail sentence. They have become alcoholics or drug addicts because they have lost their self-respect. The next worst thing that happens to them is to have a jail sentence. A record as long as they live.

This is something: The alcoholics and the drug addicts should be out of penology altogether. They should be treated as sick people. I hope that the day will come when this administration, the government of Ontario—it will probably be a Liberal government by that time—will bring these things about.

Hon. A. Grossman (Minister of Reform Institutions): We do not intend to wait that long.

Mr. Trotter: We will treat these people in a proper manner, because at the present time, although something has been done to help these people, the atmosphere for drug addicts and alcoholics is nowhere near what is needed to meet the problem. I do hope that we can develop a proper system to take care of them.

One system that might work for alcoholics—as it might work for many people who are in our prisons and in our reform institutions for other causes—is the live-in work-out system practised in the state of Wisconsin, where inmates actually live in an institution, but during the day they go out to work and in this way help to support themselves.

One of the final items I would like to mention, Mr. Chairman, is a matter that was brought up when the present hon. Minister of Mines (Mr. Wardrope) had this department. It is a matter that has been recommended by the United Nations congress for the prevention of crime and the treatment of offenders, and that is the payment of wages to people who are in our prisons and in our reform institutions.

Now this is only common sense, sir. There is nothing more dignifying than good honest work and we should have these people who are in our institutions working, keeping themselves, and also keeping their families. After all, in the city of Toronto alone, the welfare department pays out \$100,000 a year in support of the families of the men who are in prisons here in Ontario. If these people were working and not only supporting themselves and their families, but in many instances, as part of their sentence, paying back those they have stolen from, we would be going a long way forward. I think penologists throughout the world recommend that this is a reform that is needed and in the future it is bound to come.

I know that the present hon. Minister of Mines talked hazily about this, but it seems to have been forgotten, just as the present hon. Minister of Lands and Forests (Mr. Roberts), when he was Attorney General, talked about having special farms for alcoholics. This was talk; nothing materialized. This is why I get sceptical and cynical when I hear the promises from even the present Minister of what they are going to do, because I have heard promises, promises, from that side of the House over quite a period of time now, and far too often these promises just do not materialize.

But these are the changes that are required in this field, and without them we are not going to improve the situation any more than we have in the past. Again, as I said at the beginning, while in 1950, 35 per cent of the inmates were in our reformatories twice or more, now the figure is 50 per cent. We are losing this battle of reform and it is time for action from the government, which in the past has given very little action.

Mr. F. Young (Yorkview): Mr. Chairman, I rise tonight to take part in this debate and congratulate the hon. Minister upon the wide-ranging speech which he made this afternoon, a speech which did outline a great deal of policy he is undertaking and a lot of bits and pieces of work that is going forward.

Certainly, I think I agree with what he said at the beginning that across this province he has a dedicated and hard-working staff doing a very difficult job. That job is one of the most important ones going on in any department in this province. The hon. Minister this afternoon gave us an outline of the kind of work he is undertaking and hoping to do. He uses words such as "the finest," "the best," "we are in the lead," and this kind of phraseology. But through the whole thing I could not help but think that in it all, he is more reacting to pressure here and there than outlining and following a long-term, organized plan for his department.

I was interested in looking over the annual report, to read of the achievements and also of the facts and figures presented there. But I was also intrigued, Mr. Chairman, when I opened the cover of these books and I found quotations from two great persons. Inside the first cover is a quotation from Sir Winston Churchill, and inside the second cover, as I opened the book, I found another quotation, from the hon. Minister of Reform Institutions. I suppose it is an indication of ambitions and humility perhaps, and at least we wish him well that some day in the future he may achieve the eminence of some of the great men of the world.

Hon. Mr. Grossman: I am just trying to emulate him.

Mr. Young: Yes, all right.

Hon. Mr. Grossman: There is nothing wrong with that.

Mr. Young: Last year, on March 11, to be precise, the hon. Minister made his first speech to the House in his present capacity. At that time he outlined the work of his department and told us then what he hoped to do. He was a new Minister and so we could not blame him for any of the things that had not been done. We could look at some of his deskmates, of course, and say, "Why did you not do better?" But we had to give this Minister the benefit of the doubt at that time.

At one point in his speech, he discussed addictions, you remember, and he said that although many factors are taken into account, the strongest factor is the motivation and

desire of the inmate to be cured of his addiction. Obviously, after a year of experience in his portfolio, this Minister, too, is addicted to certain things—exaggeration among them. He sees things which just do not exist and presents them as facts.

He has charge of a department, which, while doing many good things—and we give him credit for that—is fundamentally archaic and he refuses to see it. He has superintendents who are ill from overwork and he cannot get replacements. He advertises for staff and his ads go unanswered by qualified people. Many of the best of his staff members in some institutions are leaving for other jobs, and he is faced with having to replace them with others who may have lesser qualifications. He cannot find the specialists he needs to do the jobs in the various institutions. They will not come into the kind of department that exists at present. His position of chief social worker stands vacant, and offices in various institutions, which should be occupied by various specialists in the field, stand empty.

The hon. Minister sends through his system a much larger proportion of our Ontario population than do his counterparts in England, Holland, Sweden and many other democratic countries, which are better equipped to handle the youthful offender outside the penal system. Yet in spite of this, he insists that Ontario is ahead in the field of penology. The hon. Minister talks about research, and yet so far he has given his research department no adequate staff. We hope that will be rectified very quickly.

He introduced a training schools Act and makes little provision for the personnel and machinery in the institutions to make the Act operative. He refuses to outline before this House a long-term plan to modernize the archaic institutions that still exist within the system, and he clings to the pathetic belief that places such as Mercer—of which we have heard so much tonight—and Guelph, can be effective instruments of rehabilitation. Then when he is backed into a corner he shifts the blame for inaction to the federal government and its failure to implement the Fauteux report.

This hon. Minister lives in a dream world of his own making. He tries to persuade himself and us that things are going well in his department, and that if he talks long enough and fast enough about the philosophy of rehabilitation, somehow what he says will, through some miracle, come true. That is not to detract from some good rehabilitative work that is going forward in some of the smaller

institutions in this province. But this hon. Minister, Mr. Chairman, needs to be cured of his addiction, and to quote his own words, to be cured he first of all needs motivation and desire.

We are told that the early concept of a custodial prison came from the Puritans. They felt that some place should be provided where the person who had erred could be confined to a quiet place where he could meditate upon his sins. Eventually it was hoped he would emerge penitent. So the penitentiaries were built. Perhaps a bit of quiet meditation of this kind might be good for the hon. Minister. He might emerge less addicted to his illusions and he might be ready to take a more realistic look at his department. Perhaps he would recognize that while some good things are certainly happening, the department—as a department of reforms—is just not doing the job it ought to be doing today and plans are not yet underway for that job to be accomplished.

On March 10, last, the hon. Minister, in his statement about Guelph, said, "This is no kindergarten, this is a prison." Not a reform institution—a prison. The hon. Minister may talk all he wishes about the philosophy of reform but he still thinks of punishment. The emphasis is present. It cannot be otherwise in institutions as large and unwieldy as Guelph; it cannot be otherwise in places such as Mercer.

The hon. Minister needs to start a little healthy self-examination and a bit of therapeutic confession of faith. That done he had better quit shelving his responsibility to the federal authorities. The Fauteux report may or may not be implemented, but the people who run afoul of society's laws are here right now. They must be dealt with right now. The young people who desperately need proper treatment facilities cannot wait for the federal government to make up its mind. That is one thing, it seems, that the federal government just is not capable of doing these days. So this government must begin, and begin now, to speed up the programme of reforms, to train the people needed, to offer the salaries necessary, to rebuild the whole department, to establish the institutions through which rehabilitation can be carried out and in which the emphasis, right through, can actually be changed from punitive to redemptive.

There is, of course, an intriguing alternative to this process and I bring it before the House. If the federal government in fact does intend to assume responsibility for all offenders with sentences of more than six

months, it should say so, and it should say so now. Perhaps my hon. friends to the right can carry this message down to Ottawa. That would make a difference all right. It would remove from this department the major institutions for late-teen and older offenders. The jails and the regional institutions that we hope will replace them are now the responsibility of the municipalities. And, of course, we are proposing that the training schools as well as the hospitals and halfway homes that would supplement them should be moved to The Department of Public Welfare. That eliminates the present Department of Reform Institutions. The committee on redistribution has eliminated the hon. Minister's riding, and that disposes of him. It all looks like a very practical and tidy solution to the problem and it may well be a consummation devoutly to be wished, Mr. Chairman.

But the hon. Minister says he objects to the training schools going to welfare—he is fighting it—and while the federal government is looking for Rivard and keeping professors with wrong thoughts out of the country, it is too busy to bother with lesser offenders. It may be a long time before it can get straightened away to deal with the Fauteux report, so that we have the problem to wrestle with and the hon. Minister has it on his own doorstep. The hon. Minister must accept his responsibility to deal with the situation that exists right now. So let him build the new institutions. If the federal government can make up its mind, and if it does decide to implement the Fauteux report, then financial adjustment will be made to compensate the province for its out-of-pocket expenses. I think this is only realism, and it will be done no matter what government may be in power down there in Ottawa when this takes place. In that way, Ontario can accomplish two things, Mr. Chairman: It can move toward a goal of a genuine reform system, and it can also make sure that Ottawa gets a proper institutional setup as a going concern.

Last year in this debate I urged the hon. Minister in his next budget to set before the House a definite plan of development. He has had time to assess the need. He should now tell this House and the people of the province what he hopes to do in modernizing some of the reform institutions during the next decade. No one expects it to be done at once but there needs to be assurance that it is being tackled with determination. So far we have been getting little bits and pieces of announcements unrelated to a master plan. Let the hon. Minister set out the steps that should be taken during the next decade with definite timetables of development and costs.

He may not be here to see it all implemented but that is beside the point. Let him lay out the plan for himself and his successors to follow. Then we will know where we are going. Let us debate that plan here in this House and set it out as a target for development.

The fundamental need of such a plan, of course, is staff. This portfolio has been jumping from Minister to Minister with startling rapidity. This kind of instability cannot help but be reflected down through the whole department. The deputy Minister has buckled under the strain; some of the chief officers in large institutions want out.

There is a fundamental conflict in a job when a superintendent is expected to do a redemptive job in an institution that is not designed for it, and where, try as he may, he can do little more than carry out custodial tasks. There is something wrong, too, when a Minister advertises his positions of responsibility in this way: In the *Globe and Mail* of February 26:

Ontario, province of opportunity, requires matron, \$3,600 rising to \$4,200. Several positions are vacant in the Mercer reformatory, Toronto, for matrons. These incumbents carry out custodial duties such as the maintenance of security and discipline, correction of irregularities, giving guidance to inmates in accordance with the regulations, and general rehabilitation work. Incumbent may live in or out and according to existing exigencies. Qualifications: Grade 8, preferably Grade 10 education; age between 25 and 45; ability to pass IQ test required; integrity, self-control and mature judgment essential, good physical condition.

That is for \$3,600 to \$4,200. And then:

The Department of Reform Institutions, Ontario Training School for Girls in Lindsay; supervisor, starting salary, \$3,600; education, Grade 12, preferably; age 25 to 45 years only; experience with teenagers an asset; must be prepared to do shift work; civil service benefits.

These are for positions, of course, where the incumbent will deal with young girls who need sympathetic treatment and care.

Something of the importance that this government attaches to this work is seen in the schedule of salaries in other departments. For example: a dairy herd improvement field man is offered exactly the same salary scale—\$3,600 to \$4,200—and so is a fish culturist, Grade 1. I am not saying that these positions are not important, Mr. Chairman. They are. But it seems to me that a person dealing with

emotionally disturbed and anti-social young people needs more intensive training and a different kind of approach from a field man or a fish culturist. Accordingly, it would seem that higher salaries are called for, and I hope that the hon. Minister will give this his serious consideration.

The hon. Minister has been trying to replace senior staff from time to time, without too much success. The fact is that people are not being attracted because they can see no cohesive philosophy of correction operating here. They hesitate to invest their lives in a department where there is no clear philosophy and no clear goal; where no long term plan is laid down for building a genuine corrective department, with all its necessary personnel and equipment. The hon. Minister will continue to have this fundamental difficulty with staff as long as he goes at the thing piecemeal.

I would like to point out that right now the hon. Minister has a unique opportunity to build staff. His deputy is ill and he needs assistance desperately. Nothing is preventing the hon. Minister from combing the continent for a top-notch person in the reforms field. Whatever it may cost it will be a good investment. Give him any title that is meaningful and give him responsibility to reorganize the department and lay out a long-term plan; tell him to fill the chief social worker's position with a top person in that field and to get the best; let them move together to get outstanding people who can and will respond to a challenge of achievement. Once this is done and a clear indication is thus shown that the department is going places under people who are leaders in their field, others who want to invest their lives meaningfully will be drawn into the service. This will mean higher salaries for top-notch people. The hon. Minister has said that he can get the money but he cannot get the people. He cannot get them now under present circumstances, but they can be attracted if the department is given purpose and direction, as I have indicated.

I quite realize that there are a great number of dedicated and able people within the system right now—I have mentioned that and I stress it again. They are doing a good job in many areas; teachers, custodial officers and workers of all kinds are doing their best to meet the need, but their best is often just not good enough. The salary range offered does not provide the qualified people needed to do a top-notch job.

The *Trillium*, spring edition, 1965, says this:

There has been a serious attempt in both The Department of Health and The De-

partment of Reform Institutions to use the modern approach in the handling of unfortunates committed to their care. There has been little thought given to the employees who are on the job every hour of every day. There has been no attempt to make the job attractive or worthwhile. The salaries and general working conditions in both departments have barely kept pace with the outside race of progression, even though they started from a miserably low base.

There has been talk of better training and higher qualifications. There has been no recognition of the fact that by and large the ward staffs in the Ontario hospitals and the custodial officers in reform institutions are, in fact, the real agents of rehabilitation. They are the ones who get to know and understand their charges. They are the ones who encourage, watch over and care for their charges.

Politicians are quite willing to quote statistics showing how the turnover in inmates has greatly increased, and take unto themselves the credit for the speedy return to normal life for people who once had little hope for seeing the outside of an institution, once they were committed.

The credit belongs to the professionals also on the job, but deplorably small in number. The morale of inmates will fluctuate with the morale of the employees with whom they are in daily contact. The morale of the employees is presently very low.

This is from the *Trillium* editorial in a recent edition.

In addition to starting at the top of the department, the hon. Minister should speed up his training programme. The McMaster course is all to the good, but as far as I can gather there seems to be little tie between this department and the school of social work. The hon. Minister has mentioned a research project going on, but surely it would make sense for the department to maintain active liaison with the schools and to provide supervision for students who would undertake field work in the institutions along with their theory. Young people in this way might be encouraged to enter reform as a life work, particularly if the whole field were to be given dynamic meaning and purpose and if the economic rewards were commensurate with those in other areas of endeavour.

In looking to the future, this province, of course, must give full attention to the young people now growing up in such great numbers

in our society. The earlier an offender is spotted and treated, the better for society and for the child.

Time was when recidivism was rare; the offenders simply went to the gallows and that was that. It solved the problem. Today with a more humane approach to offenders, the cost of recidivists to society will be very large—in amounts of actual money; in custodial care; in police and court costs; in the care of their families and in the loss of productive wealth while they are incarcerated. To this can be added the human dislocation and suffering, incalculable, but none the less real.

Everyone recognizes the importance of treatment at the earliest possible age, of getting the young offender back on a socially acceptable path. In school, the youngster periodically comes up against a set of examinations—sometimes he fails. If he does, someone is expected to give him a very stern talking to, but he is given another chance possibly with special help. But he stays in the school unless he is completely incapable of handling the work there. The boy who has stolen a car, comes up against another kind of examination; he has failed in the test of conformity to society's code of behaviour, but just as in the case of the other failures, he needs help. To remove him completely from his examination subjects—that is, the standards of society—and then expect him to pass his examination after his release, is now being recognized as not the best kind of policy, Mr. Chairman.

That is why increasing emphasis is being placed on probation service, on working with the young offender in society and helping him to adapt and if his home or his environment is too incompatible, finding another environment in which he can live and learn, but within society.

This work is certainly bound to be expensive but in the long run it will pay off. We are dealing with a commodity—human life—which we all regard as supremely valuable. Even in some cases, if it takes one case worker for a problem child for a period of time, it may well be worth it, if we can restore that child to healthy attitudes and modes of behaviour.

Then, too, in the case where children have to be removed from a home situation, specialized hospitals and foster homes are much to be preferred to the present system of training schools, but not yet have we tackled the problem of professional diagnosis and specialized treatment in this regard in a real way. These matters will be debated in more detail during the estimates and when

the training school bill comes before this House, but it seems to me that in addition to some major changes crying for immediate action in the senior field, the major emphasis must be placed on the treatment of the young offender.

Major amounts of social capital must be invested here both to redeem the child at the earliest possible age and to save society from very heavy expense if and when the wayward child turns to an adult criminal.

Again I stress that this process is part of a welfare pattern and this work should be incorporated into that department, but if the hon. Minister and this government insist on keeping it where it is then immediate action is imperative if too large a proportion of another generation of young people is not to be frittered away through neglect.

Now, Mr. Chairman, I would like to turn to another matter in our reform institutions, which has concerned me to a great extent over the past few weeks. We have been lacking in certain specialized areas of care. We heard a great deal about that this afternoon, and the hon. Minister has outlined some of the areas in which he hopes to give that kind of specialized care. The hon. member for Parkdale has talked about specialized care and the need for it. But there is an area to which I draw attention tonight. I want to cite an incident to emphasize the necessity for this kind of care and for more specialization and perhaps more detailed diagnosis and carrying out of the kind of activity which is needed.

In his statement to the House on March 10 in regard to certain incidents in the Guelph reformatory, the hon. Minister made reference to the examination on my part and by the hon. member for Riverdale (Mr. Renwick) of certain documents in that institution. He spent some time on that and brought out certain details which this House ought to look at. The documents related the history of a young man, Ronald Cross, from Belleville, who died in the institution on August 20, 1964. This case first came to our attention when the hon. member for York South (Mr. MacDonald) received a call early in September asking him to make sure that all the evidence was presented at the coming inquest into the death of young Cross. Mr. MacDonald at that time called the supervising coroner for Ontario, Dr. Cotnam, regarding this matter, and he can perhaps speak for himself as to how that conversation went. Our interest was aroused and on September 10 came the report of the inquest, in the *Guelph Mercury*. This raised certain questions in our minds and I called the parents of

Ronald Cross, who live in Belleville, and then went down at a later time to talk to them about the concern they had had in regard to the death of their boy. They told me about certain conversations they had with another chap, particularly, from the same town, who had known Cross in the reform institution at Guelph.

Then the hon. member for Riverdale and I visited Guelph reformatory. We examined certain records there and spent some time at it. The records showed, and the doctor at that time confirmed, that for some days prior to his death, Cross had been confined to the detention cells in the institution and that while there he had been seen by the doctor who prescribed certain medicines for a stomach ailment. We then secured the transcript of the inquest held in Guelph on September 9, 1964.

I presume this matter has been called to the attention of the hon. Minister prior to this time and I hope he has obtained a transcript of the evidence put forward at that inquest. And I hope he studied it to determine the answers to certain questions that must have arisen in his mind concerning the case, and certainly questions that arose in the minds not only of the parents but of other people concerned with it.

I would like to read, and at some length, from the transcript of the inquest, an inquest which took place in the magistrate's court, Guelph, September 9, 1964. The coroner was Dr. H. F. Farmer, the Crown attorney, J. M. Kearns, QC. There were five members of the jury and we were told that under the circumstances, since this man died in a penal institution, an inquest would be automatic and mandatory.

Now, the witnesses who gave evidence are listed as Robert Nash, clerk of records; Sergeant S. W. Richardson, in charge of the main working party when Cross died; L. C. Yeo, custodial officer; F. Cook, custodial officer; Sergeant Corcoran, custodial officer; E. J. Harloff, assistant superintendent; Dr. G. A. Mellow, senior medical officer; Dr. Marcinkovsky, physician; Dr. Slinger, pathologist; and Charles Sanderson, the superintendent.

The cause of death is given in the evidence here and on page 27 we find these words:

On internal examination the abnormal findings were an enlargement of the heart with trachea fibrous tissue in the muscle of the heart and congestion of the lungs, liver and the spleen. Now, my interpretation of these findings and my explanation of the cause of death is this: I think this man had a sudden heart failure.

This is Dr. Slinger, pathologist:

The cause of the heart enlargement I don't know. But I feel that it had been there for a long time, probably years, and that a situation of increased stress, not necessarily abnormal stress, but somewhat increased stress imposed an extra burden on this diseased heart and that a disturbance in rhythm of the beating of the heart may then have occurred. Ultimately, the heart stopped and produced the finding of congestion in the lungs, liver and spleen which are commonly seen in any case of sudden heart failure.

And on page 26 of the same evidence:

The heart, it is said, weighed 480 grams—

Dr. Slinger again:

Now the normal heart weight is roughly proportionate to a person's weight and for a person of this man's weight the heart should weigh not more than 350 grams. So that this heart was approximately 50 per cent larger than normal and it was enlarged in both the right and the left ventricle.

Now, there was a previous existing condition known, and Dr. Slinger on page 28 of the evidence says this:

I think that he had had this heart enlargement for a long time. What the cause of it is I do not know.

And on page 19 further information:

He first told me—

This is Dr. Marcinkovsky:

He first told me he hadn't any sickness at all. After examination, when I was listening to his heart, I know this, that his was not completely well as it should be. There was nothing striking. When I tried to pursue the history, inquiring about shortness of breath, he admitted he did have a little shortness of breath. After exertion I asked him in comparison to other boys the same age, and so on, doing the same job of exercise, he said yes, he thinks he is shorter of breath than anybody else and I marked that here. As for the heart, I found there were no murmurs. There was some indication of heart disease. I tried him at exercise, like running for a little while on the spot. I listened to his heart and I found some slight murmurs, but I put here in my findings, I found that under "rheumatic heart" at the end where we asked disability, if any, I put "rheumatic heart condition, mild, fit for general work, fit for moderate work, no competitive sports, and no heavy exertion."

The question came to the same doctor:

Did he ever come back to you and complain of anything about having trouble with his heart?

A. Yes, he came in November. The end of November he told me to excuse him from calisthenics. I excused him from this.

Q. Have you a report of him coming to you in November?

A. Yes, on the medical copy, on the first sheet there in front of you. It says in November, "excused from PT, while in the institution." Excused from physical training.

He did not complain at that time of the work and I did not consider any work done over there by inmates as far as I know, that he could do.

Q. Did you see him after he came from Burtch?

A. Yes, I did see him. It would be two or three weeks prior to his death.

Q. What was the occasion that you saw him?

A. He lost his excuse from physical training, and he came to me again to ask for such a note.

Q. Did you examine him again?

A. Yes.

Q. In what condition did you find him?

A. More or less the same as it was in October.

Q. Have you a record of that?

A. No, because he came to me at noon on sick parade when we usually do not bring with us these medical cards and we do not record unless there is something very important.

And on page 36, the evidence of Mr. Sanderson—

Hon. Mr. Grossman: Why do you not read the balance of that?

Mr. Young: I beg your pardon?

Hon. Mr. Grossman: Why do you not read the balance of that on page 23?

Mr. Young: Page 23, all right, if you wish it.

Q. You consider this all right for ordinary work, not too hard?

A. Well, let us put it this way. I would consider if he was going to do bush work or mining work or maybe piece work—definitely I would forbid it, but knowing

the amount of work that they do over there, I would say any kind of work, in my opinion at that time, he could do—

Hon. Mr. Grossman: This is the opinion of the doctor and should be right.

Mr. Young: "—even though I had put that 'rheumatic heart disease; mild.'"

We go forward then to page 36. The only other question, this is of Mr. Sanderson:

Q. No knowledge of any relatives of his having died under the same circumstances?

A. Yes, I have a report here, a presentence report submitted to the court. This was confirmed, yes, that is the word for it. When Mr. Harloff visited the family, a brother who, at the age of 17—this was four years ago, he would be 21 now—was attending school and he simply rolled off the chair with exactly the same condition. He was dead immediately. There is a record of a father not being able to work because of a heart condition. The family is on relief.

Now, the question comes about the family itself, as to whether they were notified of the inquest, and on page 15 we have the question, Mr. Harloff answers:

Immediately upon receiving information from Dr. Mellow—

This would be of the death:

—we immediately notified the local provincial police detachment, Dr. Farmer, yourself, and, thirdly, the next of kin. In this case it was his mother, Mrs. Cross.

Q. Does Mrs. Cross know of this inquest today?

A. I could not say.

Q. Are there no relatives in the court room? Were they notified by you?

A. Yes, by myself, personally. I telephoned them immediately.

Q. But you do not know if any of the relatives were notified that there would be an inquest today?

A. I could not say.

Then, on page 35, along the same line, Mr. Sanderson is asked the same question:

Q. Do you know whether his mother knows of this inquest being held?

A. No, personally, I do not. I did not just think of it. I did not know if we should. I just did not think of it. It might have been an oversight on my part.

Q. Under normal circumstances, all those acquainted with it, they turn up at these inquests?

A. Well, if there is anything, I did not think of it. The people in Belleville—they are in Belleville—they are in straitened circumstances.

Now, we come to the questions as to the assignments that Cross undertook during his period there. On page 30:

Q. Now, would you get a report from the doctor after the examination of every patient? That is correct?

A. Yes.

Q. Every person that went out there?

A. That is right.

Q. Did you have a report on this man?

A. Yes. He was admitted on October 30. He was placed at work on November 1 in our tailor shop.

Then the question:

What were the circumstances? Did you have a talk with him about going to the tailor shop?

A. No, I would not. He would appear before the employment committee that dealt normally with the ordinary procedure. He was in the tailor shop for one month, approximately. On December 2 he was transferred to the Ontario training centre at Burtch. The training centre, part of the institution, houses some 40 inmates. There they receive a more specialized type of training than we can give and the conditions and surroundings are much more open; that is not the closed supervision that we have to have here.

Q. I see. How long did he stay at Burtch?

A. He was there from December 2 until April 2. He was returned. The record from Burtch showed that he had failed to adjust in the surroundings of the training centre.

Q. Did you see him then?

A. Yes, I saw him then. I pointed out to him that he was returned and that he would be placed at work. I said he would be returned to the tailor shop. This is the place where he was before. He asked me to be allowed to go to our main work party. There was going to be one of two places—the tailor shop or our main work party—where he would be under close supervision for some time until we could see how he was adjusting. He said he had worked in the tailor shop, he did not like it, and could he please go to the main work party. I had this card with me at the time and I

was able to see what was on it—no heavy exertion; rheumatic heart disease; mild. I drew this to his attention. He said that it was not bad; it did not bother him; he knew the type of work. He said, "I can do it. I have friends in the main work party. Can I please go to the main work party?" He went to the party. He remained there for a period of slightly over a month. He appeared normal. He was transferred to our kitchen. He was in the kitchen for a short period of time.

Hon. Mr. Grossman: Do you mind reading the balance of that, on that page?

Mr. Young: Quoting further:

Q. Who would transfer him to the kitchen, and why?

A. The employment committee. This main work party is more or less a holding unit. People go in there, we draw from—

Hon. Mr. Grossman: Mr. Chairman, I wonder if the hon. member would mind—he must appreciate the fact that he is taking some of this out of context. It gives a completely distorted picture. I would suggest if he is reading on page 33, that he fill in the part he has left out there. I think it is very germane.

Mr. Young: I do not mind filling it in at all. It is simply a matter of saving time, and I felt it did not change the meaning at all of any of the records here.

Hon. Mr. Grossman: This is very important.

Mr. Young: The hon. Minister can fill it in if he wishes.

He did not like the kitchen. I have a report here. The officer who made the report is present. It is dated May 26. The report states that a couple of weeks ago the above-named inmate asked me for a work board out of the kitchen. He said he hated working inside and that he wanted on the main work party. He was returned to the main work party and that was the final dealings I had with him.

Who committed him later to detention, I am not sure.

One more excerpt from the evidence here. On page 5:

Q. What were they doing in the main work party?

A. They were moving land fill from a gravel-pit area, so-called, to a stockpile. This inmate in question was loosening up the dirt for those who were taking it away in wheelbarrows to remove it.

Q. Loosening it up?

A. Loosening it up with pick and shovel to make a convenient heap for the boys with the wheelbarrows to load it up and take it away.

Q. Any complaints from him at all about the work?

A. No complaints about the work.

Mr. Chairman, in connection with this evidence, there are certain questions that perhaps ought to be answered, and I would like to outline these questions because I think they are very pertinent in this situation.

The first question I would like to put before the House is this: This man obviously had a serious heart condition—the X-rays taken when he was admitted would have shown this. Why was this fact not prominently noted in his medical record? It evidently was there but not how serious the condition was. Why would he be allowed to go to the main work party, even though he may have asked for it—which I understand is the hardest work in the institution?

Question No. 2: Why was no mention made at the inquest of Cross being in detention for several days prior to his death, and of this evidence we saw in the institution that he was in detention from August 12 to August 17?

Hon. Mr. Grossman: There is no hard work in there.

Mr. Young: Was it because he could not stand up to the work?

Question No. 3: Why was he sent to detention in the first place? Was he complaining and was he sent in there? We do not know, we would like it answered and the parents would like it answered.

Question No. 4: Why was no evidence submitted about his medical problems while in detention? Dr. Mellow told us in Guelph that he had seen him in the hospital. He evidently was sent there from detention and the doctor had ordered stomach pills for him.

Question No. 5: Did the doctor at this time carefully examine him to make sure that it was indigestion? Even a layman understands that the symptoms of stomach and heart troubles are often similar and one may be mistaken for the other. In view of the condition of this man, and in view of the fact that he was known to have a serious heart condition, was adequate examination made at that time?

Question No. 7: Why was no evidence submitted as to when Cross returned from detention to the main work party? Was he returned

directly to the work party, or kept in cells for a time and then returned? As one can understand, after five days in detention on a restricted diet and with no exercise, it would be a rather hazardous move back to the main work party for a man with a bad heart.

Question No. 8: Why was no inquiry made as to whether Cross complained of trouble on August 20, the day he died? I ask this because his mother names a person, Grant Wiltshire, from her own town of Belleville, who was in the work party that afternoon and who says that Cross did complain of pain that afternoon and yet was not allowed to go. I quite realize that this would be an unreliable witness and I grant this. But why then was not Wiltshire and others who worked with Cross in the work party called to the inquest, because here one could corroborate the other. And then inquiries could have been made at that point as evidently they were not, as to whether he had complained and his complaint had gone through to the custodial officer in charge.

Question No. 9: Why did Dr. Mellow state at the inquest as found on page 18:

During the time he was confined in the institution never once did he complain, give any complaint suggestive of any heart or lung embarrassment, never once. Never once did he come to me saying his work was too heavy or anything like that.

Now this may well be true. He may not have specifically said he had trouble with his heart but certainly the doctor told us when we were there that this boy had come to the hospital, that he had examined him and given him medication for his stomach.

Question No. 10: Who determined who should be called as witnesses at the inquest?

Question No. 11: Why was the family not notified of the date of the inquest? And while it may well be true that the family itself may not be wealthy, surely in a situation like this some arrangements might have been made for that family to come and attend the inquest of their own son.

Question No. 12: Why were the inmates who worked with Cross on August 20, not called? I mentioned the difficulty here and quite realize it. But cross-checking could have been done in this case.

Question No. 13: Why were the custodial officers and other officials who dealt with Cross while in detention, not called? Evidently, as far as I can examine the evidence at the inquest, these people were not called.

Question No. 14: What happened to the five pages missing from the record book: the

five pages which are mentioned in the statement on March 10—were mentioned by the hon. Minister? The question was asked at that time, how the mother knew about the deletion of these pages. The mother did not know. This is just another illustration of the way that many of the so-called facts are mixed up in this statement. The mother did not know, the mother did not mention it. The first time the missing pages were mentioned at all was by the superintendent when the hon. member for Riverdale and I were in the area of the detention cells. When we asked to see the book at that time, he told us that there were five pages missing and later he produced the book in his own office and showed it to us. Then why are these missing? I quite appreciate the fact that it was mentioned—and it was mentioned by the hon. Minister in this House—that any one of 50 people possibly could have removed those pages. But evidently this was not brought forward at the inquest and it seems to me that this was rather important evidence that should have been noticed.

Hon. Mr. Grossman: I wonder, Mr. Chairman, if—

Mr. Young: There is one further question—

Hon. Mr. Grossman: I know, but the hon. member is directing questions at me in matters relating to how a coroner conducted an inquiry. Surely he does not think that this is within the jurisdiction of my department to tell a coroner how to run an inquest?

Mr. Young: I am bringing the hon. Minister's attention to a certain problem which was within the scope, I am not asking the hon. Minister—

Hon. Mr. Grossman: No, but you are asking me these questions.

Mr. Young: I am putting these questions on the record to be answered by whoever can answer them, Mr. Chairman.

And the 14th question, the final one is this: Were the witnesses heard one by one and excluded from hearing the testimony of other witnesses during the inquest?

Now, I quite realize what the hon. Minister has said, that an inquest does not come under the purview of his department. I mentioned as I began to relate this incident that he had brought this first of all before this House in his statement on March 10. I also mentioned that there are certain facilities that should be offered within our reform institutions, specialized facilities which are not being properly offered at this time.

Now, this young man may have died at this time no matter what. He may have died, even though he may not have been in detention. He may have died regardless of whether he was in the main work party or not. But certainly the using of a pick and shovel, even at his own request, at a time like this, could do nothing but add to the difficulty that he had. And surely more care should have been exercised here to direct this young man into some other activity or work. Even though he may have wished to go with his friends in the main work party, some other kind of treatment and some other kind of therapy should have been available for him at this time.

I think the parents had a right to be at the inquest and this is a place where the department could have offered some help. They have a right to have answered the questions that I have placed on the record tonight. Who answers them may be immaterial, but they have a right to have those questions answered. I think the other question that the hon. Minister himself must answer is whether we have facilities today to handle a case such as this one, a borderline case but a case where it was well known that a serious heart condition existed and where an unfortunate accident took place. If we have not these facilities then we ought to be addressing ourselves to the problem of developing these facilities and doing the job that ought to be done so that we can have the proper classification of an inmate of this kind to steer him into the kind of therapy which will be at least adequate for his difficulty and adequate for his treatment.

Hon. Mr. Grossman: Mr. Chairman, first, of course, I would deal with some of the questions that were raised by the hon. member for Parkdale. I think I would be less than doing my duty to my colleagues if I failed to reply and make some comment on the suggestion or a statement that was made by the hon. member for Parkdale regarding how little this department, this government cared or how little an interest this government had in reform institutions when so many members left during my speech, and this proved a lack of interest on the part of the government. Of course, I appreciate that it has always been a policy of the Opposition as soon as they feel that they can, at some particular time, put on the record that there are few on this side of the House to take the opportunity to do so. Someone reading *Hansard* might get the impression that what the hon. member said did, in fact, mean that there was a great lack of interest. Before he said that he should have looked around

at his own colleagues or those who happen to be there and those who happen to be missing. At least my leader, the hon. Prime Minister (Mr. Robarts) who, I think, is at least as busy as his hon. leader (Mr. Thompson), stayed for about three quarters of my comment. His leader left about 10 or 15 minutes after I got underway. I am not suggesting there is anything wrong with that.

Mr. A. E. Thompson (Leader of the Opposition): Mr. Chairman, on a point of privilege, I happened to be sitting here. I want to make it very clear that I was sitting here.

Hon. Mr. Grossman: That may be. Does anybody know where the hon. Prime Minister was sitting, or where some of my colleagues were?

Mr. D. C. MacDonald (York South): Why does the hon. Minister not deal with substantial matters?

Hon. Mr. Grossman: Well, all right. I think the hon. member should have dealt with substantial things. I will deal with them. I will deal with them. I do not think there was anything wrong with the hon. leader of the Opposition not having been present, or some other member.

Mr. Thompson: Mr. Chairman, let me state again that I was present. I was in the House.

Hon. Mr. Grossman: The hon. leader of Opposition was not in his seat. I say there was nothing wrong with that, and there would have been nothing wrong had he not been here at all. Presumably the hon. member has many obligations and many commitments and has many things to do, and so does my hon. leader and the members of the government and the members on this side.

An hon. member: How about getting down to answering the questions?

Hon. Mr. Grossman: Well, we are looking after that. The hon. member for York South knows I never ignore these things, he must know that, I never sidestep these questions, I always answer them.

First of all, Mr. Chairman, we never suggested as the hon. member for Parkdale suggested that we did, that the Mercer buildings compared favourably with the best of the institutions in this country. It was not the institution. I was referring—and if the hon. member would like me to I will go back in my speech to where I was talking about the programme—I was referring to the programme and not the institution. Obviously I could

not be referring to the physical building because I myself in the same comment stated that it was an outdated building and it needed replacing, so I just wanted to get that clear.

As far as the programme is concerned, it does definitely compare very favourably with most of the correctional jurisdictions across this country and across the United States as well.

Now, there is also some statement—the hon. member for Parkdale also said we had a difficult time keeping professional staff there. I think the expression used was that they were in and out like a revolving door. I do not know where he got that impression. I would like him to name for me if he can those psychiatrists and psychologists who have been in and out of Mercer all those years.

Mr. MacDonald: Most of them have not been in.

Hon. Mr. Grossman: Well, of course, they have. We have Dr. Boothroyd, the psychiatrist, who has been there about 15 years, and Dr. Boothroyd, incidentally, in addition to being the consulting psychiatrist for the department, is an associate professor of psychiatry at the University of Toronto and head of psychiatry at Sunnybrook hospital—no mean accomplishment. I think he is a very able gentleman, and he has been there 15 years and does not find things so depressing that he cannot put up with this terrible department of ours.

Mr. V. M. Singer (Downsview): How many hours a week?

Hon. Mr. Grossman: As many hours as are required.

Mr. MacDonald: Anybody can survive that.

Hon. Mr. Grossman: We have Dr. Flint who has been there for 13½ years. We have Mr. Marshall, the psychologist, who has been there just about four years, and five years with the department. Mrs. Yablo, psychologist, has been there for 3½ years.

Mr. Singer: How many hours does she put in a week?

Hon. Mr. Grossman: We have as much staff there as is required. If we needed others and could not get them we would bring them in from another institution.

Mr. Singer: Have you talked to Mrs. Yablo and asked her that?

Hon. Mr. Grossman: One thing at a time. We would always like to have more psychiatrists and more psychologists if we could get them, but they are just not available.

Mr. MacDonald: That is the point we have been trying to make.

Hon. Mr. Grossman: All right. This does not affect the point I am making here. The point I am making here, Mr. Chairman, is that this is not just a problem with Mercer; this is not just a problem with The Department of Reform Institutions, it is a problem with every jurisdiction all over the world in all departments. There just are not enough psychologists, there are not enough psychiatrists to go around, and the hon. members certainly know that, I am sure they do.

The hon. member also started to talk about letters that he had received and the information he got from some of the ex-inmates. Of course, he did not mention some of the letters he got which spoke very favourably of the institution.

Mr. Trotter: One minute! On a point of order here. I said at the beginning that most of my information came from actual personal interviews with people who had been staff members or ex-staff members, the majority of whom had been teachers, psychologists, psychiatrists or people who actually had considerable experience in penology in the Toronto area, and it went from 18 years ago up to December, 1964. I did get some letters from inmates, but very few. I really did not get my information from the inmates. I talked to a few, but not very many.

Hon. Mr. Grossman: If the hon. member wants letters as a result of that business at Mercer, I have dozens and dozens of copies, not only from ex-inmates, but from present inmates, from professional staff who were with the institution in the past, and people like that. I mean, if you are going to pay attention to this sort of thing we can deluge you with them. This is not the kind of thing that you can settle on the basis of this kind of information. You have to get your information from these people who are qualified to give it.

Insofar as the library is concerned, I do not intend to deal at any great length with the M.A.C.T.O. report and I will explain why very shortly.

But I do not know why the hon. members were not able to see the books that were there, because on the first day we went out there when this thing first hit the newspapers,

we took the press out there, and even according to the press report the visitors found several hundred books on the shelves. And though the library does not claim to supply all the material asked for, we were, for example, unable to supply the women inmates who complained to the press that they were not allowed any pocket books or any form of scandal sheets. This was their complaint, and therefore they had to be content with magazines, library books and newspapers. This is what they complained about. I think that the report by the advisory committee, which shows that well over 900 books were added in the last five years, is an indication that the inmates of Mercer are being supplied with reading material which is related to their interests and ability. This library was built up to its present standard for the use of the Mercer inmates, and not to suit visitors of any kind, whether they be grand jury foremen or members of this Legislature.

I do not know why the hon. member did not notice this, everyone else seems to have noticed it except these two people—

Mr. Trotter: Why would they not show them to us?

Hon. Mr. Grossman: The hon. member did not have to be shown; why did he not just go to the library and look?

Interjection by an hon. member.

Hon. Mr. Grossman: I cannot understand that. In other words the Minister's advisory committee on the treatment of the offender and the chief librarian whose job is practically 80 per cent doing this sort of work and the librarian in charge—all of these people are carrying on a sham. It is ridiculous!

Mr. Trotter: Even the hon. Minister's whitewash report said that.

Hon. Mr. Grossman: Now let us deal with this "whitewash." Someone has to make a decision as to whose word to take, Mr. Chairman, and we are back at the old position again where you listen to a lot of wild statements by some ex-inmates.

I do not care what penal institution you go to, you are going to find a tremendous amount of beefing and complaining. As I think I mentioned in the House before, inmates have a tendency—I hate to use the word again because it sounds as though I am trying to act like a social worker—the term is manipulate the people they are talking to. If you go in and discuss matters with them they

will tell me one story and they will tell you another, depending on what they think you want to hear. They want to ingratiate themselves with the person they are talking to, because they want to get a feeling of importance. This is the way they feel they can get it. If this is where you are going to base your evidence, there is nothing anyone else can do.

Mr. Trotter: On a point of order, Mr. Chairman. I spent about a month checking into the background of Mercer before I went there and in that time I do not think I talked to a single inmate. I have talked to a few since that time. Again I repeat, all the personnel I talked to were highly qualified; so quit talking about my getting back to inmates.

Mind you, I think a lot of them should be believed. I tell the hon. Minister this: No matter how bad he thinks these inmates are, over a period of years different people who have interviewed them, there is a pattern established of what went on. I most certainly believe that in essence what they have said, even the inmates, even the worst of them, has been the truth. So quit trying to throw the blame back on the inmates.

Hon. Mr. Grossman: I am not trying to throw anything back on the inmates at all. I am trying to point out to the hon. member where he is getting his information and that his research was not research at all—and it was not.

Incidentally, I have been asked to announce that the score is Montreal 2, Toronto 0.

An hon. member: Hear, hear!

Hon. Mr. Grossman: That just proves what I have to put up with—somebody rooting for Montreal.

Now, Mr. Chairman, the term “whitewash” has been much used in connection with the advisory committee report. I do not know why one or two hon. members insist on smearing—which is what they are doing—the members of the Minister’s advisory committee.

First of all the hon. member makes the implication, by the way he handles his words, that this council was appointed especially for this particular inquiry. I know he knows otherwise, and he did not say that; but this is the impression that he would leave. This committee was appointed about five years ago. They are outstanding citizens, experts in their field. Just to put it on the record again, the chairman is the Reverend Martin W. Pinker, who is—I will not go into the details because they are on the record—an outstanding man in the field of penology.

Her Honour Judge Helen Kinnear also has an outstanding record in this field—I do not know why anyone would want to suggest that she would want to do a job for the government incidentally, she was appointed a judge by a Liberal federal government—and in about two or three weeks, she is to be given a signal honour by the John Howard society of Ontario for her outstanding work in this field. Another member of this committee of course is Mr. Joseph McCully, presently the dean of Hart House and the former deputy commissioner of penitentiaries for Canada—an outstanding record—and who, incidentally, was also given the same signal honour some years ago by the John Howard society. Other members are His Honour Judge Harry Waisberg; the Venerable Archdeacon Myron Davies; and Mrs. Cameron McKenzie.

Now why would anyone want to so charge such outstanding citizens, who give of their time freely without compensation, unless the hon. member feels that the \$20 per diem that they get for attending a meeting would motivate these people to do a job for the government or for the Minister? I do not know why he would do this; I do not know why he would feel that they are obliged to do this. I cannot understand it.

Of course, the hon. member for Grey North (Mr. Sargent) before the report was even presented, and I think the hon. member for Yorkview also, said that this report was going to be a whitewash. If they cannot depend on the report of outstanding people like this being an objective, honest report, I do not know on whom they can depend. But, of course, it is an old story; you ask a government or somebody to appoint a commission, a commissioner or an investigating committee, and unless the report suits the Opposition, then it is a whitewash. This has been said before. I leave this in the hands of the public as to whom they will believe; whether they will believe such outstanding citizens or whether they believe the sort of people who have engaged in wild statements in respect of Mercer.

Mr. K. Bryden (Woodbine): The Elizabeth Fry society, for example, did they engage in wild statements?

Hon. Mr. Grossman: If the hon. member raises the question of the Elizabeth Fry society I would say this: The Elizabeth Fry society came out immediately with a statement that they—I want to make sure that I use the proper terminology—I think the terminology they employed was that they agreed

with the report. I forget exactly how they put it.

Mr. Bryden: Give the statement that they made about the grand jury report.

Hon. Mr. Grossman: I am referring to this and I am trying to get the exact statement so that there will not be—I will read it:

On Friday, November 6, reports to the effect that the Elizabeth Fry society backed the report of the grand jury appeared in all three Toronto newspapers and on radio and television. All stated that the Elizabeth Fry society endorsed the grand jury report.

The fact that this was qualified by the statement: "Where we have been able to verify the facts," made very little difference. Then, as a matter of fact, they said in the bulletin I think, which the hon. member read, that they would then investigate the report in greater detail.

I think they appreciate now that they jumped the gun and should not have hurried out with such a statement; first to endorse and then to say that they are going to investigate. As a matter of fact, when you get down to it, the charges by the original grand jury were, I think, about eight in number. The Elizabeth Fry society finally, in their final report, backed up two of them. I think if they had to do it all over again, they would do it just a little differently. They made a mistake.

Mr. Trotter: Is the hon. Minister speaking for them?

Hon. Mr. Grossman: I tell the hon. member that obviously if they backed up the report which had eight condemnations and then finally came out and backed it up in the case of two, obviously they must have made a mistake. On investigation they found that they could not back up the other six.

Incidentally, the Elizabeth Fry society are not too strong about replacing Mercer, for your information; which shows the dilemma that there is in this work, listening to all these experts.

The Elizabeth Fry society say: "We are not so concerned with the physical facilities at Mercer except we feel that your detention rooms could perhaps be improved upon."

Mr. Bryden: Well now, this is a typical Grossman twist. What they said was that the physical facilities were not the thing of first importance—

Hon. Mr. Grossman: What was I just saying?

Mr. Bryden: The hon. Minister said that they said they were not too much concerned with the physical facilities. You see—

Hon. Mr. Grossman: I will put it in the hon. member's words; they did not say that a new Mercer was of major importance—

Mr. Bryden: That is not what they said—

Hon. Mr. Grossman: —of first importance! Is that what they said? Perhaps I will be able to get this and read to the hon. member exactly what they did say. They are concerned, they said, about the programme, about the treatment programme.

Now, there is always a difference of opinion. When we build the new institutions there is generally a complaint that the new institutions look too much like institutions and there are some people who think that they should not look like institutions, they should look like old residences and all that sort of thing. Quite frankly, and I will be honest with the hon. members, as far as I am concerned if I get money from the Treasury and I have to make a choice between setting up new buildings, there are a lot of other places I could put this money into rather than putting up a new Mercer on King Street. We could put some money into Mercer on King Street and improve some of the things which need improvement, but rather than put a million and a half dollars there I would put it into more training schools or some other facility. The fact remains that we do not need money for Mercer, because we can get as much out of the sale of the existing property to put up a new institution.

Mr. Trotter: Well, why do you not do it?

Hon. Mr. Grossman: This is what we are doing and I told you we are doing.

Mr. Trotter: We have been hearing that for 44 years.

Hon. Mr. Grossman: Well now, Mr. Chairman, this is a sort of a vicious circle. They say why are you not doing it; and I say I am doing it; and they say we have been hearing it for 44 years.

What do you want me to say? Should I have brought the new building in my hands here and shown it to you?

Mr. Bryden: We want you to stop talking and start doing it.

Hon. Mr. Grossman: I said I was doing it.

Mr. J. F. Edwards (Perth): Mr. Chairman, on a point of order. Everybody is yakking all over the House, they have been doing it for years. Why not address the Chairman and stand up, instead of speaking in this manner?

Mr. Bryden: The hon. member had better be careful, he is liable to throw himself right off balance.

Mr. Edwards: Oh no, I will not. As far as you are concerned, you have been off balance for years.

Hon. Mr. Grossman: Mr. Chairman, the hon. member suggested that they were helping me in their criticism because it would help me get money from the Treasury. I will say right now that aside from some very minor requests, I have had everything this year from the Treasury board and from the government that I have asked for. You have not done me any good here because I have, in the presence of all my colleagues, to say; and some of them may be annoyed because they could not get everything they wanted, so you have not helped me in that respect. I do not know how you could make that statement when I announced that I have had Treasury board and Cabinet approval for a new training school in northern Ontario which will approach in cost, I suppose, some \$2 million; when I have had an approval of a new building at a new institution to replace King Street Mercer, and put it out in Brampton; when I have had not only approval, but we have already purchased the RCAF station at Hagersville which, when it is finished, will cost us some \$750,000; when I have had approval for staff for the department of research, and numerous other things I cannot recall at the moment.

That is a pretty good bite to take out of the Treasury in one particular year, and I want to say I am very grateful to my colleagues in the government and the Treasury for having approved of these funds so I can proceed with these projects.

Mr. B. Newman (Windsor-Walkerville): What has held you up in the past? You had the funds in 1964 that you did not expend—\$3,670,000.

Hon. Mr. Grossman: The hon. member by having gone through estimates, surely understands this by this time. You just cannot take money from one vote to another, because he would probably be the first one to complain if he came here next year and said: "We

voted you \$5 million in vote No. so-and-so; you had no right using it for another vote." This calls for a different kind of planning and a different kind of procedure.

Regarding the suggestion that we should not use the federal government as an excuse; I think there is a certain irresponsibility to this. I am not using, and this government is not using, the federal government's lack of action to implement the Fauteux report as an excuse, because we have, by and large, directed our attention to the juvenile aspect. Most of our efforts in the department and most of our money has gone into juvenile institutions, because we know this will remain our responsibility. But surely the hon. members would not expect me to go out and spend \$4 million or \$5 million on institutions and have them halfway finished, or perhaps completely finished, and then find out they were obsolete because of the new type of responsibilities we would have had to assume? This would be irresponsible on our part. And the reason for the delay—I explained this before when the matter of the Mercer came up, and I will explain it again—was precisely the federal government's announcement. I emphatically repeat that I had had approval from the government and from the Treasury well before October or November. It was away back, I think, in July when I had approval for a new institution for women. With any sense of responsibility we just had to stop that and I had M.A.C.T.O., the Minister's advisory committee, proceed on an investigation to find out how we could go ahead with such an institution in such a fashion that it would not become obsolete in case of a change in responsibility. In other words, can you put up some buildings which will do this job which we could convert to, say, a juvenile institution or a male institution or something of that nature? That is what they were proceeding with when they were interrupted by the necessity for an investigation on account of the grand jury's report; they have resumed that at this time. Incidentally, they had an architect assigned to them from The Department of Public Works to help them with this plan. I hope that that will once and for all lay the canard that we do not intend to do anything about Mercer, or that it is the same old story all over again.

I tell the hon. members here that barring any unforeseen circumstances, which we cannot prophesy right now, if there is any possibility of us not proceeding with a new institution for women, it will not be at a time when I am head of this department. This is not only a commitment, but money has

been laid aside. As a matter of fact, when The Department of Public Works estimates come up, you will see money in the department for planning.

And perhaps it might be just as well to read some communications I had with the hon. Minister of Justice. This, perhaps, will document what I have said, so you will not get the impression that this is just a lot of talk. On February 14, 1964, I wrote to the hon. Guy Favreau requesting an early meeting to discuss some of our projected plans in the province of Ontario, telling him that they are directly related to federal action in the implementation of recommendations of the Fauteux report and must, perforce, be postponed pending definite information as to the plans in this respect. On March 11, about a month later, the Minister of Justice replied and stated, amongst other things, that: "I should be very glad to meet you in my office, etc." and set a date for March 26. On March 18, we accepted and we wrote to him what we thought should be discussed. We told him:

It is suggested that while the implementation of all recommendations of the Fauteux report are of interest, federal planning and intentions concerning recommendations 30 and 31 are paramount. Discussion around these two recommendations will, I am sure, lead to many other avenues for mutual exploration.

On June 8, I wrote to the Minister of Justice, after having met with him, outlining the problems which we had at that time discussed. In other words putting on the record some of the problems we discussed with him. I stated:

In my presentation to you, I mentioned three of the recommendations of the Fauteux report which directly affect the future planning of my department. Therefore, I would appreciate being informed just when we may expect that these recommendations will be implemented. These recommendations were Nos. 12, 30 and 31. Recommendation No. 31 states: "The provincial governments should be responsible for the care and treatment of penal institutions of persons sentenced to imprisonment for maximum terms of six months or less; persons sentenced to imprisonment for longer than six months should be confined in penal institutions operated by the federal government."

In my presentation to you I pointed out that our construction programme was largely dependent upon the implementation of this recommendation. While we are maintaining our present institutions, the

location and construction of new modern institutions is being withheld until we know definitely of the federal plans.

On June 22 I received a photocopy of a section of the record of the 1958 Dominion-provincial conference on correctional reform from the assistant deputy Minister of Justice, which showed that the Dominion should proceed to plan for a revised penal system of such character that it would be in a position to assume responsibility for persons sentenced under federal laws to terms of one year or more. Such plans are to be formulated on the basis that the Dominion government will have decided that sentences under federal laws of more than six months, but less than one year, should be eliminated.

On July 27, 1964, the Minister of Justice wrote, stating:

As I understand it, your primary concern relates to the implementation of recommendation 31 of the Fauteux report. That recommendation was to the effect that the provincial governments should be responsible for the care and treatment in penal institutions of persons sentenced to imprisonment for maximum terms of six months or less, and persons sentenced to imprisonment longer than six months should be confined to penal institutions operated by the federal government. I can quite well understand that your construction programme will be largely dependent upon the implementation of this recommendation.

Now, surely all reasonable people must understand that. I would like to have a programme in mind, for example, for the reduction of the size of Guelph and we are doing everything we possibly can by setting up forestry camps and training centres. But these can only hold a certain type of prisoner; you cannot, for example, trust everyone in a forestry camp that is an open institution.

In the final analysis, to reduce the size of Guelph we are going to have to put up newer, smaller buildings. It would be the height of folly for this government to spend the taxpayers' money to, in the first place, even locate such institutions, which may not fit in with the plans of the federal government at all, and then to set up a programme within them, when you do not know what sort of a programme to establish. Obviously, a programme for prisoners who are going to be sentenced to six months or less has got to be entirely different from a programme for people who are serving longer terms than that.

I hope that settles the minds of the hon. members of this House insofar as the reasons

for withholding certain plans. It is not a question of passing the buck at all; as I have just pointed out, I have had a tremendous amount of money approved to go ahead with plans which we know, in every likelihood, will not be interfered with by any change in the federal government's plans.

There are other matters which the hon. member raised in regard to Mercer. I think we could go into this at great length and go over all this story again. As far as I am concerned, this council of very estimable and capable gentlemen, brought in their report. I stated, when I tabled the report in this House, that insofar as it was possible and practicable, we would carry out every recommendation they have made. This we have proceeded to do. I do not think anything could be fairer than that. If the hon. member wants to call it whitewashing, and that sort of thing, then this argument could go on, back and forth, for two or three days; and I do not see any point in engaging in it.

The hon. member for Yorkview suggested we should set a programme for ten years. We agree; we would like to do this; but I think I have explained why we cannot set up a programme for ten years. What we are trying to do is devise a programme for juveniles for ten years, although even this is very difficult. It is very difficult. Who knows what the situation will be ten years from today?

I think we can lay out a skeleton chart. I think we can talk about locations and set out a programme for a ten-year period, which is precisely the period we were thinking of; and, insofar as it is possible to do so, we plan on doing so; but we certainly could not start on this for adult institutions. I am sure the hon. members will agree, in view of what I have said, that it would be stupid to go ahead with such a plan for the adult institutions.

Insofar as this Cross matter is concerned—

Mr. Thompson: May I ask the hon. Minister a question on the federal-provincial discussions which take place on penal reform and on the Fauteux report? Could you tell me, sir, what the machinery is? You are obviously wanting to get the Fauteux recommendations initiated and the federal government to assume its responsibility with respect to this. What kind of machinery do you have in order to initiate action by the federal government?

Hon. Mr. Grossman: Mr. Chairman, actually the federal government has not made its decision yet. This was our great disappointment. Some time ago it had decided—it was pretty well understood—that it would go

ahead with this plan. All our plans were based on it. I am sure all the provincial jurisdictions across Canada were basing their plans on this assumption. But, lo and behold, the hon. Minister of Justice, a few months ago, came out with a public announcement that he would soon announce the federal government's policy as to what the penal programme would be; and he set up a committee to study this. I think it was a parliamentary committee, I am not too sure.

Mr. MacDonald: Why did Fulton sit on it?

Hon. Mr. Grossman: He set up a committee to go into this matter. Quite frankly, as I say, all jurisdictions have their problems and I do not really want to be critical of the federal government, but we all know—those of us in this work have a pretty good idea—what needs to be done. I do not know why he set up the committee. This had all been thrashed out with the Archambault commission and with the Fauteux commission; and to set up a committee at this stage does not seem to us to do anything but retard progress in this field. But no decision has been made.

In other words, the federal government presumably is waiting for recommendations from this committee; then it will make its announcement again. In my view, what is happening here is the same thing that happens in a city when you lay down a redevelopment plan and do not go ahead and expropriate the properties and plan your redevelopment. All that happens while you are doing this is that a cloud hangs over the area and the area becomes worse than it was before, because no one is making a move. Obviously this is the position we are in, insofar as our adult institutions are concerned. We are struggling with it as best as we can, as I pointed out. We will always be able to use forestry camps.

Oh, yes; I should have mentioned that one area into which we have gone is that of regional detention and classification centres. We presume, because we are dealing with short-term offenders in the county jails, that this will be something which will fit into whatever plan comes into existence.

So we are trying to deal with those things which we feel are not going to be affected. Unfortunately, I happened to be a Minister at the time when we finally got approval for a new women's institution; and, in the middle of the whole business, came this statement by the federal Minister. This is precisely what happened. I hope this answers the questions in respect to our problem of holding these things up—it is because of the federal government's action, or inaction.

Mr. Thompson: Mr. Minister, I do not want to interrupt you if you are going to be answering other questions; but, on this question of your moving into forestry camps and other areas; I would feel you, by now, must have a fairly accurate picture in general of the type of person who comes for six months less a day—the age of the people, the kind of problems they have. I think that, in a speech made by a former leader of the Liberal Party, it described age, the alcoholism factor, the number of broken homes, the very low educational accomplishment, and so on. In view of this could you be, and are you, concentrating and focusing on treatment for these kind of people, because these are the ones for whom you are going to have to assume responsibility?

Hon. Mr. Grossman: I think I mentioned earlier, I am sure I mentioned in my speech, that in the view of most people in this world, this chronic petty offender to whom we are referring, does not really belong in the penal system as a structure today. There is some study going on, and this is as far as I can go in this respect.

However, even if we did not touch this, even if this department did not touch this, I think the hon. members must agree that we have bitten off quite a chunk this year. As a matter of fact, I think, if I had to do it over again, that I would not have embarked on such an extensive programme; because really it is a little too much for the department. People are working overtime, and it is only because they are such devoted people that they are prepared to go ahead with this. I would have carried out this programme over a period of two or three years. But even if we did nothing else, and carry on for the next two or three years on the programme we have started here and the programme I have outlined in my speech, I think this would be quite a bit.

But even in this respect, in this area, it may be effective—in the area the hon. leader of the Opposition is talking about. It may be that the federal government's views in this particular area may touch on matters which would preclude us from going ahead with any plans here, too. It is just too dangerous a thing to proceed on. We feel it is much wiser to proceed with those things and, Lord knows, there are enough of those things to do which we know we are going to be able to handle, and which we are going to have to handle.

Mr. Thompson: One other thing which seems to me to be fairly clear is that I cannot

for the life of me see why you are congratulating the hon. Provincial Treasurer (Mr. Allan) saying you can even get all the money you needed at this time, and you would think it was a very sizeable amount. Then we have an hon. colleague here reading out the advertisement with respect to matrons and others and the paltry salary you are going to offer these people. Surely this would emphasize that you would have to give a decent salary?

Hon. Mr. Grossman: Of course the hon. member knows so well that each department and each Minister is presently engaged in the matter of setting salaries for his staff. The hon. member, I am sure, knows that salaries are now the subject for negotiation between the civil servants and the government—the civil service commission—and I think it would ill behoove me, or any member of this Legislature, to engage in this subject, because it could affect negotiations.

Mr. Bryden: Oh, what nonsense.

Hon. Mr. Grossman: Well, that is my view.

Mr. Bryden: You people do not engage in any negotiations—

Mr. MacDonald: It is your responsibility.

Hon. Mr. Grossman: I am sure that is not a ridiculous argument. Certainly the hon. member must know that it would be a chaotic situation for every department to set its own salaries.

Mr. Thompson: May I ask the hon. Minister: Have you gone to the civil service commission and asked them to recognize that there are staff shortages? And also, from the point of view of salaries, that they should be raised? Have you done this for your department?

Hon. Mr. Grossman: I am sure the hon. leader of the Opposition knows that is a question I cannot answer.

Mr. Thompson: Why not?

Hon. Mr. Grossman: Because, by the mere process of polling each Minister, to put one on the spot by saying "Why did you not go to the—"

Mr. Bryden: We are putting you on the spot right now.

Hon. Mr. Grossman: Whatever we do by way of salaries, the government takes the collective responsibility for.

Mr. Bryden: Now there should be—

Interjections by hon. members.

Mr. Bryden: I am talking to fellows who just voted themselves an increase that was bigger than the amount they would receive.

Hon. Mr. Grossman: The hon. member for Yorkview mentioned that we have no research staff. As a matter of fact, we have had approval just recently for an additional four staff in this section. He also said that we should have a greater connection with the University of Toronto school of social work. This is precisely what we do have. Our director of research—it is a cross arrangement with the University of Toronto school of social work—works part-time for them and part-time for us. Really, he is working most of the time for us. This arrangement was made deliberately.

Mr. Young: Are you doing field work of the kind I mentioned?

Hon. Mr. Grossman: Oh, yes, the students taking field work in the department are students of psychology. Nine are at present under Dr. Ross, of our department and the University of Waterloo. Seven are already engaged and are taking their field work with us this summer under the supervision of three university professors. This is being enlarged as we go along. We are managing to get good co-operation and collaboration with the universities, so this is going to expand to an even larger extent in the future.

Now to deal with this Cross case. I really hesitate to do this, because this is again a situation where a coroner had an inquest and a coroner's jury dealt with this thing. How far do you go with this? Surely our responsibility, when the coroner's jury makes a decision, ends there? They made their decision and the decision was that there was no negligence on the part of the institution.

Quite frankly, I do not think the hon. member did the right thing when he took pieces of evidence out of the coroner's report, because it does not give a clear picture; obviously, I did not want him to read the whole report.

Mr. MacDonald: Did the jury do the right thing in getting only part of the evidence?

Hon. Mr. Grossman: Mr. Chairman, the hon. member would not expect me to make any comment about the way a coroner's jury did its duty. I am sure the hon. member must agree to that.

Mr. MacDonald: Did the institution play any role in choosing the witnesses?

Hon. Mr. Grossman: Choosing the witnesses for who?

Mr. MacDonald: The coroner's jury.

Hon. Mr. Grossman: I do not know about that, but surely if the coroner wanted any witnesses they would have had to call for them?

I want to point out, Mr. Chairman, what concerned me about the way the hon. member handled the evidence. The part he read, he said did not bother him. He knew the type of work; he said: "I can do it, I have friends in the main work party. Can I please go to the main work party?" Then the following he omitted:

Q. Had he worked at anything else before he came to the reformatory?

A. The records show that last year he took a national survival course. He had four summers of carnival work.

Q. Carnival work?

A. Yes. International shows, or something of that nature. He worked at construction work, he worked as a pin boy. In other words, it was normal type of work that he had been doing outside. He said he could do this work. I said give it a try; this is the thing we do on occasion where, for some reason transfer to a certain gang may be a little questionable.

The hon. member left that out, and I think it was very important to give a true picture.

This inmate was sentenced at Belleville on October 11, 1963, to 12 months definite and 12 months indefinite for breaking and entering. He had a record of one previous short term in Guelph for an unindictable offence, and two jail terms for similar reasons. He was 19 years old when he entered Guelph on October 30, 1963. The pre-sentence report prepared by the probation officer contains the following pertinent information:

Employment: The subject has had varied jobs, among them the following: At the Bowl-O-Drome in Belleville he worked for six months. He quit this job and went to the El Rancho restaurant for one year as a dishwasher, terminating his employment because he did not like night work. He was then employed by a construction company for one month. He earned \$48 a week and was laid off when the work was completed. He was employed at one time for five months in the mill department of MacFarlane Gendron Manufacturing Company Limited. He has been four summers

travelling with a carnival company known as "the world's finest shows." His last employment was as kitchen help in the automotive building during the General Motors preview showing of the 1964 cars. Last year he took the six weeks survival course at the armouries and later tried to join the permanent army and failed because he could not pass mental ability tests.

Health: The subject stated his health is generally good, but I learned from his mother that he has a heart murmur, as noted above. His older brother died suddenly of a heart attack. However, the subject did not mention this heart difficulty to me.

Presumably this is the end of the pre-sentence report.

Cross was transferred to Ontario training centre Burtch on December 2, 1963, and was there until April 2, 1964. In this period he was frequently in trouble for misbehaviour. When it was clear that he could not adjust to the open setting, he was transferred back to Guelph. From April until August, he was a fairly consistent behaviour problem, but he was not put in detention until, on August 10 and 11, he was brought before the superintendent on the two consecutive days on a series of charges, such as gambling, possession of contraband, and possession of money. He was put into detention on August 11 and released on August 16 or 17. The work record of this inmate at Guelph is as follows:

On November 1, 1963, he was sent to work in the tailor's shop. On December 2 he was transferred to Burtch. On April 2 he was returned from Burtch and interviewed by Mr. Sanderson, the superintendent. When he was told that he would be returning to the tailor shop, he asked to be allowed to work with the main work party because he did not like the tailor shop. It was pointed out to him that the doctor had advised no heavy exertion because of mild rheumatic heart disease, but he said it did not bother him; "I can do it. I have friends in the main work party. Can I please go to the main work party?"

Because of his previous work records before coming to the institution, this did not seem to be any exaggeration. If he could do a national survival course, he should be able to stand up to the moderate exertion of the main work party. He was told to try it and see if he could work where he wanted to. He stayed there for slightly over a month and then the employment committee transferred him to the kitchen. It is normal practice at Guelph to use the tailor shop and main work party as places of close supervision, and to

transfer boys to other work areas after a short period.

Cross did not like the kitchen and asked to go back to the main work party because he hated working inside. He was returned to the main working party in May. Cross was examined by Dr. Marcinkovsky when he entered the institution. He told the doctor that he had no sickness at all; it was only after examination, when the doctor noticed a slight irregularity of the heart, that he admitted there might be some shortness of breath. The doctor reported that Cross had a rheumatic heart condition, mild, was fit for general work, fit for moderate work, but no competitive sports or heavy exertion.

Cross never complained about work. The only request he made to the doctor was to be excused from calisthenics. He was given permission not to do calisthenics. Never once during the time he was confined to the institution did Cross complain of any heart or lung ailment.

When Cross collapsed on August 20, he was taken to the hospital immediately and was pronounced dead on arrival. Officers who picked him up to put him in the station wagon said there was no movement, no breathing whatsoever, from the time of collapse. The pathologist at the inquest stated that his postmortem showed an enlarged heart, but no evidence of a heart attack. The coronary arteries were quite normal, and his explanation was that this man had had a sudden heart failure. He stated:

I feel that it had been there for a long time, probably years, and that a situation of increased stress, not necessarily abnormal stress, but somewhat increased stress, imposed an extra burden on this diseased heart, and that a disturbance in rhythm of the beating of the heart may then have occurred and ultimately the heart stopped.

He made the point that such cases are certainly recognized, but they are not common. The verdict of the jury was:

We, the jury, inquiring into the death of Ronald Franklin Cross on August 20, 1964, at the Ontario reformatory at Guelph, find from evidence submitted that death was caused by abnormal heart condition, that the officials of the institution were aware of his health condition and that everything possible was done for his welfare, and that there was no indication of any neglect on the part of the officials.

The coroner remarked on this verdict:

I have not been a coroner very long, but that is one of the best verdicts I have seen

in my short tenure and I think it will finish the inquest.

Mr. Chairman, I do not know what we are supposed to do when a coroner brings in a result like that. Insofar as who should have informed the mother is concerned, I will go into this. First, let us deal with why he was put in detention. He was put into detention after he had appeared on a series of charges, as I pointed out, culminating in two consecutive days on which he was caught gambling and in possession of contraband, including money. It is completely untrue that Cross was put in close custody because his work reports were poor. He did appear before the superintendent once on this charge; his punishment was the loss of privileges, which means, for example, that he is not allowed to see the Saturday movie at the institution. It is worth noting that Cross had been a continual behaviour problem. At Belleville, he had been frequently warned by the police; his work record was poor. At the training centre he was constantly in trouble and, in the reformatory at Guelph, he continued the pattern. The hon. member for Yorkview, when he had inspected Cross's file at Guelph—

Mr. J. Renwick (Riverdale): Mr. Chairman, would the hon. Minister tell us from what he is reading?

Hon. Mr. Grossman: I am giving you a report from our institution, from our staff.

Mr. Renwick: Is this the hon. Minister's report?

Hon. Mr. Grossman: Yes.

Mr. Renwick: Is it a report the hon. Minister has been furnished with, that he is now reading to us in place of the evidence of the—

Hon. Mr. Grossman: No, this is not the evidence. I am reading you now the report from my staff.

Mr. Renwick: Does the hon. Minister think that the fact that this boy was confined to the detention cells for a period of five or six days immediately preceding his death had no relevance whatsoever at the coroner's inquest?

Hon. Mr. Grossman: I am not qualified to make that—

Mr. Renwick: Is there any indication in the report the hon. Minister is reading to us as to who decided which witnesses would be called at the coroner's inquest?

Hon. Mr. Grossman: Well, the Crown does that, I presume.

Mr. Renwick: The coroner does not necessarily decide who is going to be called as witnesses at an inquest.

Hon. Mr. Grossman: Who decides that?

Mr. Renwick: The Crown attorney was present to take charge of that particular inquest. I would like to know who decided which witnesses would be called? Who made the decision that no members of the main work party who were with Cross that day would be called as witnesses? Who made the decision?

Hon. Mr. Grossman: The hon. member is a lawyer—I am not. I merely presume that a Crown attorney and the coroner would decide which witnesses to call.

Mr. Renwick: How would the coroner, who had never met Mr. Cross, how would the Crown attorney, who obviously had never met Mr. Cross, make their decisions without consulting the superintendent of the reformatory?

Hon. Mr. Grossman: Again, I am not a lawyer, but I would ask the same question of any coroner's inquest. How would a coroner and a Crown attorney in the city of Toronto, with almost two million people in it, when he has a case—and I am sure he does not know in practically every case who the deceased was, or his family—how does he go about getting the proper witnesses?

Mr. Renwick: Does the hon. Minister not think it is exceedingly strange that no member of the main work party was called to give evidence, the men who were closest to that boy when he was working throughout the day, and who were with him when he collapsed on the march back?

I am not going to have the hon. Minister tell us that one cannot rely on the word of any inmate. This seems to be the answer the hon. Minister gives on every single occasion on which he wants to cloud the whole issue.

Hon. Mr. Grossman: Mr. Chairman, I do not recall making that statement here at all. I am saying that if you are not satisfied with the coroner's inquest, and the way it was handled, take it up with the hon. Attorney General (Mr. Wishart). He is competent to answer those questions and I am not.

Mr. Renwick: I do not know how we can get it across to the hon. Minister that we are

not questioning the coroner's inquest. We recited what the evidence was. We are now trying to get from the hon. Minister what, if anything, he has done as a result of this inquest. Does he, for example, consider, or has he made any recommendation to the superintendent at Guelph that if a similar event should occur again in that institution the members of the boy's family should be notified when there is going to be an inquest? Has he done anything about that?

Hon. Mr. Grossman: Well, if the hon. member will wait, I was going to deal with this aspect of it. Just wait; I wanted to deal with the detention first, why he was put in detention.

Then I was going to say that the hon. member for Yorkview, when he had inspected Cross's file at Guelph, remarked: "Cross was obviously quite a different person from what his mother thought he was."

Mr. Young: On a point of order, Mr. Chairman; this again is an illustration of how inaccurate that whole statement was. I made no such statement about Cross. I made such a statement about another chap by the name of Clark. I made no statement whatsoever of that kind about Cross.

Hon. Mr. Grossman: All right, if the hon. member says that I take his word for it.

Why was the family not notified of the inquest? Again I say that this question is misdirected. All witnesses who gave evidence at the inquest were subpoenaed. I think that the institution felt the family would have been subpoenaed. This is what my staff says; I have not seen this before and I concur with it wholeheartedly because these are the views I have just expounded. I think the institution felt that the family would have been subpoenaed by the Crown attorney and expected that they would have been there. Mr. Harloff, the assistant superintendent, attended the funeral with the family and spoke to the parents. He took it for granted that the Crown attorney or the coroner would have informed them of the inquest.

Aside from that, if the hon. member wants to get into a matter of the responsibility of the Crown attorney or the coroner, I would suggest he take it up with a person qualified to answer that question. I am not.

Mr. Renwick: Mr. Chairman, I would like to point out in the last point on which the hon. Minister spoke that the coroner himself stated at the inquest—and the hon. Minister has a transcript of this evidence:

Evidence will be presented by witnesses

who have been subpoenaed and, after you have heard them, if there is anyone else here that wishes to give evidence, you are entitled to hear it.

And at the end of the inquest, on page 37, the coroner stated:

Gentlemen of the jury, under normal circumstances anyone else who is here can certainly volunteer any evidence, anything relating to it. Unfortunately, no one else is here today.

Hon. Mr. Grossman: What does the hon. member want me to do about that?

Mr. Renwick: All I am suggesting is that someone other than the coroner decided who were to be witnesses at that particular inquest. I want to know whether or not the hon. Minister saw fit to inquire from the superintendent whether he made up his mind as to who would be called as witnesses.

Mr. Grossman: I think this is not the responsibility of our department.

Mr. Renwick: Will the hon. Minister permit me just to summarize briefly, so that we do not get lost in a maze of evidence, what happened. It has nothing whatsoever to do with what the boy's previous employment was. It has nothing whatsoever to do with whether the boy asked to be sent to the main work party or did not ask. It has nothing to do with whether he made any complaint about the work at all.

All I am saying is that this evidence discloses the following facts: It discloses that there was, on the record of this boy at the Guelph reformatory, a pre-sentence report which indicated that there was a tendency in this family to have this particular kind of ailment; that his brother, aged 17, had fallen dead from his chair at school with this same ailment; that his father was confined to his home with a heart condition and the family was living on welfare. Second, when this boy was admitted to the reformatory and examined, his examination disclosed that he had this heart condition; that, on two separate occasions, he was examined during the course of the time he was in the institution about his heart condition and the doctor confirmed that he had it.

The doctor confined him to moderate work at the very most, work which would not have anything other than a moderate increase in tension. The superintendent of Guelph reformatory assigned that boy to pick work in the main work party. All I am asking is: Do you think that, in those circumstances, the

superintendent should assign a person to the main work party? And have you done anything about it since that time?

Hon. Mr. Grossman: What would the hon. member expect the superintendent to do with a man who refused to work in the tailor shop? Has the hon. member any idea of what goes on in a penal institution, if you do this sort of thing? Would you have forced him into the tailor shop?

Mr. Renwick: Mr. Chairman, I happen to be in the unfortunate position—I do not know whether anybody else has been—in that I spent a little bit of time in an institution; a reasonable amount of time, about eight months, so I know quite a bit about the atmosphere in institutions. I know quite a bit about the fact that it is impossible, from within the framework of an institution, to register any complaint, and what I am asking the hon. Minister is: Is there any way in which he would take the word of an inmate who made any complaint of any kind?

We have obviously attempted, by the sworn evidence of the coroner's inquest, by an inmate who is dead—we cannot criticize him—to point out that this boy was not treated in the way in which he should have been treated; that there was a lack of concern for his heart condition on the part of the superintendent. This is all we are trying to point out. The hon. Minister says he has no responsibility—

Hon. Mr. Grossman: I did not say that, either; let us get that clear. I was saying he had no responsibility in respect of the way the coroner's inquest was conducted; that is all I said. If the hon. member is suggesting that arising from the report should have been matters which concerned me, he may rest assured that I was concerned when I found out that someone had unfortunately met their death in an institution—which happens every now and then. But, in reading the report, what other conclusion could I come to than that there was no one who was derelict in their duty in the institution? If there was any evidence that that was the case, the hon. member may rest assured that there would have been a thorough investigation. Someone's knuckles would have been rapped, at least.

The hon. member also mentioned—I do not know which institution he was referring to, and I will not embarrass him by asking—he wanted to know whether any inmate could register a complaint. If he has any idea that in our institutions that it is impossible for an inmate to register a complaint, I invite him

to come to my office—I suppose that is in order—and see the hundreds of letters I receive from the inmates. They can go right to the top if they have a complaint to make, and he may rest assured that I give them my attention. I will say this: A very large portion of them are without foundation, and I have satisfied myself on that.

I think that the hon. member will agree that I cannot investigate every one because after a while it gets around that the Minister is reading these things. As a matter of fact when I first came into the department I insisted on answering each one of them personally. My officials told me that that was a mistake. They said that if letters from the Minister were being shown around he would be deluged, because that is the way these boys will operate. That is precisely what happened, so I had to stop.

I gave my reply to a member of the staff who answered and gave it to the institution superintendent who gave it to the inmate. Now there were one or two instances where I was a little concerned and followed them through. I satisfied myself that there was no injustice done. But I want to allay the fears of the hon. members of this House if they have the impression that an inmate cannot register a complaint. They can and they do.

Mr. Renwick: Just so there will not be any misunderstanding, I was not confined in my remarks to one of the hon. Minister's institutions. I was speaking of an incident where I spent eight months as a prisoner of war for the purpose of illustrating that I know exactly the kind of psychology that develops within any form of institution. They are precisely the same kind of institutions when the pressure is on.

I would like to ask the hon. Minister, in light of the inquest and in light of the evidence that was produced, did he see any reason to make any recommendations to the institutions as to what procedure should be followed should similar incidents occur in those institutions.

Hon. Mr. Grossman: No. As a result of reading the coroner's report I saw no reason to do that. I will be quite frank with the hon. member but really I think that he should, to do himself justice, read over the statement that he made when he compared the atmosphere of our institutions to a prisoner-of-war camp. Surely he could not mean that. On sober second thought he must realize that this is a terrible thing to say.

Mr. MacDonald: Don't be so unctuous.

Hon. Mr. Grossman: Does the hon. member for York South suggest that is a true statement, a true comparison?

Mr. MacDonald: I would take his word; he knows.

Hon. Mr. Grossman: He knows about our institutions and can compare them? Then the hon. member does believe, with the hon. member for Riverdale, that this is the case? I take it that the hon. member believes that the Elizabeth Fry society, the John Howard society, and all of the church organizations have been going along for years and years working in our institutions in an atmosphere like a prisoner-of-war camp and saying nothing about it? That is a shameful thing to say.

Mr. Renwick: Mr. Chairman, I think the hon. Minister could let the matter drop. I was thinking of a psychological atmosphere where a large number of men are confined in a given institution. The psychological result is identical, regardless of whether or not they are incarcerated for antisocial behaviour or for any other behaviour.

I would like to ask the hon. Minister whether the only channel for complaints within the institutions is to the Minister?

Hon. Mr. Grossman: Aside from making a complaint to the superintendent, our inspectors visit the institutions frequently and they ask inmates if they have any complaints. Now I know that the obvious reaction to that is that it is pretty difficult for an inmate in an institution, a penal institution, to take a chance and make a complaint. I realize the implications of such a thing, or at least the thing that you would think about, and I do not underestimate it. But within the framework of whatever you can establish, whatever plan it is humanly possible to provide for a man to make such a complaint, we have done it.

If the hon. member has any suggestions, I would be very pleased to hear them. I have thought about this myself. I have tried to put myself in the position of a man in an institution who feels that he is being persecuted by staff, is being persecuted by a superintendent and is trying to get a message out and I thought: How does he do it—even if he sends a letter out it is censored.

But one thing we forget about in all this discussion is that there are chaplains going in and counselling and speaking to everyone of these inmates quietly and personally. I am sure that an inmate would not hesitate to tell a chaplain or a social worker about

his problems, because he knows that this would be kept confidential. I think that is a great protection.

I pointed out that there were 222 chaplains visiting just the local jails alone, and there are permanent chaplains in our own institutions. The inmates would tell them. There are all sorts of these people going into our institutions. It would be impossible for a man not to be able to get his protest out. I am sure that this did not occur in prisoner-of-war camps.

Incidentally, it might be interesting for members to know that our director of research, Dr. Grygier, is quite familiar with the kind of psychology that applies in a prisoner-of-war camp; he spent many years in a prisoner-of-war camp in Siberia. He has often told me about this. You may rest assured that he has this in the back of his mind any time he is doing some research.

Mr. MacDonald: Mr. Chairman, before we leave this point, I would like to make a few comments. The hon. Minister is obviously partially correct in saying that many aspects of this coroner's jury report do not come under his jurisdiction, they will come up with the hon. Attorney General's estimates and perhaps we can get it all on the record. However, it is rather difficult to separate it from things that do come under his jurisdiction.

Mr. Chairman, I would like to remind the House that this is not the first time that a death has occurred in Guelph as a result of failure to abide by the medical diagnosis that was on the card of the inmate. Indeed, some few years ago—I forget exactly how long ago now—a young lad committed suicide in detention. He committed suicide in detention after having been put there when on his record was a psychologist's note, made after he came into the institution, to the effect that he was so disturbed that he should never be put in detention. This was just ignored, forgotten, or what you will. He was put in detention and he committed suicide.

Now my hon. colleagues have already spelled out to you that here was pretty solid evidence, both in terms of the family record and in terms of the medical staff's examination of the inmate at Guelph, that he did not have the kind of heart that could sustain strong work and yet he was put out on the bull gang.

However, Mr. Chairman, the reason I rise at this point is that I would like to add one other aspect here with regard to the rather puzzling fact that key people were not called as witnesses. I received information a few days before this coroner's jury inquest

was held, and as a result of that, I called Dr. Cotnam and informed him that it had been suggested to me that all of the evidence would not be put before this coroner's jury. I suggested that with this forewarning, word could be passed on to the coroner who was involved so that he would be sharply alerted to make certain that every conceivable witness who might be in a position to contribute relevant evidence would be called.

I got a call back, either from Dr. Cotnam or somebody in his office, I cannot quite recall that aspect of it now, indicating that anybody who wanted to come, could testify. I suggested in a return call to Dr. Cotnam that this was not good enough, there are some people who are not free to come, for a variety of reasons. I said, I repeat once again, the coroner who is going to be responsible for this inquest knows in advance that there are some people who believe that all of the witnesses are not going to be called.

Now, Mr. Chairman, in spite of that, we have now had it drawn to the attention of the House that there was no mention made at all of the fact that this lad had been in detention; and while in detention, he would not only be solitary, he would not only be relatively inactive, he would be on a limited diet. He went directly from that out onto the work gang with pick and shovel. There was no inquiry as to complaints on the part of Cross with regard to his health on the day of his death, and there has been a suggestion from another inmate, who comes from Belleville, through his family, that Cross had been complaining on that date. There is no answer yet, no conclusive answer, as to who called the witnesses, though I suggest that the hon. member for Riverdale is likely accurate when he suggests to you that a new coroner, as you drew attention in the jury report, is likely going to get his advice from the superintendent of the institution and others as to who should be called as witnesses. This would seem to me to be a very logical conclusion.

The family was not called; they were kept out of the picture. None of the inmates involved at the time the lad dropped dead at their feet were called. None of the officers who were supervising, if they did not want to take the word of inmates, who picked the body up and took it to the hospital were called.

Hon. Mr. Grossman: Oh yes, they were.

Mr. MacDonald: Were they called?

Hon. Mr. Grossman: Yes. There is evidence here—

Mr. MacDonald: Some were not called.

Hon. Mr. Grossman: The important men were called:

Q. Were you the officer in charge of the main working party at the Ontario reformatory?

A. I was.

The main officer in charge.

Mr. MacDonald: Fine. People who were in charge of detention were not called. People in the institution simply were not called in spite of the fact that the coroner was alerted to the fact that they were not going to get the full story.

I suggest to you, Mr. Chairman, that on that basis, for the hon. Minister to accept the conclusion that no one was derelict in his duty, is a pretty shaky proposition—because the jury's decision was based on selection that omitted some key witnesses and, conceivably, some key evidence.

If the hon. Minister has not been aware of it up until now, perhaps he will be persuaded to re-examine this whole situation.

Hon. Mr. Grossman: Mr. Chairman, quite frankly it is not hard to imagine what would happen if I, on reading this over, felt that someone may have been a little more careful or something of that nature, and reprimanded somebody on the staff. They could have taken exception to that and perhaps even grieved, and said: "Look, you are making an imputation here and we were completely cleared by the coroner's inquest." I think they would be justified in going to grieve and saying they were being berated by their officials for something for which they were not responsible.

I do not think it is quite as black and white as the hon. member—

Mr. MacDonald: The hon. Minister is very suave and smooth, but the simple fact of the matter is that the coroner clearly would get advice from the superintendent of the institution.

Hon. Mr. Grossman: I do not know that; I do not know how the hon. member does.

Mr. MacDonald: I find it inconceivable that the coroner and Crown attorney, who are going to hold an inquest into a death in an institution, are not going to discuss with the superintendent as to who is going to be called as witnesses. That being the case, I find it very strange indeed—indeed, doubly strange in the light of the alerting that I or Dr. Cotnam were able to give them—that key people in the picture were not called.

Mr. Newman: Mr. Chairman, on vote 1901, we noticed that the vote for salaries was substantially raised from \$540,000 a year ago to \$663,000, an increase of approximately 20 per cent. Would the hon. Minister care to explain the reason for the sizeable increase? Is it adjustment in salaries?

Hon. Mr. Grossman: I am told there was an overall increase in salaries.

Mr. Newman: Would the overall increase be approximately 20 per cent?

Hon. Mr. Grossman: Oh yes. There is also an allowance here for the new positions that have been established, and there is an allowance here to pay their salaries when they are appointed. Administrator of jails, female jailers, and so on.

Mr. Newman: Thank you, Mr. Minister. Likewise, one year ago, I asked for consideration to be given to training fellowships to students in psychology and social work attending American universities, not only Ontario universities. Has the hon. Minister considered that at all? It does not matter actually what university the student attends so long as he is willing to come back and give service to us here in Ontario. I think it probably would be most difficult to get a student, but at least the scholarship or the assistance should be available to a student who may be taking psychology and social work outside the province of Ontario.

Hon. Mr. Grossman: What would be their point in going outside?

Mr. Newman: Well, in my own instance, it might be a lot closer for the individual to cross the border to take a course than it would be coming to Toronto.

Hon. Mr. Grossman: I imagine in a case like that that the hon. member has a point. I think that is an unusual situation. I think in a case like that we would give it every consideration.

Mr. Newman: You will give it consideration?

Hon. Mr. Grossman: I would think so.

Mr. Newman: That is very good. I am glad to hear that, Mr. Minister.

Under the grants in item 10, we have the organizations listed there, but nowhere do I see an organization that has pioneered in the rehabilitation of the person who happened to be incarcerated in an institution. I refer to St. Leonard's House. Are there going to

be grants made available to them by this department?

Hon. Mr. Grossman: No. The grants are made by The Department of Public Welfare. They are getting grants now.

Mr. Newman: I agree with the hon. Minister; they are getting grants, but the grants are actually not substantial enough for them to be carrying on the work that they would like to carry on. It is very limited. They are in the process of expanding at this time. They are buying properties in the immediate vicinity of the present St. Leonard's House and they hope to be able to practically double the work they are doing today. The hon. Minister is more than likely familiar with the type of work they are doing, and with the three years' experience they have—two and a half actual years of experience. The recidivist rate with their organization is 26 per cent, whereas the provincial average is, I think, between 50 and 60. Certainly to an organization like that there should be some more substantial assistance or encouragement on the part of this government.

Hon. Mr. Grossman: Mr. Chairman, I think the first thing is that, we had better dispel the idea that a halfway house shows a recidivist rate of 26 per cent. That compares so favourably with the provincial institutions generally that perhaps we ought to go into a whole chain of halfway houses. It is not quite as simple as that. The hon. member must remember that a halfway house selects its clients. In the first place, it starts with people who, in the institution, have declared their intention to try and reform. They then get people who would rather deal with a voluntary agency than with a government rehabilitation officer. Then, when they make application to the halfway house, the halfway house chooses from its applicants those whom it feels are more likely to benefit by a stay at the halfway house. So they pick the cream. This is all right; I find no criticism with it, and it is a good thing. It is as if we were to take the rate of recidivism at our Brampton training centre and say: "This is doing so much better a job than all our other institutions." At the Brampton training centre, our proven rate of recidivism, I think, over a period of years, is 34 per cent. I think this is the figure, or something like it. The reason it is that good is because we also pick and choose for the Brampton training centre—we take those most likely to succeed, as it were, and take them out to the Brampton training centre. It is an open institution, as the hon. member knows. Incidentally, there is one

thing I wish the halfway house supervisors or operators would keep in mind—the suggestion that, after two years, they can establish what their rate of recidivism is, is not too valid. I hope that after five years the same rate will prevail. But it is not really correct to start talking about rates of recidivism after two years.

Obviously, it is not a good practice for different departments of the government to be giving grants to the same organizations. If they need more money and if more money is justified, they should still get it from the same source.

There is also the philosophy that someone in a halfway house should not be getting money from The Department of Reform Institutions. We try as much as possible, for the time being anyway, to keep them at arm's length so that the people who are going into the halfway house will not feel they are going with government or with the organization that incarcerated them. And this is part of the philosophy.

Also, we are attempting to hold the line for at least two years while our department of research does some research on the halfway houses to find out just how effective they are. It would be our hope that none of them expand in the meantime, so that they can see how effective their work is over a period of six years.

I have been to St. Leonard's House; they are doing a good job and, as I say, they are getting grants from The Department of Public Welfare.

Mr. Newman: Mr. Minister, they are attempting to increase their counselling services. They could use additional trained social workers. Would the hon. Minister consider providing them with a trained social worker?

Hon. Mr. Grossman: If the Minister had any more trained social workers, he would keep them himself.

Mr. Newman: Well, then, would he consider providing them with psychologists or paying the services?

Hon. Mr. Grossman: If we had any more psychologists we could use them ourselves.

Mr. Trotter: Mr. Chairman, this would come under item 10 of this vote; it also arises from the remarks made by the hon. Minister when he was replying to me about the Elizabeth Fry society. He said they came out with a letter as much as to say they were sorry for what they had said. I have

been going through my correspondence, as these letters came to members and friends of the society; and the letter which first came out on November 10, 1964, was followed by a number of others. There is certainly no indication, in my reading of these letters, of backing down. It does not mean to say they agreed with everything the grand jury report said, but they have not agreed with the full report. And just so the hon. Minister's remarks can be corrected, I want to put into the record this letter of November 10, 1964 from the Elizabeth Fry society, under the signature of its—I guess it would be—president, Mrs. John Manley. It says:

Dear member and friend:

During the past week you will have read or heard on radio or television much comment concerning the report of the grand jury about Mercer reformatory for women. As a member and friend of the Elizabeth Fry society of Toronto, you may have asked how conditions mentioned in the grand jury report have been allowed to exist. We are all well aware that this society has three basic aims—rehabilitation of female offenders, education of the public about the problems of the offender, and public action in penal reform.

Since this society was formed in 1952 we have in many respects suffered frustration in bringing suggestions and recommendations to The Department of Reform Institutions. Many, many times our inquiries and suggestions have been ignored. For instance, specific inquiries about the educational programme within the institution have been made without success. We have always been concerned about the type and extent of mental care in the reformatory and have continually tried to interpret to The Department of Reform Institutions our feelings in this area. We consider that good health and hygiene habits should be taught and that adequate medical and preventative dental care should be available as part of the rehabilitative programme of the institution.

In the 12 years of this society's existence, we have had six different Ministers of Reform Institutions. This has meant that in many cases, even with the best of intentions, our Minister of the moment has hardly had an opportunity to familiarize himself with his department, much less consider our criticisms and recommendations in depth, before being replaced by a new Minister.

In addition to this, the fact that previous grand jury reports with respect to Mercer

reformatory have generally been so uncritical and, on the contrary, even complimentary, that each preceding Minister has probably felt it unnecessary to give any priority to our recommendations for changes.

Imprisonment is usually considered to be the least effective way of dealing with a person who has broken the law, because it removes the offender from a normal life situation and places her in an artificial environment. By reason of the limitations which are inherent in a prison setting, there are naturally problems and difficulties which cannot be eliminated entirely, but there are also possibilities for people to mature and change in such a setting if full use is made of the girl's time in custody.

Most would agree that it would be desirable for a women's reformatory to be housed in more adequate quarters than the present Mercer building.

There again, I might interject, the hon. Minister mentioned that they were not finding fault with the building. Well, here they do. But they go on to say:

But it is important that we recognize that, if a good staff is provided and a flexible programme is allowed to develop, the aging condition of the building is of secondary importance.

In general, the board of directors concurs with the findings presented in the most recent grand jury report and we are studying their suggested recommendations. It feels that the citizens of the province of Ontario should be gratified that this grand jury has had the courage to express its views. It is our hope that because of the very serious charges made in the grand jury report an investigating body, such as a select committee of the Ontario Legislature, will be appointed and will avail itself of the advice of impartial and informed persons who are knowledgeable and active in the various fields concerned with correction.

We wish to assure you that the board of directors of this society will continue to press for needed reforms in this very neglected field.

I will not read the second letter which followed. The letters came out on December 14, 1964, about a month after, setting out their views and certainly showing no backing down.

They did not agree with everything the grand jury said but they said nothing, I would say, in these letters which are on public record, to be sorry for. I think the comments,

in what I have read of their literature and what the John Howard society has put out, show that both those groups are very much on top of the subject. It is unfortunate—whether it be a grand jury or a volunteer society which speaks out—it is too bad, that they have to undergo the criticism they seem to have had from the government.

One thing which is most important in regard to the John Howard or Elizabeth Fry societies, or any of these voluntary groups which do social work, is that they not be inhibited from speaking out. I am glad to see this particular group was not, simply because of the fact they receive government grants. In the long run they save the government a lot of money by the voluntary work they do and the fact that they also go out and get voluntary funds.

These groups need our support, and they deserve the support and respect of the government. The criticisms they have made of the government have been quite legitimate. I know they have done it in the past. It is not one particular individual within that group; it has been a number of individuals speaking for the board of directors over the years who have made various recommendations which have not been accepted. Although I think that now, on the quiet, there has been a change in the medical administration at Mercer, this was one of their main complaints and obviously so justified. They obviously had good reason for speaking out.

But I did want to put that correspondence on the record because I think it speaks for itself; it seems very reasonable, and full of common sense. I see no reason in what they have done for them to back away from anything they have to say.

Hon. Mr. Grossman: Mr. Chairman, I think the first thing I would like to get clear is that there has been no criticism of Elizabeth Fry by me or my department. That may have been the impression everybody got because they presumed, I suppose, that the Elizabeth Fry was on one side with the so-called grand jury and we were on the other. I never at any time criticized the Elizabeth Fry society. The hon. member read that portion which said:

Since this society was formed in 1952 we have in many respects suffered frustrations in bringing suggestions and recommendations to The Department of Reform Institutions. Many, many times our inquiries and suggestions have been ignored.

That is one of the mistakes, in my view, that the Elizabeth Fry society made. I told them

quite bluntly about this, and they agreed they might have worded this a little differently. Because to talk about what happened eight or nine or ten years ago and relate it to what has been going on in the last one and three-quarter years was quite unfair. I asked, and I invite the hon. member to ask, the Elizabeth Fry society whether they ever were ignored by me since I have held this job; whether any of their suggestions were ever ignored.

As a matter of fact, at the time this whole story broke, we were studying and discussing some of their suggestions with them; one of them had to do with their complaining about medical facilities. As a matter of fact, no matter what would have happened as a result of this grand jury, as a result of a suggestion of the Elizabeth Fry society, this probably would have been carried out. Because of the way it was handled, they have a problem now of attempting to reconcile their position with the staff. We want them to work with the staff. If they do not collaborate together their work is going to be, by and large, useless; and I do not want to see their work go by the boards. It was a matter here of tactics and public relations in the way they handled this. But I repeat; I have never said anything against the Elizabeth Fry society in criticism. On the contrary, rather than refuse to listen to their suggestions, we have been holding regular meetings with them and considering all of their recommendations.

Mr. Trotter: But their troubles must have started long before the grand jury report; their troubles could not have been a result of it, because I see from a report of the rehabilitation committee of Elizabeth Fry way back in 1960:

Owing to unfortunate circumstances, our committee has not been active at the Mercer, but we look forward to resuming our work there in the not-too-distant future.

Then they got back working, and then they make different references through annual reports over the years, of the problems they have had. I hope that has come to an end. If it has, fine; because it is an excellent organization. From what I knew of them directly and indirectly in the past, their people are among the highest trained—that is, those who have been working full-time—and I hope they do work together, because if you do not have this type of people working, you will not have that large voluntary segment in the community which is needed. I, for example, would get one phone call from

someone who maybe took your side of the argument over this grand jury and say: "What do women who live in the Kingsway and Rosedale know about these problems?" The truth of it is that there is a lot of experience and interest throughout not only the Elizabeth Fry society, but all these volunteer groups. I am glad to hear that the hon. Minister is now getting along with them; he can accomplish a great deal, I am sure.

Hon. Mr. Grossman: I get along with them; I hope they will be able to get along with the staff.

Mr. Young: Mr. Chairman, the hon. Minister has made some reference to the expansion of the research department; I presume it is under this vote. I wonder if he would enlarge on that and tell us what is actually planned for enlarged staff, the number of people, when he expects the work to expand, and what kind of programme the research people will be undertaking during this coming year?

Hon. Mr. Grossman: Staff: One statistician, one research associate, one research assistant and one secretary. Description of the programme: To develop research strategy to aid the department in correctional treatment; conduct research operations; organize correctional conferences at the department; submit internal reports and reports for publications; survey scientific publications, maintain close contacts with the universities and research institutions and government research units, and support relevant research programmes at universities in Ontario.

As to any specific programme, I am trying to recall those which I outlined in the speech that I made at the inception of the estimates. We are doing research in the training schools. There will be a great deal to be done when the Hagersville school opens, because we are going to try some new experiments there.

We plan on doing a great deal of research in the compilation of statistics, which is the bugaboo in this whole business. We talk about rates of recidivism, but by and large they are all guesswork and we are doing a lot of work in co-ordinating this. I just cannot at the moment remember these specifically.

Mr. Young: I take it this extended staff will be available as soon as available?

Hon. Mr. Grossman: As soon as we are able to get them.

Mr. Young: As soon as you are able to get them, which may or may not be soon.

Mr. Thompson: Mr. Chairman, I have been interested in the figure on staff training. I add that up and it comes to \$66,000. In relation to your whole staff, looking at your annual report, you have 1,500 members, I think. \$66,000 for training comes to \$40 per employee. I would feel that—

Hon. Mr. Grossman: Twenty-five hundred.

Mr. Thompson: Twenty-five hundred. I am not sure, but it would be something less than \$40 per employee. I read this, and I want to congratulate the hon. Minister on the report; I think it is set out clearly for us. It interests us how you refine the staffs. From the list of your staffs, I would say that you might have about 934 who, by the terminology of their jobs, appear to be custodial people and you have about 81 who I would call rehabilitation or reform people, according to the title of their jobs.

Hon. Mr. Grossman: Does the hon. member want to know what professional staff we have? Is that what you are asking?

Mr. Thompson: I listened to you this afternoon, and I noticed you had given larger figures than you have in this report. In the report you have 27 teachers, and you have 23 grade instructors. If I quote you correctly—

Hon. Mr. Grossman: 37 teachers.

Mr. Thompson: I am reading from your annual report.

Hon. Mr. Grossman: The hon. member is reading part 1, which is the adult institutions. The staff I was referring to included both the adult and the juvenile.

Mr. Thompson: Can I base it on what I have read from part 1? In part 1, it appeared to me that there were 934 custodial personnel and that you have 81 persons whom I would call reform or rehabilitation. I would feel, sir, that there is a complexity in the job that is both custodial as well as treatment. You cannot get away from this, but I would think that with some of the custodial staff that the emphasis you are trying to give is how to give them in-service training on treatment. I question, in view of having categorized so many in this part 1, who appear to be custodial personnel, whether you have got enough of an allotment, \$66,000, for staff training.

Hon. Mr. Grossman: We have all the money that we can absorb at the present time for expanding the schools, and expanding the staff training. This is all the money that we can

see that we are going to need in the coming year. We are expecting to expand it even more as time goes along. There is no use asking for more money than you can absorb. This is a slow process; it is an on-going process and people tell me this is sufficient money for the coming year. We are taking all those who are willing and whom we can encourage to take the programme. Of course, the more we can encourage, the more money it will cost and we will get that money.

Mr. Thompson: May I ask you again? It seems to me that the salaries you offer are low. I notice for matrons that \$3,600, was raised. I was surprised at this. I thought you would be giving a larger amount. I know I am labouring a point which you answered, but could I ask you, do you think they are low?

Hon. Mr. Grossman: I am afraid the hon. member is trying to get me—

Mr. Thompson: No, I am not trying to embarrass you, I just want to know—

Hon. Mr. Grossman: Well, it is the same answer.

Mr. Bryden: Yes, embarrass him.

Hon. Mr. Grossman: It is the same answer. I do not deal with salaries. These are the subject for negotiations. The staff is represented by a bargaining unit known as the civil service association. They will be negotiating and bargaining for their salaries and working conditions, and this all has to be handled at the same level. We cannot have each Minister giving his own views in public on what salaries should be, because we may have different opinions. As I said before, the government takes collective responsibility for what the salaries are.

Mr. Thompson: I ask the hon. Minister this, and I really am not trying to embarrass him. I will tell you, it is not embarrassing me at all—

Hon. Mr. Grossman: Of course not.

Mr. Thompson: I would say that probably to get qualified people anywhere you have to pay them a decent salary. The hon. Minister is talking about the fact that he cannot get psychologists and he cannot get others. I honestly believe that one of the reasons these people cannot be obtained—and there are other reasons—is because you do not give enough emphasis by way of remuneration to them.

Hon. Mr. Grossman: That really is not so. Salaries may be a problem in some areas, but

we pay psychiatrists at the rate of up to an average of \$25,000 a year, by paying them \$50 a half-day. It would be very difficult to get a psychiatrist to come and work at \$25,000 or \$30,000 or \$40,000 a year. They all do very well, and they are not particularly anxious to be associated with a particular institution. They like to be free-lancers, and find their work much more interesting. Salaries are not a problem there. It is just trying to get people in to work. It is difficult all over the world. Correction is not the most attractive work for some people. Those who we do attract we are very grateful for; they find the work a challenge and they find it very interesting.

There are not too many that way. There are some jobs open which pay very good salaries and we still cannot attract people, because there is just a shortage. It may very well be that we may in some of these positions offer a great deal more money and all we would be doing would be to have one department competing with another.

I do not know! Salaries may be, as I say, a factor in some instances; but particularly in those areas the hon. leader is talking about, psychology and psychiatry, I do not think this is the case.

Mr. Thompson: The hon. Minister has, in part 1, listed about eight superintendents. I wonder, of those superintendents—

Hon. Mr. Grossman: Twelve superintendents, eight assistants.

Mr. Thompson: I wonder if among those superintendents and the eight assistants any of them have a social worker's degree? Have you given emphasis to taking training—reform training? Have any of your top men got a degree?

Hon. Mr. Grossman: We have one; Mr. Keane at the clinic has a social worker's degree. The others in the adult institutions do not have. I believe we have two superintendents in the training schools who have degrees in social work.

The hon. leader of the Opposition, of course, will appreciate the fact that this is another difficult area. In adult institutions particularly, experience in an institution is very important. It did not take me long to find that out. As was mentioned, to understand the psychology you have to know what they think about, you have to know about the culture that goes on in the institutions, the sort of society that they have. This means that by and large you have to promote from the ranks; and there are very few people with

degrees of social work who are prepared to start off, for example, as custodial officers. This is the reason, I suppose.

In a training school it is a little different. We would like to get everyone with these degrees, although this is not necessarily a sign of the kind of ability we want.

Mr. M. Gaunt (Huron-Bruce): Mr. Chairman, getting back to grants, I am very interested in the Salvation Army, \$30,000. I understand and I know that the Salvation Army is very active in the correction field. I can think of Harbour Light, where alcoholics are rehabilitated. I know that many have gone to this particular institution and have received a great deal of help from it. I know that they carry on correctional services in many other areas as well and it is my understanding that they spend roughly \$238,000 in the correctional field every year.

Now I am wondering, in view of that the amount \$30,000 does not seem very much. I just wonder if the Salvation Army has approached the hon. Minister for more money?

Hon. Mr. Grossman: We do not see any reason to pay out more money when we have not been asked.

Mr. Gaunt: That is what I wondered, sir, have they asked you for more money in addition to the \$30,000?

Hon. Mr. Grossman: We find these people are very helpful in this field and I should say they are probably the most popular with the inmates. They do a very valuable work and, generally speaking, they do not ask for money unless they have a good reason for it. When they do we give them very good consideration. I would say, too, that this is not necessarily the only money they get for correctional work. They get money from the Red Feather, of course; and I would not be surprised, I think they may get some money from the federal department as they do a lot of work for them as well. But I think they are looked after in a satisfactory manner and I think they are quite satisfied with what the department is doing for them.

Mr. Gaunt: Mr. Chairman, if I may ask one additional question. Did they ask for this \$30,000 grant or did you just say here is a grant of \$30,000? What I am trying to say is: Is it automatically forthcoming on your part or did they request every year a specific amount which they required?

Hon. Mr. Grossman: Over the years this has not always been \$30,000. The grant has

varied. It has been built up over a period of years. When they find they need more money and there is a good reason for it they usually approach us and are generally treated very well.

Mr. MacDonald: Mr. Chairman, if I may just pursue this for a bit, the hon. Minister said that they had not asked for more and therefore they had not put more in the appropriation this year. Is this equally true of the John Howard and Elizabeth Fry groups?

Hon. Mr. Grossman: I think the same thing applies. When they ask for it and we feel they are justified because of the programme they have we give them consideration. Of course we cannot give everyone all the money they want. But I think by and large every one of these organizations have been well looked after by our department and are satisfied, as satisfied as anyone dependent on someone else for grants can be.

Mr. MacDonald: Well, Mr. Chairman, I just want to suggest that the hon. Minister is being rather coy in his reply as to where the initiation of action came and what you are responsible for—

Hon. Mr. Grossman: It comes from them.

Mr. MacDonald: Yes, but I just wanted to suggest that it might be in the best interests that some of the money that is available for rehabilitation should go to these organizations. I do not want to suggest that you reduce your rehabilitation work in your own department, but I am sure the hon. Minister is aware of the fact that in many instances former inmates, for psychological reasons, do not want to go back to a government rehabilitative service. They find that this is associated with the establishment, this is part of the government. They have developed something of an animosity towards the government and the institution—they will react much more positively and therefore the possibility of rehabilitation is all the greater if it is an independent organization.

I draw attention to the fact that your total allotment to the three independent bodies is \$30,000 to the Salvation Army, \$20,000 to John Howard and a total of \$14,000 to Elizabeth Fry, including the Ottawa and the Thunder Bay districts. So you have a total of \$64,000, as compared with the overall rehabilitation total which is part of the rehabilitation and parole services figure. But in addition to the fact that they may respond more positively to an outside body—well, I

think I have made my point, that it seems to me that if you were to place more money with these bodies they could do that much more work in addition. The point that I want to make comes back: They can enlist voluntary help and you always have a limited staff, in fact, too little staff, in terms of doing the personal work that should be done. If you had more opportunities for an expanded programme in the independent bodies, I think there are many people throughout the community who have a growing interest and a growing social conscience in this matter who could be drawn in and attracted on a voluntary basis at no expenditure of money in terms of salary. Therefore, much more effective work would be done.

Hon. Mr. Grossman: Obviously I am in a difficult position; I have to be careful. The hon. member said that I was being coy. I have to be in a situation like this. The hon. member certainly does not expect me to say something which is going to encourage those organizations to be hammering at my door tomorrow morning for more money.

Mr. MacDonald: Why not, if they need it?

Hon. Mr. Grossman: They do this anyway, when they feel they need it. We have to decide whether in our view we have this money and how to divide it. As I say, I think there is a good working arrangement between all of us and everybody is generally fairly happy, or as happy as they can be when they depend on somebody else for grants and have to go with hat in hand to ask for them. I know that it is difficult for them; it is also difficult for us.

Mr. R. F. Nixon (Brant): Mr. Chairman, in item 10, does the vote here include the province's share in the establishment of new regional jails?

Hon. Mr. Grossman: No.

Mr. Nixon: That would be on the last vote then?

Hon. Mr. Grossman: No. There is no money in there for regional jails. In the first place, you would not know what is put into it; you would not know next year whether you had an agreement with some of the counties to go ahead with it. This would have to be done by special warrant.

Mr. MacDonald: There is no agreement at all as yet?

Mr. Nixon: I wanted to ask—

Hon. Mr. Grossman: I am sorry. This will all be done by public works anyway. The grants will be given by public works because it is a building grant. It is a grant for construction. There would not be any money in this year's estimates—

Mr. Nixon: Could I ask the hon. Minister: I presume that it would be under his direction that the regions would be roughly mapped out, and that the discussions with the representatives of the region would take place. Is that so?

Hon. Mr. Grossman: This is being done by our department.

Mr. Nixon: I wonder if the hon. Minister could tell me on what basis the regions are laid out? Is there any comparison between the regions as the hon. Minister selects them and those which are perhaps under the jurisdiction of The Department of Economics and Development or the departments of Education or Health or Highways, or any of the other departments?

Hon. Mr. Grossman: No. I think that the hon. member will agree that the choosing of locations for county jails or multi-county jails or regional detention centres might not necessarily bear any relationship to another kind of region. It just would be impossible to co-ordinate them that way. We are doing what we can to get counties to agree, to go together on this plan on a voluntary basis. The encouragement we give them is the 50 per cent grant, and other co-operation we have offered, such as training staff and so on. We must approve; we give them some guidance in the grouping they should be in; but this is not necessarily hard and fast because sometimes an alternative may be suggested by some of the counties; in our view it works out very well.

So we agree to encourage them and we generally try to leave it to them with some encouragement from us. This has been very successful to date. Quite a few of them are interested in the plan, and the grant will come after their plans and locations have been approved.

Mr. Nixon: Mr. Chairman, I would say that I do not think it is obvious that the regions that would be laid down for this purpose must necessarily be different from regions laid down for some other purpose. As a matter of fact, I think that it is odd that government policy is not laid down a bit more rigidly in this as a background for the development of regions in general. Surely it would be one of the strongest forces

favouring the development of regions, as perhaps the select committee envisages them, if there was some uniformity in the regions as applied to the various government departments; but if I understand the hon. Minister correctly, initiative must come from a group of counties which may perhaps have been indicated by the hon. Minister to begin with. Is that so?

These counties must get together in some sort of a committee, to begin with, and then come to the hon. Minister and ask him for approval of tentative plans. Is that so?

Hon. Mr. Grossman: We will initiate some discussion with the counties when we feel that the time is ripe.

Mr. Nixon: So a region is picked out.

Hon. Mr. Grossman: No.

Mr. Nixon: How does the hon. Minister know whom to call in then?

Hon. Mr. Grossman: After going out and speaking in the various areas, we make an appeal for some interest in this, and it works. They start asking us questions; one county may ask with whom we think they should be in, and we say that we think they should be in this group; and some will come in with a group. There is no pattern to it, no specific pattern at the beginning.

Mr. Nixon: Certainly the hon. Minister does not want to be accused of telling them what to do in any way.

Hon. Mr. Grossman: That is right; and it is working out very well. Quite a few groups of counties have shown an interest in this. Some of them, we feel, are on the verge of signing an agreement in regard to setting a fixed boundary for some of them—in other words, setting up the regions in what might be sort of regional areas as far as other departments are concerned. I would appeal to the hon. member not to throw a monkey wrench into it at this time because we might have to wait another 15 years for some of them to get to the position where they are now—where they are ready to go ahead with regional detention centres.

Mr. Nixon: Does the hon. Minister have a team under his direction with this as its responsibility?

Hon. Mr. Grossman: Yes.

Mr. Nixon: I would appeal to the hon. Minister to take a considerably stronger position of leadership in this, through his

representatives who go out into the regions or into the group of counties, because it seems to me that you have to go out with a plan that is semiformal and say, "This is what we propose; this is where the building might be located; and this is what your share of the cost might be," then leave them to discuss it themselves. If you wait for them to even collect together and form their own plans, it is going to take—

Hon. Mr. Grossman: I am afraid I did not make myself clear. That is precisely what we do, except for location. We feel that it is important not to discuss location in the first instance, to avoid disagreement from a parochial point of view. We suggest to them which grouping they should be in. We have all the facts and figures as to a projected cost, what it will cost each county. We have a chart made up showing the accommodation they have to provide for, and all the details they are going to need to arrive at decisions.

It was at this stage, because we had so many who appeared to be ready to make a decision as to the location and so on, that we formed the planning committee—which I announced here some time ago—of prominent citizens who are experts in their field. They will be advising the counties now as to their feelings where the location should be—or if the location which the counties among themselves have decided is a good one—and have it approved by the committee and by the government.

It is working very well. We are giving them lots of guidance and lots of direction, except that we are not swinging a big stick. We have found that this is very successful.

Mr. Nixon: Certainly I can understand the hon. Minister's hesitancy at, say, suggesting a location. But to pass on some, I suppose, rather personal complaints which have come to me as the representative of one of these areas, I would say to the hon. Minister that when these people are called in from a number of counties to a central meeting, they expect something pretty definite. They do not want to have to come to too many of these meetings, they want the plan there, fairly complete. If the hon. Minister does not want to give a suggestion as to location, I can understand that; but these people have felt that perhaps he is too hesitant about being definite about his proposals. I would just pass that on as something that has come to me.

This regional autonomy is a very important thing, but the hon. Minister can be too afraid of showing the leadership that is surely his responsibility. We are at a point of departure, if we are going to go along the lines recom-

mended by the select committee, not particularly about jails but in the whole area of regional development. This is one place where the councillors from a number of counties with no real leadership among them need someone to step forward and say, "I will be chairman." They are going to look to the hon. Minister and his representatives to bring this thing forward, not with undue haste but with all deliberate haste, I would say.

Hon. Mr. Grossman: I am very interested in the hon. member's comments. I will not ask him who it was, but I wonder if he could tell me how long ago it was that this group met with him?

Mr. Nixon: I do not even know what counties are involved. It had to do with Brant, Norfolk, and, I believe, Haldimand, Oxford—there is quite an area there which seems to have a variety of boundaries. These people said that they would come into the meeting and it was very interesting. They had come long distances and, of course, they left their businesses in order to come to this special meeting. The representatives of the hon. Minister left at noon; I suppose that this is planned so that the local people will be left to discuss it among themselves, but they did not know what they were talking about—

Hon. Mr. Grossman: I think that the hon. member will find that that was held some time ago, because it has been refined much more from the early stages. All this is prepared for them, and they go home with everything except the money in their pockets and the decision as to location.

Mr. Nixon: Do not be afraid to give leadership.

Mr. Singer: Mr. Chairman, I am prepared to go even further than my colleague. Let me give a bit of the background of this. We have discussed this in previous years and I think I have made an issue of this since the last time these estimates were before the House.

I think we can go back at least as far as 1954, when the select committee headed by Mr. William Stewart reported to this House and unanimously recommended that the province take over all penal institutions. That report was a very elaborate report. And at least four or five gentlemen on that committee were Cabinet Ministers, who signed the report, agreed with it. There were at least eight volumes of evidence; there was a big, thick volume of conclusions; and it was one of the best select committee reports I had seen in my time here—I was not a member

of the House at that time but I have been through it. It recommended unanimously that the province take over all of the penal institutions.

The select committee concerning The Department of Municipal Affairs has twice made this recommendation. It made it two years ago and it repeated it in the report that was tabled in this House just two days ago; repeated it for greater emphasis. I wonder if the hon. Minister observed the actions of his colleague, the hon. Minister of Education (Mr. Davis), when he took what was regarded at that time, just a year ago, the very brave step of consolidating school areas. That was from the top down. I wonder if the hon. Minister paid attention to the activities of his colleague, the hon. Minister of Economics and Development (Mr. Randall) when he had the conference on regional government, the emphasis that was placed there by his officials and by the outside people who were brought in. I wonder if the hon. Minister listened to the hon. Prime Minister's speech, or read about it—the speech that he delivered in London last September?

The hon. Prime Minister certainly laid it on the line to those listening to him that unless municipalities co-operated voluntarily, they were going to be put in the position where they had to co-operate. I wonder how closely the hon. Minister has read the report of the select committee? That committee came to the unanimous conclusion that if there is going to be anything like regional government or regional control, it had to come from the top down.

It is no good any longer to dangle the carrot of a few extra grants and hope that there will be a revolution or any real change bubbling up from the bottom, even with all the goodwill and all the fine conferences that have been convened from one end of the province to the other. I wonder if the hon. Minister can remember all the troubles that have taken place, not only in the Don jail but in institutions all across the province where there is a conflict between the employees as to who is their boss; who fixes the rate of salary; and who shall they complain to when they are unhappy? The recommendations are repeated again that the province is the logical place for this authority to rest. With all of that evidence, and another mass of evidence that I will not bother to go into at this time, how can the hon. Minister still pursue his dangling-the-carrot policy? That is all he is doing.

The hon. Minister is not going to live long enough, nor is any member of this House, to see his policy effectively change

the system of institutions in this province. If the hon. Minister is serious about this, he will pay attention to all of these matters I have enumerated and the many other matters that I am sure he is as aware of as I am. If this is going to be done, and done properly, the province is going to have to take over these institutions.

Mr. MacDonald: Mr. Chairman, before the hon. Minister replies, I would like to make a few more comments and then perhaps we can wrap it all up in one. I assume, from what the hon. Minister says, that he has no agreements as yet, that a number of them are in the mill, but no agreements have been made among any of these councils?

I want to lend my support to the comments of both the hon. member for Brant and the hon. member for Downsview. It seems to me that if this is going to be achieved, two things have to be done. The boundaries have to be mapped out—even if after discussion, they are altered later. If the province is not mapped out into what the hon. Minister feels are correct boundaries, arrived at with the advice and the detailed information he has, he is going to end up with tag ends—

Hon. Mr. Grossman: We have done that.

Mr. MacDonald: I would suggest that it should be done and it should be circulated across the province. If in some area they do not move now, they can start to move three or four years from now, or perhaps the conditions are such that they should be moving now. If they know that the hon. Minister is providing some leadership, they might respond to it. Or, if they do move four or five years from now, they will know that there is some sort of a pattern that they should consider. That is point one.

The second point is that I hope before we go very much further that the hon. Minister, along with all the other hon. Ministers—indeed, I suggest that it is the hon. Prime Minister and the Cabinet that should be taking the initiative and co-ordinating it—find out what co-ordination there should be among the various regional developments that are emerging in the province, whatever be the objective and purpose of regional development.

I do not like to hear the hon. Minister come in and say: "Do not throw a monkey wrench into the works now, you may set it back 15 years." Maybe it should be set back for 15 years. Maybe it should be set back at least some time so that you find that the Minister goes in this direction, some other

Minister goes in another direction and another Minister goes in his direction and it is found that it would have been wiser to co-ordinate them in one common pattern.

This is the complaint that I make. But there is a final and even more important thing. The hon. Minister, on many occasions earlier in his estimates today, has been talking about the rather uncertain period in which the department is living, with the prospect that everything above the six months sentence is going to be taken over by the federal government at some point. This leaves the hon. Minister with the under-six months' sentences or his training schools.

A couple of years ago the John Howard society presented us with a brief which gave a graphic picture of what was happening among those who were convicted and went into our various institutions. The great proportion of them never end up in the hon. Minister's institutions now; they end up in the county jails, which have absolutely no facilities for rehabilitation. They have virtually no facilities for classification. They are plain, pure human storage—

Hon. Mr. Grossman: The hon. member is reading my speech.

Mr. MacDonald: I gave it years before the hon. Minister read it when I was dealing on behalf of our group here in the House.

Now if the hon. Minister is heading for a department which is going to cut off at six months, I would think that would be another reason why he should be forging ahead and providing the whole of the province with a pattern for bringing the county jails together, so that this can become the basis for what may be—if it is ever established—the first real rehabilitative programme in the province of Ontario. Up until now, the hon. Minister has ignored county jails and I suggest that sometime when he has lost everything above six months, it may be a good thing if all the county jails come into this department, because they will be separated, with each county going off on its own, the Minister looking after the training schools and those up to six months. There is obvious logic in co-ordinating the whole thing.

In anticipation of a clarification or an implementation of the Fauteux report, forge ahead and get the groundwork and the plans laid, so that when the federal government relieves the hon. Minister, he can then start to move and deal with the major portion of a reform programme—those who have been in the county jails and have had nothing at all up until now in the province of Ontario.

Hon. Mr. Grossman: Mr. Chairman, the hon. member for York South has said exactly what I have said when I was out to these counties speaking to them. We have about 15 or 20 counties involved now. We try giving them direction; perhaps I made a mistake in not being strong enough in explaining what our plans are in this field. We have given them lots of direction; we have laid out the province. But we are, quite frankly, not going into an area saying: "This is how we want it," because the divisions, as we have planned them, are usually natural divisions which the counties themselves, with some encouragement, arrived at.

It is working, I tell the hon. member for Downsview. It is not the policy of the government to take over the county jails, and this is working; it is working very well and that is why—I will be quite frank—that is why I am a little bit sensitive on the subject, because—

Mr. Nixon: Why does the hon. Minister say it is working so well—

Hon. Mr. Grossman: Because it has taken a long time—

Mr. Nixon: It is taking a long time—

Hon. Mr. Grossman: Of course. We started this last year. I visited so many counties; you have to get county councils together and explain it to them. Then you have another meeting and they go back to their various counties and get approval from them. It is not an easy thing to do.

Mr. Singer: This can go on indefinitely—

Hon. Mr. Grossman: But they are not going on indefinitely—

Mr. Singer: There is not one successful—

Hon. Mr. Grossman: We will have a few successful ones very shortly, unless they start getting the impression that they may as well wait because the province is going to take up the responsibility, anyway.

Mr. Singer: Well, is that a bad impression—

Hon. Mr. Grossman: Yes, because those who may be hesitating will use it as an excuse to hesitate.

Mr. Singer: Why should they not? Surely it makes sense? The hon. Minister cannot confine crime into regions. Crime is province-wide, and the care and the attention of those people who have to be detained should be a provincial responsibility, surely? This is what the select committee on municipal

affairs said twice in two reports. This is what the Stewart committee said as long ago as 11 years. Why is the hon. Minister trying to say it is not so?

Hon. Mr. Grossman: That what is not so?

Mr. Singer: That it is not so that you can still regionalize this sort of responsibility, Mr. Chairman.

Hon. Mr. Grossman: Because we are doing it.

Mr. Singer: I think the hon. Minister is completely wrong. His very concern that he is expressing tonight—that somebody, by speaking in this House, is going to upset some applecart—further establishes this fact in my mind. I think he is trying to convince the regions that the only way they are going to get a modern penal institution which they are going to be able to use is if they go into this kind of scheme. I think he is trying to pull the wool over their eyes and I think he is trying to avoid the proper responsibility that lies with this government. This should be a government responsibility. To expand just a bit on the remarks of the hon. member for York South, if you are going to have proper staffs, if you are going to have fair rates of pay, if you are going to have proper training, if you are going to have some sort of rehabilitation, you have got to do that over the broad body of the province. You have got to do that centrally. If you are going to avoid the sort of fight such as the very serious one concerning the Don jail here in Metro, just a few years ago, about whether Metro paid them, or the province paid them—it was kicked backwards and forwards a dozen times between the two levels—surely there has to be a clear understanding that the province has this responsibility?

If the hon. Minister is doing anything less than that, certainly in my opinion and in the opinions of my hon. colleagues this is the wrong approach. The administration of justice, the cost of looking after people who are in this type of institution, should be a completely provincial responsibility. It should be administered from the top down; it will not bubble up from the bottom by dangling the carrot of a few extra dollars.

Hon. Mr. Grossman: Again, Mr. Chairman, I just take objection to one thing; the remark that we are pulling the wool over anybody's eyes. You are not going to pull the wool over any of the county councils' eyes. They know what the score is, they know precisely what is going on. Some of them are progressive enough to go along with this:

As far as it being a provincial responsibility, you could argue it is a federal responsibility. Crime knows no provincial boundaries either. We are trying to do the best we can with the responsibilities we have.

Mr. Singer: Well, what about that, the hon. Minister—

Hon. Mr. Grossman: We are not—now I have the floor—

Mr. Singer: There is an Act called The BNA Act which delineates this.

Hon. Mr. Grossman: As far as the problem in respect of Don jail is concerned, that occurred a couple of years ago. This does not really apply because the situation that occurred at that time, which does not exist now, does not occur in the county jails either, because we do not do the appointing of staff. They appoint the staff. They pay them and are responsible for them, and with the administration of the federal Department of Justice grants and with special maintenance grants from my department. They are doing a good job with the facilities they have. What we need are new facilities.

We know the reasons why, they were outlined to the hon. member for York South. These are precisely the reasons that we have expounded for a year, and as I say we are going along well with it, giving lots of direction. It is working well and we hope, as I said in my remarks before the beginning of the estimates, we hope very shortly we will have some agreement. I am bringing forward to this House an amendment to The Jails Act which will provide for the manner in which the regional detention centres will be governed by a multi-county set-up. We have to provide this for them and it is just beginning to jell at this time. As I say, I am sure we will be able to show some success in a short time.

Mr. Trotter: Mr. Chairman, I am sorry that the present Minister is going on in this vein, because despite the fact that the Stewart committee recommended that The Department of Reform Institutions assume control and operation of district, county and city jails the situation has gone on since that time, for ten years—11, the hon. member for Downsview says—and what existed 11 years ago exists today. This is what the select committee said about our system at that time. It said:

The existing city and county jail system is outmoded and unworthy of the people of Ontario. It is completely out of step with modern conceptions of the decency of the

individual and the hope of his salvation from crime. Jails do provide punishment by the very nature of their conditions, but in keeping with 19th century thinking they provide nothing else.

They are degrading to juveniles, innocent persons and the mentally ill, and they certainly do not provide the incentive to reform that would protect society to the greatest degree possible against further crime.

Now that is what was said 11 years ago about our system here in Ontario.

Hon. Mr. Grossman: I say it now.

Mr. Trotter: And it is the same thing.

Hon. Mr. Grossman: I say it now, but we are doing something about it now.

Mr. Trotter: After 11 years! Who has been in office all this time? This has gone on for 11 years; and now, even when you start off, you are ignoring the recommendations.

Mr. Singer: Who was on that committee?

Mr. Trotter: They had a lot of experience. The present Speaker of the House was on that committee. There was the hon. member for Dufferin-Simcoe (Mr. Downer) and W. M. Nickle. They have pretty well disappeared from the scene.

Hon. Mr. Grossman: Who else was on the committee?

Hon. J. P. Robarts (Prime Minister): Who was there from your side of the House?

Mr. Trotter: The hon. member for Grey South (Mr. Oliver) and Mr. Manley, so that there have been a lot of changes in that time.

At the same time, all the work that went into that report has by and large stood up quite well. Many recommendations were made—but the one that has been almost ignored completely, along with the one recommending the tearing down of Mercer, is the one having to do with our county jail system. There are jails in this province that are easily 100 years old and they are literally storage places for human beings, as the hon. member for York South said.

Hon. Mr. Grossman: We are doing something about it.

Mr. Trotter: I know, but it has been a long wait and I will believe it when I see it.

Hon. Mr. Grossman: I agree, but we are doing something.

Mr. Bryden: It is a year after—

Mr. Trotter: Eleven years have gone by and there is not too much hope.

Mr. G. Bukator (Niagara Falls): Mr. Chairman, in the fullness of time may I get involved?

I like to start my speeches at about 11.30 in the evening. That is about the time when I come to myself. I like to get into these debates. You are talking about ten years ago. I remember coming here—

Hon. Mr. Robarts: We will give you lots of time.

Mr. Bukator: I beg your pardon?

Hon. Mr. Robarts: I say take your time, there is lots of time.

Mr. Bukator: Oh, I am not going anywhere, believe me.

An hon. member: We could sit here until July.

Mr. Bukator: As a matter of fact, the hon. Prime Minister himself looks very fresh. He stepped out in the hall three or four hours ago and had a good rest. No doubt he is now ready to go for the rest of the night.

Hon. Mr. Robarts: Do not be rude.

Mr. Bukator: By the way, how did the hockey game work out?

Hon. Mr. Grossman: I do not know, I lost my carrier pigeon.

Mr. Bukator: Back in 1950 we came to Queen's Park to speak to the former Attorney General, as I have said before in this House—that was the hon. Dana Porter—about this very problem. In 1950 Reverend Foote, I think, at that time was the Minister of Prisons and Reforms.

I wish I could get a little more attention. I listened very patiently to everybody.

Mr. J. H. White (London South): Go ahead, I am listening.

Hon. Mr. Grossman: I am listening, George.

Mr. Bukator: I am very pleased that the hon. Minister is listening.

The Minister of Prisons and Reforms at that time was Reverend Foote. The Attorney General at that time was Dana Porter. We came here with a brief from the county of Welland. That was 15 years ago, not ten years ago, I guess maybe 15 years

ago. We came here with a report from the county of Welland stating that the administration of justice costs were borne at the wrong level. We felt a little more of it should be borne at the provincial level.

Then five years later you get a report on it and they stated then—that is ten years ago—that the province should bear more of the cost. Now, I am pleased to hear at 11.30 this evening, just about five minutes ago, you conceded this point to us, that we are doing something about it.

I am not going to take any more time of the House, Mr. Chairman, because this is an honourable Minister and when he says he is doing something, we will come back another year and see what has been done.

Mr. Chairman: Is vote 1901 carried?

Several hon. members: No, no!

Mr. Thompson: Mr. Chairman, I was interested in recalling the previous debate on the whole aspect of county jails. I think that the present hon. Minister in the previous debate was extremely interested and sympathetic when we were talking of the staffs in these county jails. I remember when I spoke on this that there had been a headline in an article by Monroe Johnson in which he was suggesting 500 people—it was an article that was in the *Toronto Daily Star*—suggesting that 500 inmates who have committed no crimes are in these county jails. Then he went into this describing the fact that the staff in these county jails are getting less salary than a labourer. I was looking through to see the interjections by the hon. Minister at that time.

Hon. Mr. Grossman: I never interject.

Mr. Thompson: Well, let us not say “interject,” but giving a good plug. In fact, I will quote you on it. I quoted a description by a newspaperman of the whole situation—describing the salary scales and the conditions as shameful—most of these men and women working in the county jails are law-abiding citizens—and saying that they should be considered as unfortunates—the governors, the turnkeys, the matrons, in 37 county jails in Ontario. He then described the scanning of salary schedules applicable to county jails today as only able to bring astonishment that governors and guards alike had not indulged in an orgy of corruption as a means of augmenting income.

On two occasions there was a plug put by the hon. Minister. The second was—and I quote his words: “I thought the hon. member

would give him”—this was by Monroe Johnson—“the chance of an extra plug.” This was away back in 1959 when we were discussing this.

It seems to me that we should be doing much more in this area. I agree wholeheartedly with what the hon. member for York South has been saying and what my own hon. colleagues have been saying, that surely this is the basis for your whole future planning.

Hon. Mr. Grossman: I said that in my speech.

Mr. Thompson: But we also feel that going over this time after time is like an old cracked record—

Hon. Mr. Grossman: Now we are doing something.

Mr. Thompson: This, by the way was the first speech I ever made in this House.

Hon. Mr. Grossman: And I paid attention to it.

Mr. Thompson: You not only paid attention but, as I say, you gave a little plug to push the thing on.

Hon. Mr. Grossman: I remember those pearly words of wisdom; I am doing something about it.

Mr. MacDonald: Six years later.

Hon. Mr. Grossman: I am more in a position to do something about it now.

Mr. MacDonald: How about the government of which you have been a member?

Mr. Thompson: The point is that we want to see results from this. We want to see results and we do not think you are getting them.

Mr. Newman: Mr. Chairman, dealing with this same topic, I have the resolution passed by the city of London just last year, May 20, 1964; and, if I may, I would like to read this into the record:

The city of London: That the following resolution be adopted and forwarded to the local members of the Ontario Legislature, all counties and urban municipalities within Ontario, the association of Ontario mayors and reeves, and the Ontario municipal association, for their support:
and the resolution reads:

Whereas under existing legislation local municipalities are required to provide the jails and lock-up facilities to pay the

salaries of the jail guards, to pay for court-houses for county and supreme courts, to pay coroners, pathologist, post-mortem and inquest fees, to pay for witnesses and jurors, to provide accommodation for division courts, magistrates' courts, to pay magistrates and their staffs, to provide accommodation for a legal law library for lawyers, to provide for transportation of prisoners, the administration of all accommodation for juvenile and family courts and other expenses related to the administration of justice; whereas municipalities use only a small part of these facilities in the enforcement of local bylaw cases, but by and large they are neither a service to local taxpayers nor to the municipality. On a broad, general basis, these are services which are provincial and federal in scope, whereas when compared to the direct expenses met by local municipalities, the amount of money returned to the municipalities through fines and forfeitures is insignificant.

Therefore be it resolved that the Ontario government be urged to carefully note the inequities in this situation and to take whatever steps it considers necessary to assist municipalities by removing these costs from the list of municipal financial obligations and to assume the entire cost of administration of justice, including the cost of building and maintaining court-houses and jails.

Approximately one month later, on June 18, 1964, the following resolution was adopted by the council of the city of Windsor—

Hon. J. W. Spooner (Minister of Municipal Affairs): Do not bother to read that; we all got copies.

Mr. Newman: You see, we followed the hon. Prime Minister's home town. They apparently thought it was a good idea but it was not adopted.

—that the recent resolution adopted by council of the city of London, Ontario, urging the federal and provincial governments to remove from costs presently incurred for those aspects of the administration of justice which on a general basis, may be considered to be federal or provincial in scope, be endorsed.

So my community agrees with the hon. Prime Minister's community.

All we wait for is action.

Mr. Trotter: I have one question here. Does the department have a director of social work?

Hon. Mr. Grossman: No, the position is open.

Mr. Trotter: How long has it been open?

Hon. Mr. Grossman: About three years.

Mr. Trotter: What is the salary that job would pay?

Mr. White: Does the hon. member want to apply?

Hon. Mr. Grossman: How much should we pay? How much should we offer?

Mr. Bryden: Is this a guessing game?

Mr. Singer: You told us a little while ago you had nothing to do with that, you would not want to interfere.

Hon. Mr. Grossman: \$7,800 to \$9,500.

Mr. Trotter: Is there any particular reason why it is not filled, because it is rather a shocking thing to go three years—

Hon. Mr. Grossman: That is because social workers are hard to find.

Mr. Trotter: Surely at \$7,500 you could get—

Hon. Mr. Grossman: \$7,800 to \$9,500—and if you find somebody who is suitable and is qualified, we would consider starting them at something better than the minimum.

Mr. Trotter: There must be some good reason why they do not want to work for the department.

Hon. Mr. Grossman: A lot of departments are short of social workers. There is a shortage of social workers.

Mr. Trotter: But for a period of three years to go by there is certainly something wrong.

Hon. Mr. Grossman: Because they do not like to take the shellacking they have to take from the public sometimes.

Mr. Trotter: I was wondering if the hon. Minister could find out for me—maybe he could do it either in the morning or on Monday—could the hon. Minister supply me with the turnover of psychiatrists and psychologists, over the period of the last ten years, who have been in his department? Remember, I said they have been going in and out like a revolving door.

Hon. Mr. Grossman: Will you settle for five?

Mr. Trotter: Settle for five? All right, I will settle for five.

Interjections by hon. members.

Mr. Trotter: All right, five years; but preferably ten, because you will find an even greater number have gone in and out in the last ten.

Hon. Mr. Grossman: We will try and get it for ten. I was just thinking of the work involved at this time. I will try and get it for the hon. member.

Mr. Trotter: I think this will be a very interesting point.

Mr. Chairman: Is vote 1901 carried?

Mr. Singer: No, no. I thought the hon. Minister was getting a little inconsistent. A minute ago he said if someone complains and wants a higher salary, or is capable and has sufficient qualifications to warrant it, he would consider it. Earlier this evening, the hon. Minister indicated that he had nothing to do with salaries. When salaries were being questioned, he really had nothing to do with them; it was the civil service commission.

Hon. Mr. Grossman: We can recommend to the civil service—

Interjections by hon. members.

Mr. Singer: Now, just let the hon. Minister answer.

Hon. Mr. Grossman: We can recommend to the civil service that because this job is difficult to fill, we start them at something better than the minimum, within the scale. We have nothing to say about the scale and about what the minimum and maximum is, but we could recommend that they could be started at something better than the minimum.

Mr. Singer: That is the point my colleague the hon. member for Parkdale made a little earlier; and the hon. Minister thought that it was a shameful thing to suggest that he would go to the civil service commission and suggest that the salary levels for social workers be changed.

Hon. Mr. Grossman: That is something entirely different.

Mr. Singer: Why is it different?

Hon. Mr. Grossman: Because the hon. member is talking about the negotiations which go on as to what the range of the salaries shall be. We are not talking about

that. I was not saying that we would have anything to say about the raise of the salaries; I am only saying that if a person has certain qualifications we could apply to get his salary started at something below the minimum within that range, but not to set the range. I think that is plain enough.

Mr. Singer: I am sure the hon. Minister meant above the minimum—as in this last remark of his. But, as I understood it, what he said before is that if somebody came, sufficiently qualified, he would recommend going above the maximum of the scale. Is that not what the hon. Minister said?

Hon. Mr. Grossman: I could not do that.

An hon. member: He did not say that.

Mr. Singer: The hon. Minister cannot pay this director any more than \$9,500?

Hon. Mr. Grossman: That is right.

Mr. Singer: Then has it not occurred to the hon. Minister that on this position—and it is an important position which has been vacant for three years—perhaps he should go to the commission and say that he has this important position and, at \$9,500, he is not getting applicants, and perhaps the top salary should be \$12,000?

Hon. Mr. Grossman: Mr. Chairman, the answer I give to this is the same answer I gave before: This is a matter that is not decided by any particular Minister. What the Minister discusses with the head of the civil service commission, or with the treasurer who heads up this department—he is responsible for this department and we do not stand up there individually and announce to the Legislature—I think—

Mr. Singer: All right. The hon. Minister does not want to make any announcements. I am sure that he will remember with me what Mr. Macaulay did when he was charged with the responsibility of setting up a new department; equivalent salary scales in any other department did not matter. He was able to gather in, in a very short period of time, a brand new civil service staff for a brand new department at good high salary levels which were able to attract, by and large, very capable people.

If the hon. Minister is going to do his job he has got to go, in the same manner Macaulay did—I do not know if this hon. Minister is as persuasive as Macaulay is—and get those salaries up high enough so that he will have a staff to be able to give the service the people of Ontario need.

Mr. Bryden: Mr. Chairman, I wonder if the hon. Minister would indicate what active efforts have been made by this department to recruit a person for this job. I am not an expert on salaries in this field, but I believe that this is a relatively good salary in the field. I regret to have to say that people with qualifications and skills—and social workers are not more highly paid than the community at large—but I think the salary he is offering compares quite well with most salaries in the field. That being so, it seems strange to me that the department cannot get a person to fill the job in the space of three years. I think that he ought to have somebody out there actively trying to recruit capable persons and offering the salary to them, rather than waiting for them to come to him.

Hon. Mr. Grossman: Of course, the civil service commission does the advertising and the recruitment; but, in addition to this, last year, efforts were made by the head of the school of social work of the University of Toronto—and he is interested—to try to get someone, interested in this work, applying for this job. He has not been successful.

Mr. MacDonald: Mr. Chairman, I am going to suggest two reasons why the hon. Minister has not been successful: One—and I know, personally, many well-qualified people in other provinces who would be very interested in coming into the province of Ontario because of its size—the biggest reform institutions set-up—

Hon. Mr. Grossman: And the best.

Mr. MacDonald: Not the best; this is precisely why they will not come. Its atmosphere is such that they simply do not want to come into it.

Hon. Mr. Grossman: Where is there a better atmosphere?

Mr. MacDonald: In British Columbia and Saskatchewan and other provinces—

Hon. J. R. Simonett (Minister of Energy and Resources Management): We just got a man from British Columbia and one from Saskatchewan—

Mr. Trotter: There are a lot of people from Ontario out there.

Mr. MacDonald: There is another reason, Mr. Chairman. A general does not like to be leading a non-existent army. The hon. Minister had a director of social work, for years

in the department, who grew very lonely because he had no social workers to direct, or so few; here is one reason why the hon. Minister is not getting them. It is because his predecessor brought in a director of social work who tried to build a staff and could not get the social workers; he was a general without an army.

Hon. Mr. Grossman: Why could he not get the social workers?

Mr. MacDonald: For reasons I have already explained. The facts speak rather eloquently; they have not got them.

Hon. Mr. Grossman: Every penal system in every jurisdiction in the world is short of social workers—every one of them, without exception, and that goes for Saskatchewan and British Columbia and the federal—

Mr. MacDonald: They are not as short as the hon. Minister is.

Hon. Mr. Grossman: I will tell the hon. member about that before these estimates are over.

Mr. Bryden: Mr. Chairman, I will not dispute what the hon. Minister says about a general shortage of these professionally trained people, but surely when he has had a key position of this nature vacant for three years it is time that he treated it as an emergency and got somebody out actively recruiting—not merely through the school of social work at the University of Toronto. I do not think that it is legitimate to let it go on for any longer.

Mr. Nixon: Mr. Chairman, just before we leave this last point, do you realize the point? The hon. Minister of Education is refusing to give grants to a school that is proposing to train social workers just 100 miles west of here, and the recommendation of the hon. Minister who should be sitting directly to his left shows he is in favour of this? He obviously needs them and yet the government is not providing money for this.

Hon. Mr. Grossman: Other efforts will be made which I hope to be able to announce shortly.

Mr. Singer: Is the hon. Minister going to start a school of social work?

Hon. Mr. Grossman: Not really.

Mr. Singer: Not really. I did not think the hon. Minister was. The hon. Minister of Health (Mr. Dymond) needs them too.

Mr. Bukator: Mr. Chairman, the city of London was mentioned, and the city of Windsor, pertaining to the cost of administration of justice. I just found the Ontario municipal association resolution—

Hon. Mr. Robarts: Read it.

Mr. Bukator: I would like to read it because—

Hon. Mr. Robarts: I think about 50 municipalities endorsed that. We might read them all.

Mr. Singer: We are trying to emphasize that, because it does not seem to get through.

Mr. Bukator: The point I am trying to make is that they are working on it, and they are trying to persuade municipalities and counties to take part. I would like to read this portion to you to show that they have already taken part. Note after many years, it says here, in fine print:

—province to assume entire cost in the administration of justice including costs of buildings and maintaining courthouses and jails.

From the city of London, endorsed by the city of London—

Interjections by hon. members.

Mr. Bukator: I realize that. This is the first one my hon. colleague mentioned. He endorsed the city of Belleville—that is quite a nice city; Brockville; Chatham; Fort William; Guelph; Owen Sound; Peterborough; St. Thomas; Sarnia; Welland, of which I spoke 15 years ago; Windsor; Woodstock—

Hon. Mr. Simonett: What about Killaloe?

Mr. Bukator: The gentleman from Killaloe left some time ago.

The hon. Prime Minister said, Mr. Chairman, that we are not in a hurry. I will read another resolution into the record.

Hon. Mr. Robarts: Do. I am not going any place.

Mr. Bukator: Whereas under existing legislation local municipalities are required to provide the jails and lock-up facilities and to pay the salaries of jail guards, the courthouses for the counties' and supreme courts, and to pay coroners, pathologists, post mortems and inquest fees—I wish my own colleagues here would give me an opportunity to get it across to you.

Interjections by hon members.

Mr. Bukator: —to pay for witnesses and jurors. Can you imagine counties having to pay for witnesses and jurors. Talk about an obsolete law!

Hon. Mr. Grossman: Yes. That is not my department.

Mr. Bukator: Where in your estimates is that?

Hon. Mr. Grossman: That is not my department.

Mr. Bukator: It is pertaining to jails. I will get to that.

To provide accommodation for division courts—

Hon. Mr. Grossman: Well, that is in this estimate.

Mr. Bukator: What vote is that? By the way, what vote are we on?

An hon. member: The Attorney General. Now we know what we have been suspecting.

Hon. Mr. Grossman: Mr. Chairman, would you advise the hon. member of the department whose estimates we are considering?

Mr. Bukator: It will read good in the record when these people from the different municipalities will say that at least there was one who mentioned it on our behalf; because several cities here were not mentioned by anyone.

Hon. Mr. Spooner: Ten municipalities out of 940, George, so keep on going.

Mr. Bukator: Do you want me to keep on going?

Interjections by hon. members.

Mr. Bukator: I have another resolution here from the mayors and reeves.

An hon. member: What about the county councils association?

Mr. Bukator: I have not met with them yet, but I intend to take it up—

Interjections by hon. members.

Mr. MacDonald: Mr. Chairman, I rise on a point of order. Surely it must be obvious to the hon. Prime Minister that we are all wasting our time?

Hon. Mr. Robarts: Mr. Chairman, I am just going to demonstrate that this is a perfect example of how the log jams occur.

Mr. MacDonald: Now, Mr. Chairman, just a moment. Let us deal with this point. This is a perfect example of how we waste our time by a silly procedure of sitting until five minutes to 12. Any sensible civilized Parliament that sits in the evenings sits from 8 p.m. to 10 p.m. or 10.30 p.m. If the hon. Prime Minister is going to adopt the procedure of his predecessor by sitting until 12 or 12.30 p.m. as a move of revenge for us pointing to his handling of business in this House, then he is indulging in the kind of petty things that his predecessor did, and I want to suggest to him that it is unworthy of him. I have no objection to the House sitting to 10.30 p.m. rather than 10 p.m., but the proposition of sitting here until midnight is nonsense. We are accomplishing nothing; we are slap-happy. Let us go home and have a sleep.

Hon. Mr. Robarts: Mr. Chairman, I would just simply say that this little outburst just serves to show—

Mr. MacDonald: It is not an outburst.

Hon. Mr. Robarts: This is what I call an outburst.

Mr. MacDonald: Then it is about time you burst out.

Hon. Mr. Robarts: We are here to do the business of this province. If we are to sit and listen to resolutions read into the record, all of which have been delivered to this government and have been examined in every department of government, we will sit here and we will wait until this is finished. Then, I hope, we will get on with the business, which is dealing with these estimates. That is why we are here.

Mr. Thompson: Mr. Chairman, I would like to say, first of all, that I think that the resolutions which are being presented are trying to emphasize a point. We have been going through these estimates—

Hon. Mr. Grossman: But they were read by the previous member.

Mr. Thompson: We have been through these estimates and we take it extremely seriously—

Interjections by hon. members.

Mr. Thompson: If you think we should be going till one o'clock when these are men's lives we are discussing, then we will have a look at some of the facts of this department. I mean the truth of whether they are doing

a job. You have 12,353 offenders, whose criminal history is reported—980 were first offenders—I am quoting from the hon. Minister's report—1,122 were second offenders, 844 were third offenders, and 3,709 had a record of more than three previous offences. There is no record available on 3,348 offenders, but of those about whom facts are available, and it amounts to some 9,005, more than half are repeaters, and more than a third have a record of more than three previous offences. I suggest that with the province spending a great deal of money that even though we are tired, we are getting a viewpoint expressed in consideration of these estimates expressed.

Now, I respect the hon. Minister in many ways, but I think he is taking a defeatist attitude in some ways. He is telling us he cannot get social workers, he is telling us he cannot get staff. Well, let me say if he is doing an—I use this, it is a trite term, but I use it with sincerity—it is a war on poverty. If the hon. Minister and his government really saw this as a priority, they would get the right people to do the job and get out of this disgraceful record which has come right from his report. He would make an enormous priority with it.

Hon. Mr. Grossman: We have.

Mr. Thompson: And he would not be telling us that he could not go to a commission or he could not do this or that. He is saying do not rock the boat; he should say: "I am going to get on with this and we are going to do it." That is what we seriously think.

Hon. Mr. Grossman: We are doing it.

Mr. Thompson: I suggest in fairness that after 12 o'clock none of us is going to be able to give the deliberation and thought which these estimates should demand.

Mr. Bukator: I have not finished yet. I would like to finish this resolution. I do not think it is nonsensical; I think it represents a lot of people who are thinking. I will just read the last paragraph, I think that is the important portion.

An hon. member: Read it all.

Mr. Bukator: "Therefore be it resolved"—I think the Minister of whatever you call yourself, who does absolutely nothing in this House but heckle, should smarten up because he is getting well paid for doing absolutely nothing. This is the sort of thing that goes on in this House when one tries to

put over a point that I think is important to the people.

Mr. E. A. Dunlop (Forest Hill): It has been made, actually.

Mr. Bukator: I wonder.

Mr. Singer: It has not been made sufficiently to impress the government.

Mr. Chairman: Order, order!

Mr. Bukator: Thank you, Mr. Chairman.

Therefore be it resolved that the Ontario government be urged to carefully note the inequalities of the situation and to take whatever steps are considered necessary to assist municipalities by removing these costs from the list of municipal financial obligations and to assume the entire cost of administration of justice including the cost of building and maintaining the courthouses and jails.

This is not a new argument in this House. I have made this point every year for six consecutive years that I know of and 15 years ago, also. The government here has been sitting on their hands doing absolutely nothing about it, Mr. Chairman, and if you, Mr. Minister, say that you are doing something

about it, it will be a happy day for a lot of us in the province when you do.

Vote 1901 agreed to.

Hon. Mr. Robarts moves that the committee rise and report progress and ask for leave to sit again.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of supply begs to report it has come to a certain resolution and asks for leave to sit again.

Report agreed to.

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, tomorrow morning I would like to deal with some of the third readings and the bills that are in committee of the whole House and then we will return to the estimates of this department.

Hon. Mr. Robarts moves the adjournment of the House.

Motion agreed to.

The House adjourned at 12.00 o'clock midnight.



ONTARIO

Legislature of Ontario

Debates

OFFICIAL REPORT—DAILY EDITION

Third Session of the Twenty-Seventh Legislature

Friday, April 2, 1965

Afternoon Session

Speaker: Honourable Donald H. Morrow

Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

FRIDAY, APRIL 2, 1965

The House met at 10.30 o'clock, a.m.

Prayers.

Mr. Speaker: We are always pleased to have visitors to the Legislature and today we welcome as guests, students from the following schools: In the west gallery, Stratford teachers' college, Stratford; and in the east gallery, Holland-Chatsworth school area, Holland Centre, and Espanola high school, Espanola.

Petitions.

Presenting reports by committees.

Motions.

Hon. J. P. Robarts (Prime Minister) moves that the report of the special commission on redistribution of electoral districts in Ontario be referred to the standing committee on privileges and elections together with any representations which may be received with respect thereto.

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, I would like to speak to this motion.

As hon. members know, the report of this commission has been pretty thoroughly examined not only by the hon. members of this Legislature but by various communities and I have received representations from hon. members, from various levels of municipal governments, from chambers of commerce, and so on.

They dealt not really with the principle of redistribution, which I do not think is in question, but rather with the specific recommendations made in the report. Now, were we to introduce a bill here, it would simply require a debate on second reading on the principle, and I think there is agreement among us, the bill would then be referred. It seemed to me that it might be a more expeditious method of dealing with the whole problem if we were to refer the report itself to the committee on privileges and elections where it can be examined.

There have also been, I understand, representations made directly to the commission itself. If the report of the commission goes

to the committee on privileges and elections, it can be examined there. Any representations that have been made to me, I will file with the committee so that they may know what they are, and then the committee itself can decide what might be done with the report.

It seems to me that if there is a large body of objections to some of the local situations as a result of the drawing of boundaries, the comment might be referred back to the commission itself—which sits, of course, as a legislative commission, it is not a government commission—and they might re-examine the matter.

I do think that we all want to preserve the impartiality that we achieved by appointing a Royal commission to deal with this problem in the first place. If we have any comments to make upon their findings, it seems to me that the thing to do is refer it back to them with whatever comments we may have to make. They in turn can deal with it from the same Olympian heights from which they made the original examination and arrived at their report. That is why I make this motion this morning.

Mr. K. Bryden (Woodbine): Mr. Speaker, I should like to make one or two observations on the motion now before us.

As the hon. Prime Minister has said, Mr. Speaker, the decision two or three years ago to set up a committee or a commission to look into this matter was based on a desire to remove it from the political arena. I think there is general recognition that the old-fashioned method of handling redistribution is not a desirable one, that is the method of referring it to a committee of people who themselves will be affected by redistribution.

An independent commission was set up, in effect to take the matter out of politics and to remove any possibility or any appearance that the redistribution would be arranged in a way that might be of political advantage to any party or individual. I think that is a sound principle; it is a principle that is coming to be recognized in more and more jurisdictions.

I suggest, Mr. Speaker, that now that we have accepted that principle, we should not

refer the report of the commission to a committee of members. I think in that way we run the risk of bringing the whole matter back into politics.

None of us can view this report objectively. I believe that there are many hon. members who are unhappy about features of the redistribution committee's report. I think that is natural and I have no doubt that some of the concern and some of the objections to particular features of the report may very well be well founded. I am not disputing any of that. I am just suggesting that a committee of people who are personally affected by the redistribution is not in a position to do any sort of objective work in relation to it.

I had hoped that when the redistribution committee was established that meant the matter was removed entirely from politics except to the degree that we would naturally have to pass the final bill, but I expected that the final bill would be based exclusively on the committee's report. That, as a matter of fact, is what happened with regard to the preliminary redistribution undertaken two or three years ago for Metro Toronto. I think there may have been one or two changes made in the names of constituencies, but the boundaries proposed by the commission were accepted *in toto* without any changes at all.

Now it may be that in the larger job undertaken by the committee there may be some need for some readjustment of boundaries. I am not convinced of that, I think that we had three independent people, all of whose qualifications and impartiality is well recognized, go to work on this task, and a very great task it is. They came up with what appears to them to be a fair, reasonable and sensible redistribution.

Whether or not I or any other hon. member agree what they did, I do not think is material. I suppose that if there were 10 different redistribution commissions, there would be 10 different results, because there are no absolute principles on this matter. But the commission, I believe, acted honestly and in good faith and brought in as good a result as we are likely to get.

There is, of course, always the possibility that there were factors that they did not take into account and that it would perhaps be desirable for them to take another look at such factors.

But I am suggesting, Mr. Speaker, that the way to do that is not in the charged atmosphere of a legislative committee consisting of political partisans. It is no criticism of the committee to say that it consists of political partisans, that is the way committees are,

that is in the nature of things. But I do not think that a committee of political partisans should now get involved in this matter, especially since there seems to be something of a charged atmosphere with regard to the report, if I can place any reliance on various comments and observations I have heard and have seen in the press. I think we should be very careful to keep this matter out of that charged atmosphere.

I would suggest a better procedure would be the procedure which I think—I have not checked this but I think it is envisaged in the federal legislation relating to redistribution. That procedure is something like this: After the report is received a certain period of time, I think 30 days, is permitted when any people who are interested, including elected members, may file written submissions relating to any aspect of the commission's report. After 30 days the commission resumes its deliberations and considers these written submissions and—

Hon. A. K. Roberts (Minister of Lands and Forests): I think my hon. friend is a little wrong in the procedure. I think the procedure is that any ten members in the federal House may require it to go back to the committee and then the House sends it back.

Mr. Bryden: Well, okay; that procedure would be fine, too. All right, if the hon. Minister wants to have ten members refer this back—

Hon. Mr. Roberts: I think we have more than ten members on the standing committee on privileges and elections. My view is that that committee will, without changing it at all, refer the reports back to the commission with any comments they may make; but without changing it. In other words, the final decision as to any changes will be made by the commission itself. Then that report, with any changes they see fit to make, will come back to this Legislature to be dealt with in this House, as it must be.

Mr. Bryden: I am just suggesting, Mr. Speaker, that review by the committee in this sort of situation is not desirable. Let it be a procedure whereby objections could be referred to the redistribution commission, the independent body, without first being reviewed by any body of this House. Whether it is ten members from the House who ask for it to be referred back—that is a different thing from referring it to the committee—or whether it is a matter of permitting people to table written suggestions for revision of the report, I do not care how it is done; all I am sug-

gesting is that we should keep it out of the charged political atmosphere. Let it go directly back to the commission, and let them consider whatever written objections may be filed with them.

Let us not have a hearing by a legislative committee, which could open up the whole political issue again. If it is not going to do that, then it is completely superfluous. If all the committee does is look at it and say it should go back, well, we could do that directly from here. I believe that the commission should consider any objections anybody may see fit to make; but I believe they should be in writing and that the commission should consider them privately. I do not believe in throwing the question back into the political arena after we have made the original decision to take it out of that arena.

Therefore, I would suggest the procedure proposed by the hon. Prime Minister this morning is unfortunate and it would be better if we adopted an alternative procedure. I have suggested one or two different ways of doing it; either of them would keep the matter out of the political arena, keep the amount of heat generated to a minimum, and simply permit the commission to reconsider its report, if it sees fit, privately and in an atmosphere of calm where there will be full opportunity for these distinguished gentlemen to act in an impartial way without being subject to any pressure from any source.

Mr. J. H. White (London South): That is the weakest argument I have ever heard from the hon. member's side.

Mr. A. J. Reaume (Essex North): Mr. Speaker, on this one point I agree with the hon. member. I am one of these people who are affected by the report, and although I agree and think that the board or commission really did an excellent job—it is impartial and I do not think it was thinking in terms of any of us—I think it was thinking in terms of the overall good.

I do not mind having my future placed in the hands of a commission which is impartial, but I must openly admit that I do not want my future placed in the hands of a committee which will be overloaded with members of the opposite side.

Having said that, if there are going to be any changes made at all, I do not think we ought to make them, because we are the people who are actually being affected; in my own case, my riding is being wiped out entirely. There will be no more Essex North. That does not frighten me because I think that the board or commission did a very

impartial job; I think that the real purpose of the appointment of the commission was to take this whole matter out of our hands. I was happy with that thought. But now we are bringing it partially back into the hands of the House again. I agree with the words of my hon. friend from Woodbine, and I would hope that we would leave this thing as it is.

Hon. Mr. Robarts: Mr. Speaker, if I may just explain: I think it is fair to say that there is general agreement on all sides that we do not want this involved in any political atmosphere. I agree with you and I agree with the hon. member for Woodbine.

On the other hand, procedurally the commission itself is a creature of this House, created by this Legislature—not by the government, but by the Legislature as a whole—and, of course, its report must come here.

I am merely suggesting that the simple way to deal with that report is to refer it to a committee of this House, which then can gather up whatever material has not been given to the commission and refer the report, plus the comments that have been made, back to the commission. It is not my intent, and I am certain it will not be the intent of anybody on that committee, that they should sit down and start altering the decisions the commission made. What they will do is say: "All right, here are your decisions, here are the comments we have received; we are going to refer the whole thing back to you so that you, as you prepared the first report, may re-examine this report in light of the comments made to us."

But the ultimate decision must rest with the commission and cannot be taken by that committee. Eventually, of course, we cannot, hard as we may like to try in various instances, completely shrug off our own responsibilities in this matter; eventually there will be a piece of legislation before this House upon which we will have to vote, and we will have to examine it. But I want this intermediate step to be taken.

As a matter of fact, as I understand the federal procedure, and perhaps we should have thought of this when we set up our own commission, but—

Mr. Reaume: I am suspicious. I cannot help it—it is just in my nature.

Hon. Mr. Robarts: Well, we have known the hon. member for quite a long time around here, Mr. Speaker, and we recognize this element of suspicion; but perhaps this is a new procedure, which we might have laid

down a little more carefully in the beginning—although one learns from experience. But as I understand the federal procedure in this matter, they will in fact print maps of the changes, publish them in local papers, and then proceed to have public hearings; so they are really going to have a very complete investigation by the public.

The comments I have received have come, as I say, from municipal councils. They are not the people who have any interest in the hon. member's seat, or my seat, or who holds which seat.

Mr. Bryden: But there were a lot of comments from these people, too.

Hon. Mr. Robarts: There were also comments from hon. members. I can tell you that one hon. member on our side of the House, for instance, has got four counties in his seat. Anybody who has ever represented a rural riding will immediately recognize, from a non-political point of view, the sheer difficulty in doing this. These are matters that can be drawn to the attention of the commission—that the commission itself can examine to see if anything can be done about it. In some instances, perhaps so, in other instances, in their wisdom, perhaps not.

I can assure the House that among the members on this side there is no intent, there is no desire, that the committee itself should start to make alterations; but there is a desire that these matters should be brought out into the open, to the attention of the commission. The commission can then draw another report, which it will do completely impartially. That report will be resubmitted to this Legislature and then we must accept our responsibility in dealing with that when it comes back. But the changes made will be made by the commission and not by the committee.

Mr. D. C. MacDonald (York South): Mr. Speaker, I want to add a brief comment to what has been said here. The hon. Prime Minister, in his initial comments, said that ultimately from the standing committee of the Legislature it would go back to the commission, and from their Olympian heights they could once again review the situation.

I do not want to be seriously critical of the commission, but I think they are open to some criticism. I think, indeed, that the hon. Prime Minister's choice of phrase is not inaccurate. The commission did view it from an Olympian height, and it was so Olympian that they did not implement the terms of reference that were given to them fully.

I think this commission did a magnificently

exact job in terms of coming up with an application of population. I think they were provided, through their staff, with population blocks all across the province. They pieced them together until they came up with constituencies that conformed with population figures in accordance with the quotas they had laid down. We will not, for the moment, go into debating these quotas.

In some instances I have been told—for example, in the city of Windsor, although I am not really in a position to vouch for this—that there were streets that almost zig-zagged to get out the exact population quota.

Mr. B. Newman (Windsor-Walkerville): That is right.

Mr. MacDonald: It is nonsense, at least in terms of the local reaction, having this kind of a boundary between two constituencies in an attempt to come up with a population quota that would be exact; particularly, when in my view, the commission ignored other factors that are just as important as population.

I happened to become thoroughly familiar last fall, during the Waterloo South by-election, with that particular area. You can take an area like Wilmot township, now in Waterloo South. Wilmot township has no real connection at all with Galt. Indeed, it has been one of the anomalies for years that Wilmot township is in there. Its whole connection is with Waterloo and Kitchener, socially, in terms of TV, community activities and transportation. You cannot even hear the Galt radio during the daytime up in Wilmot township, in many instances. Why, when you were going to have this kind of an assessment, you would not take into account these sociological factors, I do not know.

I think the hon. Prime Minister said, and I think he is correct, that we are moving into a new approach to this. We are learning, and I suspect that perhaps we can learn, even in Ontario, because the commissioners are the same three people; we can learn from experience on the federal redistribution how it can be handled more effectively.

Therefore, I agree with the proposition that this should go back, since the hon. Prime Minister has dictated it and he has got 77 members here, to the standing committee, but ultimately to the commission, so that they can do the job in what would be a more satisfactory manner.

I would add two concluding points. If the government has decided that those who have now made representations, or any member of the House who wants to make

representations, can have those representations tabled on behalf of some, or made personally, at the standing committee, I think it would be wise for that committee to suggest to the commission that they adopt the procedure that, within a one-month period, anybody across the province who wants to make representations should do so.

I think, for example, of the years that we have lamented of the almost nonsensical situation up in northern Ontario, with a constituency that used to include Hornepayne and Sault Ste. Marie. Sault Ste. Marie has been made a separate constituency but to come with a large enough population block in the remainder of the old riding, they have moved east and included Blind River and, along with Blind River, they have got Hornepayne and Hearst in the north. Quite frankly, you might as well put the north and the south pole in the same constituency.

Hon. J. W. Spooner (Minister of Municipal Affairs): Hearst is still in Cochrane North, but Mattice and Opasatika villages located on No. 11 highway are in the new Sault Ste. Marie riding. I agree that does not sound—

Mr. MacDonald: All right. I am using this to illustrate a point and I do not want to pursue the details of it. I think if you went up into northern Ontario, even admitting the difficulties of getting association between widely scattered areas, you could come up with some closer association than trying to put Blind River along with Hornepayne in the same constituency because, argue as you will, it is going to be rather difficult for those two areas to believe that they have any association in the same constituency.

This, I think, could have had a better solution. Indeed, some years ago, I suggested that the answer was to take Manitowadge and make it the hub of a wheel and take in all the areas that are around it and you would come up with a constituency that would have a degree of homogeneity. So that is the one point that I wanted to make—that not only those who have had an opportunity and used it, of sending in representations to the hon. Prime Minister or anybody else, not only those who happen to be on that committee, but an open invitation for a month, to any individual, any association, any council, anybody, to submit representations in writing to the commission. Then they will know that they are fully aware of all the other factors, in addition to population.

My second point is by way of caution: If the government has decided, I think mistakenly as my hon. colleague has indicated,

to run the risk of this being back into politics, even if fleetingly in a standing committee made up of politicians, I hope the members of that committee will sense the import of this debate and make certain that they do not turn it into what could appear, in any sense in the public view, as being the politicians trying to get back into this picture of redistribution.

If the committee does nothing but present representations that have been made, and any new ones they may have in a quiet, dispassionate, factual way, and then in effect say to the redistribution commission: "Here is your job, go back and take another look at it," perhaps we can avoid the difficulties that my hon. colleague from Woodbine has raised and warned us of.

Mr. Bryden: Mr. Speaker, I wonder if I may ask the hon. Prime Minister a question with regard to the procedure that he anticipates in this matter? Is it anticipated that any person, whether a member of this House or some other party who wishes to have a point brought to the attention of the independent committee will have to do it through the standing committee; or would it be considered an attempt at any improper influence if a person simply sent a communication directly to the independent committee?

Hon. Mr. Robarts: Mr. Speaker, I can only say that those communications have already gone to the commission itself. In other words, some perhaps that have been submitted to me or to the hon. member have also been sent to the commission.

I think we can leave this to the good sense of that committee. Now we have had a pretty frank discussion of it here this morning and I do not detect any differences in our basic thinking. I think the committee on privileges and elections, as a committee of this Legislature, is free to formulate any recommendations it may wish as suggestions to the commission on how it should handle this matter when it goes back.

In other words, as the hon. member for York South says, public hearings or some opportunity for the public to make representation should be available. A redistribution of this magnitude affects—apart from those ten ridings that were straightened away a year or so ago—just about every person in the province. To my thinking it would be entirely proper for representation to be made to the commission itself, and I would hope that as a result of the opinions that have been expressed here this morning concerning the commission and what we want done,

that the commission will see fit to take this action; but I think that we can only recommend to the commission. Its independence is inviolate and we can suggest what we would like them to do, but the final decision as to what they do must be their own.

I feel that there is nothing improper in the committee making suggestions as to how the matter should be attacked so to speak, and I am quite sure that the commission will be more than happy to receive representations, as they have already done.

The other fact is that somehow or other a means has to be established by which these local situations can be brought to the attention of the commission. It is a big province and this Hornepayne situation that the hon. member for York South mentioned is a point in question, but I do not suppose there would be ten per cent of the people in this province who would understand how a situation could develop in that way. Surely we should have a means whereby those people could come and say: "Look, you may not know what you have done, but this is in fact what you have done."

This is the type of subsequent examination I envisage.

Motion agreed to.

Mr. Speaker: Introduction of bills.

Mr. J. F. Edwards (Perth): Mr. Speaker, before the orders of the day, I would like to take this opportunity to send my welcome to the guests in the gallery who have, as hon. members know, come from the teachers' college in Stratford which is recognized, I am sure, all over this province as one of the most outstanding places of learning.

I would also like to commend them on their decision to enter the profession and I wish them every success in their chosen field.

I would like, at this time, particularly to draw to the attention of hon. members the brochure which is on their desk about the 13th season of the Stratford Festival, which extends from June 14 to October 2. In that period of time drama and music of the highest order may be enjoyed. During August, two Shakespearean seminars by the universities of Canada will be sponsored by McMaster University.

The Stratford Festival is noted all over North America as the most successful promotion in the arts of its kind. If hon. members have never attended, I would suggest please do start this year and visit the festival and the beautiful city of Stratford-on-Avon.

Some hon. members: Hear, hear!

Hon. T. R. Connell (Minister of Public Works): Mr. Speaker, before the orders of the day I would like to make a statement regarding the disposal of an unusual piece of government property. As all hon. members of this House are aware, the late great philanthropist, Sigmund Samuel, donated his large home in Forest Hill to the province in 1962 in the hope that it would be used as an official residence for the Lieutenant-Governor. It was an outright gift with the understanding that Mr. Samuel could continue to live in it as long as he wished.

When Mr. Samuel died, we studied what would be involved in remodelling the house to the use of the Lieutenant-Governor and found that the cost of such changes were so great that it could not be contemplated. We therefore decided to sell it. Our normal method of disposing of surplus government property is, of course, by public tender, but in view of the way in which this property was obtained and the nature of the house this procedure was not thought suitable.

We put the house in the hands of four reputable companies and a number of bids were received. Some had to be discarded because of the zoning regulations. The public has had an adequate chance to view the property and we accepted the highest bid which was for \$116,900.

Hon. Mr. Robarts: Mr. Speaker, before the orders of the day, I will indulge in what is becoming a very pleasant habit here and file further answers to 18 questions: Numbers 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 103, 104, 106 and 107.

86. Mr. Taylor: Inquiry of the Ministry: 1. What was the total dollar value of the loans guaranteed under The Economic Development Loans Guarantee Act, 1962-63: (a) during the year 1964; (b) during the year 1965 to date; (c) still outstanding? 2. (a) What were the total debts, together with names and locations, of each of the seven companies who have gone bankrupt; and (b) what was the term of guarantee as well as the amount of guarantee in each case? 3. (a) What were the individual amounts of the guarantees under this Act for the six companies who are no longer carrying on business; and (b) what were the amounts, if any, that the government had to pay to liquidate its obligations under its guarantees? 4. (a) What are total losses as a result of guarantees to date? (b) What is the largest loss to date and with respect to what company?

Answer by the hon. Minister of Economics and Development (Mr. Randall):

1. (a) Guarantees totalling \$1.4 million were recommended during 1964 by the financial advisory committee; (b) \$40,000; (c) \$1.9 million.

Note: Only three companies were petitioned into bankruptcy, of which one is still in existence and negotiations for its continuation are still being carried on. Four companies went out of business. Those companies petitioned into bankruptcy are indicated by an asterisk in the table on page 1944, which has been prepared for the purpose of answering questions 2, 3 and 4 (a).

2. (a) See column (6) for total debts, column (1) for names, column (2) for location; (b) See column (4) for term of guarantee, column (3) for amounts of guarantees.

3. (a) See column (3) for amounts of guarantees; (b) See column (5) for amounts the government had to pay to liquidate its obligations.

4. (a) See column (5) for total losses as a result of guarantees to date; (b) The largest loss to date is \$164,821.71 in respect of the H. J. Fairfield Company, Owen Sound, Ontario.

87. *Mr. Singer*: Inquiry of the Ministry: Will the Ministry advise: (a) On what date did the liquor control board of Ontario issue a licence to Ethnic Breweries Ltd., allowing the said company to manufacture beer and ale in the province of Ontario; (b) If such permission was given or licence issued, was it subject to any conditions; (c) If any conditions were so stipulated, by what dates were the conditions to have been met; (d) have the conditions as laid down in such licence or permission been met; (e) If such conditions as laid down in such licence or permission have not been met, has the said licence or permission been cancelled; (f) If such conditions have not been met and the licence or permission has not been cancelled, why not?

Answer by the hon. Provincial Secretary (Mr. Yaremko):

(a) No licence has been issued to Ethnic Breweries Ltd. by the liquor control board; (b) See (a); (c) See (a); (d) See (a); (e) See (a); (f) See (a).

88. *Mr. Singer*: Inquiry of the Ministry: Will the Attorney General advise: (a) If application has been made by Ethnic Breweries Ltd. to the Toronto stock exchange for listing of the shares of the said company on

the said exchange; (b) If so, has such application been granted; (c) If such application has not been granted, why was it refused?

Answer by the hon. Attorney General (Mr. Wishart):

(a) No; (b) Not applicable; (c) Not applicable.

89. *Mr. Singer*: Inquiry of the Ministry: Will the Attorney General advise: (a) If Ethnic Breweries Ltd. filed with the Ontario securities commission a prospectus as a part of its application to be permitted to sell its shares or securities to the public in Ontario; (b) If so, has such permission been granted; (c) If such permission has not been granted, what were the reasons for refusal?

Answer by the hon. Attorney General:

(a) No; (b) Not applicable; (c) Not applicable.

Note: The Ontario securities commission issued on February 25, 1965, an order under section 21(1) of The Securities Act to investigate eventual trading in shares of this private company.

90. *Mr. Singer*: Inquiry of the Ministry: Will the Attorney General advise: (a) how many meetings of the law reform commission have been held since its establishment; (b) on what dates were such meeting held; (c) how long did each of such meetings last; (d) to what projects has the law reform commission directed its attention; (e) for each of such projects, what personnel are engaged in investigating such projects and making recommendations in regard thereto; (f) what are the target dates for the completion of such projects; (g) what projects are planned for future investigation, and when is it expected that studies in relation to such projects will be commenced and completed; (h) what studies of the system of operation of law reform commissions in jurisdictions other than Ontario have been made: (i) prior to the establishment of the law reform commission in Ontario; (ii) since the establishment of the law reform commission in Ontario?

Answer by the hon. Attorney General:

(a) Eight.

(b)

(c)

November 18, 1964	10:00 a.m.-1:30 p.m.
December 14, 1964	10:00 a.m.-5:30 p.m.
January 4, 1965	10:00 a.m.-5:30 p.m.
January 5, 1965	10:00 a.m.-5:30 p.m.
February 1, 1965	10:00 a.m.-6:15 p.m.
February 25, 1965	10:30 a.m.-4:00 p.m.
February 26, 1965	10:00 a.m.-4:15 p.m.
March 3, 1965	10:00 a.m.-5:45 p.m.

(d) (1) The Perpetuities Act; (2) The Accumulations Act; (3) The Trustee Act; (4) The Conveyancing and Law of Property Act; (5) The Judicature Act; (6) The Wages Act; (7) The Securities Act; (8) Personnel property law; (9) Family law; (10) Law of condominium; (11) The Wills Act and The Uniform Wills Act; (12) The Mechanics Lien Act.

(e) With regard to projects (1), (2), (3) and (4) under (d) above—Dean C. A. Wright. With regard to projects (5), (6) and (7) under (d) above—members of the commission. With regard to project (8) under (d) above—material received from the F. M. Catzman committee is being reviewed. With regard to project (9) under (d) above—Professor I. F. G. Baxter together with the necessary assistance under his direction. With regard to projects (10) to (12) under (d) above—members of the commission.

The personnel engaged prepare reports for the commission: recommendations are made by the members of the commission.

(f) The commission does not set target dates for completion of its projects.

(g) The commission does not compile a list of future projects but considers law reform in its broad aspect and develops projects for reform having regard for urgency and available talent to undertake the necessary research.

(h) The methods used in the USA and in Great Britain.

Note: The province of Ontario initiated the principle of establishing an independent law reform commission. Since The Ontario Law Reform Commission Act was passed, the principle has been adopted in the British Parliament by the introduction of Bill No. 64 to provide for the constitution of commissions for law reform.

91. *Mr. Singer*: Inquiry of the Ministry: Will the Attorney General advise: (a) what staff has been hired by the law reform commission in Ontario; (b) the names of the persons so hired and a brief outline of their qualifications; (c) what salaries are being paid to the staff of the law reform commission; (d) on what basis are the commissioners of the law reform commission being paid; (e) what is the total estimated budget of the law reform commission for the first year of its operation?

Answer by the Attorney General:

(a) One special counsel; one secretary to the chairman and to the commission; one secretary to special counsel.

Note: (1) Two secretaries are civil servants transferred to the law reform commission from other branches of the department. (2) Senior counsel is a retired civil servant but appointed under the provisions of section 11 of The Public Service Act 1961-1962.

(b) W. B. Common, QC—Special counsel, formerly deputy Attorney General; Miss A. Chute—secretary to the chairman and to the commission, formerly secretary to the Chief Justice of the High Court of Ontario; Mrs. L. Levack—secretary to the special counsel, formerly secretary to the deputy Attorney General.

(c) W. B. Common—\$60 per day; Miss A. Chute—\$5,250 per annum; Mrs. L. Levack—\$5,250 per annum.

(d) The remuneration of the commissioners of the law reform commission was established by orders-in-council.

(e) Under the provisions of section 3 of The Ontario Law Reform Commission Act, 1964, chapter 78 "The moneys required for the purposes of this Act shall be paid out of the consolidated revenue fund until the 31st day of March, 1965, and thereafter out of such moneys as are appropriated therefor by the Legislature." The estimates of the Ontario law reform commission for the fiscal year 1965-1966, will be presented to the Legislature for approval together with the estimates of The Department of the Attorney General.

92. *Mr. Singer*: Inquiry of the Ministry: Will the Attorney General advise: (a) how many coroners' inquests were conducted in Ontario in 1964; (b) where were these inquests conducted; (c) for each of such inquests, were there any recommendations; (d) what method is used by his department in dealing with the recommendations made by coroners' juries?

Answer by the hon. Attorney General:

(a) 1,028.

(b) Algoma, 45; Brant, 7; Bruce, 6; Carleton, 83; Cochrane, 40; Dufferin, 3; Elgin, 7; Essex, 31; Frontenac, 11; Grey, 9; Haldimand, 4; Haliburton, nil; Halton, 18; Hastings, 8; Huron, 3; Kenora, 26; Kent, 9; Lambton, 12; Lanark, 5; Leeds and Grenville, 13; Lennox and Addington, 2; Lincoln, 10; Manitoulin, 5; Middlesex, 34; Muskoka, 5; Nipissing, 19; Norfolk, 3; Northumberland and Durham, 15; Ontario, 35; Oxford, 10; Parry Sound, 14; Peel, 14; Perth, 12; Peterborough, 6; Prescott and Russell, 18; Prince Edward, 8; Rainy River, 5; Renfrew, 21; Simcoe, 28; Stormont,

Dundas and Glengarry, 1; Sudbury, 39; Temiskaming, 9; Thunder Bay, 47; Victoria, 16; Waterloo, 23; Welland, 23; Wellington, 6; Wentworth, 69; York, 191.

(c) 834 recommendations made.

(d) All jury recommendations are received in the office of the supervising coroner. This office forwards such recommendations for comments and eventual implementation to the respective federal, provincial or municipal departments or agencies, companies, associations, institutions, etc., that are directly referred to in jury recommendations. A follow-up system maintained by the office of the supervising coroner ensures that jury recommendations are acted upon.

94. *Mr. Singer*: Inquiry of the Ministry: Will the Attorney General advise: (a) Is the Ontario police commission continuing its investigation into organized crime in Ontario; (b) If so, on what date did he so direct it to continue; (c) If it is so investigating, has it reported or when will it report; (d) If it has so reported, will its report be tabled in the Legislature?

Answer by the hon. Attorney General:

(a) Yes.

(b) This is a statutory duty of the Ontario police commission under the provisions of section 39 (b), clause (a) of The Police Act, RSO 1960, chapter 298, as amended by section 4 of The Police Amendment Act, 1962-1963, chapter 106.

(c) This matter will be contained in the annual report of the Ontario police commission for the year 1964.

(d) The annual report will be tabled as required by section 39a (7) of The Police Act.

95. *Mr. Singer*: Inquiry of the Ministry: Will the Attorney General advise what provisions are made by the Ontario provincial police for regular radar spotchecks on Highways 400, 403, 27, 11, the Queen Elizabeth Way and the Macdonald-Cartier Freeway?

Answer by the hon. Attorney General:

The Ontario provincial police do not make regular radar spotchecks on any of the highways. The radar is used periodically on a selective basis for the purpose of assisting our personnel in the enforcement of our speed laws in an effort to reduce the accident toll. Radar is used where feasible and when deemed necessary by the superintendent of the district on Highways 400, 403, 27, 11, the Queen

Elizabeth Way and the Macdonald-Cartier Freeway, and all other highways across the province.

96. *Mr. Singer*: Inquiry of the Ministry: Will the Attorney General advise: (a) what basis is used in determining when Ontario provincial police cruisers should be traded in for new ones; (b) when cruisers are so traded, are they replaced as a result of a public tender call or an invitational tender call; (c) are the tenders received opened in public; (d) in 1964, how many cruisers were purchased by the Ontario provincial police; (e) how many tenders were received; (f) how many different purchases were made; (g) from whom were the cruisers purchased; (h) how many Ontario provincial police cruisers are purchased with more than 275 advertised horsepower; (i) how many Ontario provincial police cruisers are purchased with less than 275 advertised horsepower?

Answer by the hon. Attorney General:

(a) A mileage basis [approximately 60,000 miles]; (b) An invitation tender directly from manufacturers; (c) No—by the commissioner or deputy commissioner in the presence of two witnesses; (d) 730; (e) 2,190 [a tender from each of three major manufacturers is requested with regard to the purchase or replacement of each cruiser]; (f) 730 [the replacement or addition of each cruiser represents a separate purchase]; (g) Ford Motor Company of Canada Limited, 262, General Motors Products of Canada Limited, 45, Chrysler Corporation of Canada Limited, 423, total 730; (h) None; (i) All.

97. *Mr. Singer*: Inquiry of the Ministry: Will the Attorney General advise: (a) how many officers of the traffic division of the Ontario provincial police are assigned to each of the seventeen Ontario provincial police districts in Ontario; (b) what is the ratio of officers to miles of highway to be policed in each of these districts?

Answer by the hon. Attorney General:

District No. 1, Chatham (a) 102, (b) 36.8; District No. 2, London (a) 140, (b) 49.8; District No. 3, Burlington (a) 150, (b) 12.1; District No. 4, Niagara Falls (a) 101, (b) 22.6; District No. 5, Downsview (a) 226, (b) 13.5; District No. 6, Mount Forest (a) 113, (b) 95.8; District No. 7, Barrie (a) 130, (b) 47.8; District No. 8, Peterborough (a) 100, (b) 69.0; District No. 9, Belleville (a) 44, (b) 111.8; District No. 10, Perth (a) 95, (b) 73.3; District No. 11, Long Sault (a) 63, (b) 97.9; District No.

12, North Bay (a) 73, (b) 58.8; District No. 13, Sudbury (a) 40, (b) 64.4; District No. 14, Sault Ste. Marie (a) 65, (b) 36.1; District No. 15, Timmins (a) 51, (b) 43.2; District No. 16, Port Arthur (a) 66, (b) 40.4; District No. 17, Kenora (a) 55, (b) 35.7.

Note 1. Because of multiple responsibilities of the force, this question cannot be answered precisely. In smaller detachments the same members perform various types of police work. In larger detachments there are specialized assignments. The above chart shows the number of members assigned chiefly to traffic work whenever necessary.

Note 2. The answer to (b) has been based on "highways" as defined in section 1, subsection 10 of The Highway Traffic Act, which includes all highways policed by the Ontario provincial police force: King's Highway, county roads, township roads, etc.

98. *Mr. Singer*: Inquiry of the Ministry—Will the Attorney General advise: (a) If his department exercises any control over private and independent security forces; (b) If so, what controls are exercised and what is the authority for such control; (c) Are the uniformed and armed employees of such private and independent security forces classed as "peace officers" within the meaning of the law; (d) If there are any standards of training or qualifications for such uniformed and armed employees of private and independent security forces, has any Ontario municipality the right to contract with such a private force to handle its police protection in the same way that it can enter into arrangements with the Ontario provincial police for its police?

Answer by the hon. Attorney General:

(a) No; (b) Not applicable; (c) No. See Section 2(30) of The Criminal Code (Canada).

(d) There appears to be no standard of training or qualifications for such uniformed and armed employees of private and independent security forces.

According to the provisions of Section 3a of The Police Act, RSO 1960, chapter 298, as amended by section 3 of The Police Amendment Act, 1964, chapter 92, Ontario municipalities have no right to contract with such private forces to handle their police protection in the same way that they can enter into arrangements with the Ontario provincial police for their policing.

However, the provisions of subsection 3

of the above-mentioned section 3a, indicate that "In exceptional cases, the commission may approve of a system of policing that does not comply with this section."

Note 1. Prior to the enactment of the above-mentioned section 3a of The Police Act, four towns—Copper Cliff, Coniston, Levack and Lively, and one not designated village, Creighton Mine—had entered into a policing contract with the International Nickel Co. Ltd. Under the provisions of such contract the private police force of INCO is responsible for all policing in the above-mentioned municipalities. This arrangement has been in operation for several years.

Note 2. Members of the INCO security force, acting as municipal policemen under the contract, are classed as "peace officers." Section 2(30)(c) of The Criminal Code (Canada).

99. *Mr. Singer*: Inquiry of the Ministry: Will the Attorney General advise: (a) If the Ontario provincial police maintains any emergency ambulance service for those areas remote from private ambulance services; (b) If he has received a report from the deputy Attorney General in relation to ambulance service generally in Ontario; (c) If not, when is such report expected; (d) If so, will the Attorney General table this report in the Legislature and make copies available to the members?

Answer by the hon. Attorney General:

(a) No; (b) No; (c) During the current session of the Legislature; (d) Yes.

103. *Mr. Taylor*: Inquiry of the Ministry: (a) How many consultants are engaged by the Ontario development agency and what is their remuneration; (b) how active are the consultants and what is their status within the business community?

Answer by the hon. Minister of Economics and Development:

(a) Thirteen—salary range for the position is \$9,500 to \$11,500 per annum.

(b) The consultants are full-time members of the staff of the Ontario development agency. Their names and former employment are: A. J. Charnock, vice-president and general manager, Leyland Motors (Canada) Ltd., Montreal, Que. L. S. Davis, area manager, Great Universal Stores of England. D. B. Grant, vice-president, treasurer and controller of Joy Manufacturing Co. (Canada) Ltd. C. G. Gray, manager in charge: call loans, including investment dealers and brokers at head

office, Canadian Imperial Bank of Commerce. N. E. Hamilton, vice-president, general manager, controller, sec. treas., director of multiple companies. C. E. Hogarth, manager—Toronto Iron Works Ltd. (Eastern division). H. J. B. Nevitt, electronics and telecommunications systems engineering for public utilities project marketing and management in North and South America and Europe. A. Phin, general manager for Chas. Warnock & Co., Montreal, Que. A. W. R. Romegialli, vice-president, director & general manager of Dominion Starch Products Ltd., Brockville, and Stadex-Pirie Ltd., Brockville. W. H. Shaw, plant manager, Canadian Industries Ltd.—Fabrikoid division. G. H. Sinclair, consultant—budgetary control and standard costs—Robson Morrow, London. Chief accountant, Perini. E. F. Stevens, management consultant. J. D. Thomas, adviser, Standard Oil Co. (N.J.)

104. *Mr. Newman*: Inquiry of the Ministry: (a) How many employees in The Department of Citizenship speak languages other than English, and (b) How many languages are covered by department personnel?

Answer by Provincial Secretary and Minister of Citizenship:

(a) There are 50 persons who speak a language other than English.

(b) There are 30 languages covered by departmental personnel.

106. *Mr. Oliver*: Inquiry of the Ministry: How many of the consultants and technical advisors employed by the Ontario development agency have specialized knowledge of the automobile and/or parts industries?

Answer by the Minister of Economics and Development:

Two.

107. *Mr. Paterson*: Inquiry of the Ministry: 1. Is the Department of Lands and Forests considering the acquisition of "Little Lake" near Barrie for development into a provincial park? 2. If not, would the department suggest that this area be acquired by the county of Simcoe to be developed under The Parks Assistance Act?

Answer by the Minister of Lands and Forests:

The Department of Lands and Forests now owns approximately 300 acres on Little Lake in Vespra township. This land was obtained from The Department of Highways as surplus to their needs and is one of a number of park reserves for possible future development.

Mr. Speaker: Orders of the day.

THIRD READINGS

The following bills were given third reading upon motion:

Bill No. Pr2, An Act respecting Owen Sound general and marine hospital.

Bill No. Pr3, An Act respecting the Royal Canadian Legion.

Bill No. Pr5, An Act respecting the Community Chest of St. Catharines and District, Inc.

Bill No. Pr6, An Act to incorporate the Ontario speech and hearing association.

Bill No. Pr8, An Act respecting the township of London.

Bill No. Pr9, An Act respecting the city of Windsor.

Bill No. Pr10, An Act respecting the Pentecostal Assemblies of Canada.

Bill No. Pr11, An Act respecting the Frontenac district high school board.

Bill No. Pr13, An Act respecting the United Church of Canada.

Bill No. Pr14, An Act respecting the town of Burlington.

Bill No. Pr16, An Act respecting the city of Belleville.

Bill No. Pr17, An Act respecting the city of Cornwall.

Bill No. Pr18, An Act respecting United Co-Operatives of Ontario.

Bill No. Pr19, An Act respecting the city of Toronto.

Bill No. Pr20, An Act respecting the city of London.

Bill No. Pr21, An Act respecting the village of New Hamburg.

Bill No. Pr22, An Act respecting the municipality of Shuniah.

Bill No. Pr24, An Act respecting the town of Gananoque.

Bill No. Pr26, An Act respecting the city of St. Thomas.

Bill No. Pr29, An Act respecting the township of York.

Bill No. Pr30, An Act respecting the township of Mosa.

Bill No. Pr31, An Act respecting the city of Oshawa.

Bill No. Pr32, An Act respecting the town of Hawkesbury.

Bill No. Pr33, An Act respecting the township of East York.

Bill No. Pr34, An Act respecting the city of Hamilton.

Bill No. Pr36, An Act respecting the city of Ottawa.

Bill No. Pr37, An Act respecting the Canadian National Exhibition Association.

Bill No. Pr38, An Act to incorporate the East York foundation.

Bill No. Pr39, An Act respecting the township of Scarborough.

Bill No. Pr40, An Act respecting the city of Kitchener.

Bill No. Pr42, An Act respecting the township of North York.

Bill No. Pr43, An Act respecting the city of Chatham.

Bill No. 1, An Act to amend The Devolution of Estates Act.

Bill No. 2, An Act to amend The Certification of Titles Act.

Bill No. 3, An Act to amend The County Judges Act.

Bill No. 4, An Act to amend The Probation Act.

Bill No. 5, An Act to amend The Mortgages Act.

On Bill No. 6, An Act to amend The Used Car Dealers Act, 1964:

Mr. D. C. MacDonald (York South): Mr. Speaker, I wonder if I may make a few brief comments here? It conceivably could be done on the hon. Attorney General's (Mr. Wishart's) estimates when all pieces of legislation do not come up.

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, if the hon. member wishes this could be held if he wants the hon. Attorney General to hear his remarks.

Mr. MacDonald: No, I would just like to put it on the record and I think the hon. Attorney General can see it later or perhaps, even more important, his registrar of used car dealers.

In the past few weeks there has emerged considerable publicity on particular techniques which, I think, if the administrators of this used car legislation do not face up to, that legislation is not going to be effective. I want to suggest three points to which the government should give some consideration to or, more particularly, the immediate administrators of the Act.

The first one is this problem of private sales—to overcome the kind of private sale approach that we have had in the so-called

“Mr. Smith” case that Ron Haggart had in one of his columns. It seems to me that all used car dealers should have to display, prominently outside their establishment, their used car dealer licence number—and the actual size of the sign should be set out in the regulation so that it would make it easier for municipalities to enforce local zoning by-laws.

The importance of this may escape some hon. members if they are not aware of the fact that what is happening is that a used car dealer will be using his home, and often his home will be in one of the better class, higher property valued areas of the city. If he has to put his used car dealer sign and number outside the house, if this is what is being done, if this is the only way of coping with it, at least the public are going to be alerted to what is happening. Because, in some instances—this has now been solidly documented—so-called private sales were being made by a used car dealer.

Second, to avoid the catchy kind of sales contract used by Ted Williamson and others, there could be either a uniform conditional sales contract to be used by all dealers, or each contract could be approved by the registrar. Some of these “operators,” if I may use the term, have contracts which do permit the hoodwinking of the public; and it seems to me a uniform contract could be okayed by the registrar and would eliminate the possibility of that kind of abuse.

Finally, I think it would be useful for the registrar to give some consideration to the proposal—which has been made in a number of quarters—of each car having a logbook. I recognize that this is not foolproof—in fact, nothing is foolproof if you are trying to cope with some of these people—but I think it is still the best way for each prospective buyer to know what the circumstances are with regard to a certain car. If there was a loophole in that the logbook could be lost, then no sale can be transacted until a check has been made at a central agency available at The Department of Transport.

What happens with some of these cars is that the exact nature of the car becomes lost, or is hidden by three or four rapid sales. It may have been a taxi; it goes to one used car dealer, or to a junk lot, and so on along the way, so that it is impossible to trace it—unless you have a logbook which will record all the sales that have taken place. In that way the prospective buyer will be alerted to the possibility that he is getting a taxi with a pretty sorry past, instead of a car which has really been driven only by some old maid

who only took it out on Sunday for the last five or ten years.

I put these three proposals forward, Mr. Speaker, in the hope that they may appear to be worthy ones on the part of the registrar.

Motion agreed to; third reading of the bill.

Bill No. 7, An Act to amend The Archaeological and Historic Sites Protection Act.

Bill No. 8, An Act to amend The Highway Improvement Act.

Bill No. 12, An Act to amend The Dead Animal Disposal Act.

Bill No. 13, An Act to amend The Anatomy Act.

Bill No. 14, An Act to amend The Arbitrations Act.

Bill No. 17, An Act to amend The Trench Excavators' Protection Act.

Bill No. 18, An Act to amend The Elevators and Lifts Act.

Bill No. 19, An Act to amend The Construction Safety Act.

Bill No. 20, An Act to amend The Dog Tax and Cattle, Sheep and Poultry Protection Act.

Bill No. 21, An Act to amend The Weed Control Act.

Bill No. 26, An Act to amend The Bees Act.

Bill No. 31, An Act to amend The Workmen's Compensation Act.

Bill No. 36, An Act to amend The Judicature Act.

Bill No. 37, An Act to amend The Lord's Day (Ontario) Act, 1960-1961.

Bill No. 38, An Act to amend The Boundaries Act.

Bill No. 39, An Act to amend The Sheriffs Act.

Bill No. 40, An Act to amend The County Courts Act.

On Bill No. 45, An Act to amend The Expropriation Procedures Act, 1962-1963:

Mr. V. M. Singer (Downsview): Mr. Speaker, I plan to make some rather extensive remarks in connection with the third reading of Bill No. 45 but I notice the hon. Attorney General is not here.

Hon. Mr. Robarts: I would be happy to withdraw this order and I will call third reading some other time. I will inform the hon. Attorney General the hon. member has some comments to make. I would like him to be in the House when the hon. member makes them.

Clerk of the House: Fifty-ninth order, committee of the whole House; Mr. W. E. Sandercock in the chair.

THE LOGGERS' SAFETY ACT, 1962-1963

House in committee on Bill No. 23, An Act to amend The Loggers' Safety Act, 1962-1963.

Sections 1 to 6, inclusive, agreed to.

Bill No. 23 reported.

WATER POWERS OF THE OTTAWA RIVER

House in committee on Bill No. 24, An Act respecting the water powers of the Ottawa River.

Sections 1 to 3, inclusive, agreed to.

Schedule agreed to.

Bill No. 24 reported.

THE VITAL STATISTICS ACT

House in committee on Bill No. 27, An Act to amend The Vital Statistics Act.

Sections 1 to 9, inclusive, agreed to.

Bill No. 27 reported.

THE MARRIAGE ACT

House in committee on Bill No. 28, An Act to amend The Marriage Act.

Sections 1 to 9, inclusive, agreed to.

Bill No. 28 reported.

THE PUBLIC LANDS ACT

House in committee on Bill No. 43, An Act to amend The Public Lands Act.

Sections 1 to 4, inclusive, agreed to.

Bill No. 43 reported.

THE BAILIFFS ACT, 1960-1961

House in committee on Bill No. 46, An Act to amend The Bailiffs Act, 1960-1961.

Sections 1 to 3, inclusive, agreed to.

Bill No. 46 reported.

FLAG FOR ONTARIO

House in committee on Bill No. 47, An Act to provide a provincial flag for Ontario.

Sections 1 to 3, inclusive, agreed to.

On the schedule.

Hon. J. P. Robarts (Prime Minister): Mr. Chairman, I would like to make an amendment in the schedule. I move that this amendment really is to remove the complete rigidity of the exact description given there. What I would move is that the words in the fifth line of the first paragraph after the word "staff" be struck out; strike out the words "the shield to be in height one-third of the width of the flag."

Amendment agreed to.

Schedule as amended agreed to.

Bill No. 47 reported.

Clerk of the House: The Honourable the Lieutenant-Governor recommends the following:

That, the real and personal property, business and income of the alcoholism and drug addiction research foundation are exempt from all assessment and taxation made, imposed or levied by or under the authority of any Act of the Legislature,

as provided in Bill No. 48, The Alcoholism and Drug Addiction Research Foundation Act, 1965.

Resolution concurred in.

THE ALCOHOLISM AND DRUG ADDICTION RESEARCH FOUNDATION ACT, 1965

House in committee on Bill No. 48, The Alcoholism and Drug Addiction Research Foundation Act, 1965.

Sections 1 to 13, inclusive, agreed to.

On section 14.

Hon. M. B. Dymond (Minister of Health) moves that sub-section 2 of section 14 of the bill be amended by adding at the commencement thereof: "subject to the approval of the Lieutenant-Governor in Council."

Amendment agreed to.

Section 14, as amended, agreed to.

Sections 15 to 20, inclusive, agreed to.

Bill No. 48 reported.

THE MEDICAL ACT

House in committee on Bill No. 49, An Act to amend The Medical Act.

Sections 1 to 6, inclusive, agreed to.

Bill No. 49 reported.

THE DENTISTRY ACT

House in committee on Bill No. 50, An Act to amend The Dentistry Act.

Sections 1 and 2 agreed to.

Bill No. 50 reported.

THE NURSES ACT

House in committee on Bill No. 51, An Act to amend The Nurses Act.

Sections 1 and 2 agreed to.

Bill No. 51 reported.

THE PSYCHOLOGISTS REGISTRATION ACT

House in committee on Bill No. 52, An Act to amend The Psychologists Registration Act.

Sections 1 to 4, inclusive, agreed to.

Bill No. 52 reported.

THE LOCAL ROADS BOARDS ACT, 1964

House in committee on Bill No. 53, An Act to amend The Local Roads Boards Act, 1964.

Sections 1 to 5, inclusive, agreed to.

Bill No. 53 reported.

THE DIVISION COURTS ACT

House in committee on Bill No. 54, An Act to amend The Division Courts Act.

Sections 1 to 4, inclusive, agreed to.

Bill No. 54 reported.

THE SUMMARY CONVICTIONS ACT

House in committee on Bill No. 56, An Act to amend The Summary Convictions Act.

Sections 1 and 2 agreed to.

Bill No. 56 reported.

Clerk of the House: The Honourable the Lieutenant-Governor recommends the following:

That, the Lieutenant-Governor in Council may make arrangements for supplying the money necessary to fulfil the requirements of any guarantee under The Department of Agriculture Act and to advance the amount necessary for that purpose out of the public funds of the province,

as provided by Bill No. 57, An Act to amend The Department of Agriculture Act.

Resolution concurred in.

THE DEPARTMENT OF AGRICULTURE ACT

House in committee on Bill No. 57, An Act to amend The Department of Agriculture Act.

Sections 1 to 3, inclusive, agreed to.

Bill No. 57 reported.

THE FARM PRODUCTS MARKETING ACT

House in committee on Bill No. 58, An Act to amend The Farm Products Marketing Act.

Sections 1 to 3, inclusive, agreed to.

Bill No. 58 reported.

THE CONFEDERATION CENTENNIAL ACT, 1962-1963

House in committee on Bill No. 59, An Act to amend The Confederation Centennial Act, 1962-1963.

Mr. R. F. Nixon (Brant): Mr. Chairman, I wonder if the hon. Minister might tell us what the present time limit is on applications for assistance in centennial commemorations?

Hon. J. W. Spooner (Minister of Municipal Affairs): I think it is August 1, 1965, for applications.

Mr. Nixon: Are you going to extend this time for the Indians, since they have just now been given the possibility of taking part in it?

Hon. Mr. Spooner: If there are any Indians interested, we will treat them justly and fairly; and if it is necessary to extend the time, we can do that at the next session. I would not worry about it.

Mr. Nixon: You have not worried about them very much, as a matter of fact. It has been brought to the attention of the government several times that they were not permitted to take part in centennial celebrations; and it was not until this bill was introduced a few weeks ago that the government recognized this. I certainly hope that it will be extended especially for them, and I am worrying about them.

Hon. Mr. Spooner: To my knowledge, Mr. Chairman, we have had no applications, no inquiries, from any Indian bands or councils or Indian reservations. It is just in the hope that there might be some; and if it happens that they are not filed on time by the date we

have already extended once—we extend it by regulations—we will do it again. I want to assure the hon. member and the House that if there are any Indian bands interested in preparing for a centennial project, they will be given every consideration, like everyone else.

Mr. Nixon: Mr. Chairman, it might very well be that the reason the hon. Minister has received no applications is that, by law, they were not eligible for the money.

Hon. Mr. Spooner: I would doubt that very much, Mr. Chairman.

Sections 1 to 3, inclusive, agreed to.

Bill No. 59 reported.

THE DRAINAGE ACT, 1962-1963

House in committee on Bill No. 62, An Act to amend The Drainage Act, 1962-1963.

Sections 1 to 4, inclusive, agreed to.

Bill No. 62 reported.

THE MUNICIPAL FRANCHISE EXTENSION ACT

House in committee on Bill No. 63, An Act to amend The Municipal Franchise Extension Act.

Section 1 agreed to.

On section 2.

Mr. V. M. Singer (Downsview): Mr. Chairman, on section 1—I suppose really it is section 2—is that the one where the hon. Minister intends that it should be made clear that persons over 21, who are allowed to vote in municipal elections by reason of the extension of the franchise, cannot vote on money bylaws? It seems to me this section is a strange anomaly—to have it put in one of our statutes at this present time.

First of all, the opinion in the province seems to be that anyone over 21 who lives in a municipality should be allowed to vote. This is one of the recommendations of the select committee.

Secondly, the validity of keeping a distinction between voting on money bylaws and voting on other matters seems to be enshrined really in history, going back well over 100 years, and has very little purpose at all today.

Finally, the most ludicrous thing about the whole principle involved in this section 2

is that these people, who will not be allowed to vote on money bylaws, can run for the council, can be elected to the council, can sit on the council, spend all the money—but they cannot vote on the money bylaw which is going to spend it.

If there is anything more foolish in our statutes than this sort of an idea, I do not know what it is. Here is a person who can be the head of a municipality, if he can get enough people to vote for him, and he can direct all of the affairs of that municipality, and he can bring before the municipality any sort of bylaw that can be brought before any municipal council, and he can vote on it at council. But, if it is a type of money bylaw which requires a public vote and the matter is put on the ballot, he cannot vote. What sense does that possibly make?

In addition to that, all sorts of expenditures can be made by municipal councils, far more important than matters that have to be voted on, in which this same person who cannot vote on a money bylaw can vote and lead his particular council in favouring.

Hon. Mr. Spooner: But the hon. member is not giving us the facts.

Mr. Singer: I will be through in just a minute and then the hon. Minister can get into it.

Surely to goodness, in this day and age, one would think that the hon. Minister would be anxious to be reasonably consistent in his approach to matters of municipal affairs; and surely, when this sort of an amendment is brought forward to clarify and protect something that is really no protection at all—it is rather a petty niggling—the hon. Minister would go in the other direction, would go in the direction that is indicated by the report of the select committee? For all these reasons I cannot understand why the hon. Minister brings in this section at this time.

Hon. Mr. Spooner: Well, Mr. Chairman, in answer to the hon. member's question and his incorrect statement, I think that he is confusing a voter who, because of ownership of land or tenancy of land, is entitled to a vote and entitled to sit on a municipal council, as against the person who obtains a vote in a municipal election by municipal bylaw under The Municipal Franchise Extension Act. There are two different breeds, and the hon. member knows that very well; he knows it much better than I do.

Mr. Singer: But the same breed can be elected.

Hon. Mr. Spooner: Sit down now. I tried to give the hon. member some information and he would not listen, so he should be quiet.

Now, insofar as section 2 of this bill is concerned, you must remember that the voter who votes on a money bylaw is placing a mortgage on his property. I do not think that you or anyone else would want to have a roomer, who obtains a vote under The Municipal Franchise Extension Act, have the right to vote to place, not a first mortgage but a mortgage that takes precedence over a first mortgage, on your property. That is why we want this amendment in the Act.

Mr. Singer: Mr. Chairman, the hon. Minister, I am afraid, is awfully confused this morning.

Hon. Mr. Spooner: I am not at all.

Mr. Singer: But the same person can be elected to council.

Hon. Mr. Spooner: That has nothing to do with it.

Mr. Singer: It certainly has, it is the very essence of the whole argument. This person can be elected to council, he can be the head of the council, he can have all the authority that the head of the council can have; and the hon. Minister says you would not want him to vote about something that would put a mortgage on your property. As head of the council or as a member of council he can levy any tax rate that he wants or be a part of levying any tax rate that he wants. And that can be as big a mortgage as you can possibly imagine. So where is the consistency? There is no consistency at all.

Hon. Mr. Spooner: It is all consistent.

Mr. Singer: You are setting up the rather fantastic situation that the mayor, say, of the largest city in the province, the mayor of the city of Toronto, could qualify to run for mayor under The Municipal Franchise Extension Act and be elected mayor and yet could not vote on a money bylaw.

Hon. Mr. Robarts: May I make one comment on this and point out the real fallacy of the argument? There could only be one mayor of Toronto and if this ever happened you would have one individual mayor and he would only have one vote; but you could have 50,000 of these people in the city receive the franchise under this Act and they would then be voting too. So it really is not a very apt, fair nor logical comparison.

Mr. Singer: Mr. Chairman, in reply to what the hon. Prime Minister says, surely anyone would recognize that the mayor of a large municipality could have just a little more influence in getting matters before the public than the average voter who might be worried about the mortgage. The mayor would have a substantial amount to say about how high the tax levy is going to be.

Hon. Mr. Robarts: Well, he would be only one out of the whole group of enfranchised voters.

Mr. Singer: That is right, but he is the leader of the municipality and he could well be a second-rate citizen so far as voting on money bylaws is concerned. If this makes sense to this government, well it doesn't to me.

Hon. Mr. Spooner: Mr. Chairman, again the hon. member is confusing two pieces of legislation on the statute books. With very great respect may I suggest to you that a person who is entitled to a vote under The Municipal Franchise Extension Act is not entitled to seek a seat on council. Now, that is the very point and the hon. member is insisting on confusing these two things.

Mr. Singer: With great respect, I do not think the hon. Minister is right.

Hon. Mr. Spooner: Now, if I may be permitted, Mr. Chairman — Mr. Alcombrack, would you mind giving me the Act and we will send it over to the hon. member.

Mr. Singer: Thank you.

Sections 2 to 4, inclusive, agreed to.

Bill No. 63 reported.

THE MUNICIPAL ARBITRATIONS ACT

House in committee on Bill No. 64, An Act to amend The Municipal Arbitrations Act.

Sections 1 to 6, inclusive, agreed to.

Bill No. 64 reported.

THE DEPARTMENT OF MUNICIPAL AFFAIRS ACT

House in committee on Bill No. 67, An Act to amend The Department of Municipal Affairs Act.

Sections 1 to 4, inclusive, agreed to.

Bill No. 67 reported.

THE LOCAL IMPROVEMENT ACT

House in committee on Bill No. 68, An Act to amend The Local Improvement Act.

Sections 1 to 3, inclusive, agreed to.

Bill No. 68 reported.

THE PUBLIC UTILITIES ACT

House in committee on Bill No. 69, An Act to amend The Public Utilities Act.

Sections 1 to 6, inclusive, agreed to.

Bill No. 69 reported.

THE CANCER ACT

House in committee on Bill No. 74, An Act to amend The Cancer Act.

Sections 1 to 3, inclusive, agreed to.

Bill No. 74 reported.

THE HOSPITAL SERVICES COMMISSION ACT

House in committee on Bill No. 75, An Act to amend The Hospital Services Commission Act.

Sections 1 to 4, inclusive, agreed to.

Bill No. 75 reported.

THE PRIVATE HOSPITALS ACT

House in committee on Bill No. 77, An Act to amend The Private Hospitals Act.

Sections 1 to 4, inclusive, agreed to.

Bill No. 77 reported.

THE MUNICIPAL FRANCHISES ACT

House in committee on Bill No. 79, An Act to amend The Municipal Franchises Act.

Sections 1 to 3, inclusive, agreed to.

Bill No. 79 reported.

Hon. Mr. Robarts moves that the committee rise and report certain resolutions and certain bills with amendments and ask for leave to sit again.

Motion agreed to.

Mr. Chairman: Mr. Speaker, the committee of the whole House begs to report certain

resolutions and certain bills with amendments, and asks for leave to sit again.

Report agreed to.

Clerk of the House: The seventy-eighth order. House in committee of supply; Mr. W. E. Sandercock in the chair.

ESTIMATES, DEPARTMENT OF REFORM INSTITUTIONS

(continued)

On vote 1902:

Mr. B. Newman (Windsor-Walkerville): Mr. Chairman, under vote 1902, as I peruse the annual report of the department and the Part 2 Training Schools, I notice some quite interesting bits of information.

On page 33 under "Mentality of Pupils Committed or Admitted," were you to take their mentality and follow through with a Bell curve you would find you would have a practically perfect Bell curve with an IQ of the average person committed in the high 80s or low 90s. Then when you take this and turn to page 34 and find, "Factors Contributing to Delinquency of those Committed or Admitted" on the first page, we can assume that the average person who is committed is the normal boy or girl. Then when we find the reasons for the delinquency, we find that practically 90 per cent of those who are in the institutions are there as a result of lack of parental control, either lack of parental control or some difficulties with the parents. It could be, as listed in here, alcoholic parents, mentally defective parents, or either the father or the mother dead.

From these statistics, one can only assume that we may be putting the wrong people in the institutions.

Hon. A. Grossman (Minister of Reform Institutions): Mr. Chairman, is the hon. member leading up to the point that belongs in this role of rehabilitation?

Mr. Newman: Yes, I am leading up to the rehabilitating. More time should be spent looking into the home conditions of these individuals that happen to be institutionalized and something done with the parents so that when a youngster is eventually released from the institution he comes back into home conditions that are a little more ideal and a little better and he does not return to the institution later on.

Now, does the department do any type of work with these parents or the family of the youngster that is institutionalized?

Hon. Mr. Grossman: Mr. Chairman, I appreciate that my opening speech was somewhat long, but I did point out there that one of the duties of a rehabilitation officer was to prepare the home, where it was possible to do so, while the youngster was still in the training school. The hon. member, I am sure, will appreciate that there are some homes which, as a matter of fact, are not really homes. Very little can be done, but they make every effort. They visit the home on numerous occasions to prepare the family for the return of the child.

Mr. G. A. Kerr (Halton): Mr. Chairman, first of all I would like to congratulate the hon. Minister and the department on the hon. Minister's report this year, both parts of it. It as been considerably brightened up and, more important, it contains some very good information.

I note for example, Mr. Chairman, that page 7 in part 1 of the report—reconvictions over a five-year period—deals with the Brampton training centre. These figures are set out quite clearly. The report states that 66 per cent of those released from that particular training centre have no further convictions. I am not saying, Mr. Chairman, that this is an ideal figure, but it shows progress.

My point is that these young people, for the most part, are being rehabilitated and are obtaining some benefit from the programmes in our training schools. It would indicate that most of them become peaceful, law-abiding citizens and further, Mr. Chairman, that second offenders are not necessarily picking up unfortunate bad habits in our institutions, as illustrated by the graph on page 11 of this report.

I note that out of 556 men admitted to Guelph reformatory as second offenders, only 15 had been there before. This, Mr. Chairman, I think helps to correct the impression that young first offenders are being incarcerated in the company of older, hardened criminals. Also, it again shows some effectiveness of the programme carried out at our correctional institutions.

Pages 8 and 9 refer to drug addiction and alcoholics. I read that 37 per cent of those who have been to the Brown memorial clinic once have been free from drugs for three years and of those who have been to the clinic twice, 23 per cent are drug-free after three years.

Frankly, Mr. Chairman, I do not know if these figures are commendable or not. However, they are certainly better than I had been led to believe. I wonder, Mr. Chairman, if the hon. Minister could give me some idea

as to the psychiatric care and facilities in our reform institutions? I am particularly interested in knowing whether or not each institution has a psychiatrist or a psychologist on staff or in the area, who regularly serves the institution.

I wonder particularly, Mr. Chairman, if there are other procedures whereby there is a file on each inmate, his progress, his attitudes, what training he might need while in the institution and information on what he hopes to do when released.

Possibly the hon. Minister's answer could give us some idea as to what professional personnel are on staff regularly, or from time to time, who are trained in assessing the mental and emotional problems of the young inmates.

Hon. Mr. Grossman: Mr. Chairman, first I would like to thank the hon. member for his kind comments insofar as they relate to the department and myself. The answer to the question about whether we have a file on each inmate with all the information that has been accumulated on him is, of course, yes. In all our institutions there is a rather extensive file with all the social history that we have been able to obtain, with medical history and all that sort of information. Regarding the specific question about the psychiatrists, we have 15 working for the department. Each of them works on a part-time basis, attending according to the time they have available or by demand by a particular institution. In other words, the services are reasonably flexible.

In the training school system, we have psychiatric services available at all of them. At Bowmanville we have a psychiatrist working four and a half days per week and, on occasion, we have called in an additional psychiatrist for a particular case.

This particular psychiatrist, Dr. Butler, also works two half days per week at Cobourg.

At Simcoe, Dr. Downe works two half days per week.

At Port Bolster, Dr. Boothroyd works one day per month and may see girls in his office on other occasions.

At Lindsay, the psychiatrist sees girls on appointment in his office and is on special call.

At Galt, of course, we have the reception diagnostic centre where Dr. Wright provides psychiatric services.

At the training school in Guelph, Dr. MacKinnon's services are available one day per week.

At Galt, Dr. John Hall is with the school one day per week and Dr. Richardson is there on a half-time basis.

In our adult institutions our main psychiatric services are centred on the neuro-psychiatric clinic in Guelph and at the addiction clinic in Mimico.

In all adult institutions other than Millbrook and Mercer reformatory, they are working in conjunction with the position in the same way as is done in the community. The doctor examines a man either at the man's request or at the request of the staff and, when necessary, recommends transfer to the neuro-psychiatric clinic in Guelph. In the adult field this is by far the most appropriate method. The system was devised on the advice of psychiatrists and we find it works out extremely well.

If the hon. member would like it, I could go into greater detail. I could go into all of the institutions—but generally this is the way the psychiatric services are made available. Does the hon. member feel this answers his question?

Mr. Kerr: Yes. In other words, Mr. Chairman, there is a regular attendance; there is a psychiatrist, either in the area or on staff, who regularly attends these institutions. Is that correct?

Hon. Mr. Grossman: Insofar as you could consider a psychiatrist who comes in two half days a week, or one full day a week, he is on staff. This is the way we handle the psychiatric services. As a matter of fact, it is the only way we can obtain these kind of services; we expand them as much as is possible when they are available.

Mr. L. Troy (Nipissing): Mr. Chairman, that was the question under the particular vote. You did not expect the hon. member who was also the chairman of the committee on commissions, to do anything else but congratulate you. You said in your answer to the hon. member for Windsor-Walkerville that you prepared the family for the return of the young boy or girl after they returned from your training schools. It is very unfortunate, Mr. Minister, that there are no agencies of the government to prepare the family long before the youngster ever got to the training school.

I notice this foreword to part 2 of your annual report, in which you say:

It is our hope that the training we are able to give them, and the care and support we provide after they leave our schools, will help them to appreciate that somebody

does care and will teach them the value of care, guidance and love when they in turn raise their own families.

That is a very nice foreword, Mr. Chairman, but it is unfortunate that that care and love is not provided. We have not enough social workers and counselling; because, as you read the report, you will find that most of the youngsters are there generally because of home conditions—broken homes, divorce, alcoholism of one or other of the parents. If there were far more social workers in our cities, then probably they would get the care at home and not get the care and love that the hon. Minister provides for them in these training schools.

Hon. Mr. Grossman: Mr. Chairman, all I can say is that I agree wholeheartedly with the words of the hon. member. We, of course, realize that a training school is no substitute for a home. In fact, if most of these youngsters had a decent home, they would not be in training schools. How we attack this is a very difficult problem.

I was privileged to be a delegate to the Governor General's conference on the family—this is precisely the subject which was attacked—and it is hoped that from that conference will develop some sort of plan of campaign to get at the source of most of the problems, not just in our juvenile institutions but in the adult institutions as well. When one reads the files of even the most hardened criminal, one generally finds it stems from his very early days with very poor home surroundings.

Mr. Troy: I am awfully glad that the hon. Minister has gone to this department from the liquor control board of Ontario, because in that he saw the problems.

Hon. Mr. Grossman: So am I.

Mr. V. M. Singer (Downsview): Mr. Chairman, under this vote the Mercer institution is mentioned. I do not want to get in again to the various accusations and counter-accusations but I would like to know if the hon. Minister would outline to us what has been changed in the administration of Mercer since the visit of the grand jury.

Hon. Mr. Grossman: I wonder, Mr. Chairman, whether this would not be just as well brought up in the next vote, under the particular institution.

Mr. Singer: Are we not on 1902?

Hon. Mr. Grossman: Yes, this is parole and rehabilitation. In 1903 you would have the

particular institutions. I would suggest the hon. member keep his question for that. I will have the information more readily available.

Mr. Singer: Oh, yes, I am sorry.

Mr. Troy: Just another reference in this vote, Mr. Chairman, to the hon. Minister. When you notice the amount, \$605,000, is to be voted for this particular branch of your estimates—there are salaries, \$462,000, and travelling expenses, \$100,000—it seems to me that the amount of \$30,000 for rehabilitation assistance is not very much. When you compare the travelling expenses and salaries, it is very small. With your research and your knowledge of the department, and in this particular service, do you really think that is enough?

Hon. Mr. Grossman: To which figure is the hon. member referring?

Mr. Troy: \$30,000 for rehabilitation services.

Hon. Mr. Grossman: The hon. member asked about the \$30,000 rehabilitation assistance. This is actually money that is used for cash outlays for releases. In other words, money is required to buy them some tools and money is required to give them some extra in their pocket for accommodation, for something special of that nature. That is what that money is for.

Mr. Troy: Thank you very much; you would not understand that by just looking at the item.

Mr. Newman: Mr. Chairman, how much is actually spent then on rehabilitation assistance to families? Is it a substantial amount?

Hon. Mr. Grossman: That is the figure—\$30,000. That is for direct assistance. Would the hon. member like me to explain how this is done?

Mr. Newman: No, I simply wanted to relate that figure to the total amount spent for parole and rehabilitation services, if that is the purpose.

Hon. Mr. Grossman: Most of the money, the vast portion of the money of course, is spent for services, just as it is called, not for direct cash outlay. In other words, we need all of this staff to counsel, assist and supervise paroling. This is for staff and the services associated with it. But the \$30,000 is for cash outlay for the releasee. In other words, as I pointed out earlier, if a releasee who is properly motivated, and appears to be the

sort of person that is willing to accept help, seems to be the sort of person who can use it, he is helped—sometimes with cash, sometimes we pay his accommodation, his rent for a while, other times tools may be bought for him, because of the fact he may need them to get a job—this sort of thing. That is what the \$30,000 is for.

Mr. A. E. Thompson (Leader of the Opposition): Mr. Chairman, I would like to ask the hon. Minister to clarify, if he could, certain impressions one has in connection with parole service. As I recall, in his last estimates he, and I think very rightly so, gave a great deal of emphasis in connection with parole; because, after all, you can have a prisoner who fits in in every way within an institution but the real test is what he is going to do when he gets out in society again. I think that you must place a particular emphasis on parole services. It is my impression that parole may be somewhat patchy around the province, that you rely to an extent on both voluntary agencies—you even may rely on police stations for the reporting when they get out—to keep an eye on them. I would like to know sir, have you got a systematic parole service in every community throughout the province? Who are helping the people and are these qualified parole people?

Hon. Mr. Grossman: We have. The supervision is done 95 per cent by our own staff right across this province and five per cent by private agencies.

Mr. Thompson: How many parole officers have you got?

Hon. Mr. Grossman: Fifty-nine.

Mr. Thompson: Fifty nine. What case load have they got?

Hon. Mr. Grossman: The average is 45.

Mr. Thompson: There must be quite a number of people released who do not have any parole service.

Hon. Mr. Grossman: If the hon. member is asking me whether we are satisfied with this case load, the answer is no. We would like to have a smaller case load, but again this is a matter of getting sufficient and qualified staff for it. We are taking on additional staff and as they become available we will take on still further, because we want to reduce this case load. Of course, the smaller the case load, the better job they are going to be able to do.

Mr. Thompson: I agree with you on the smaller case load. I am not a mathematician,

but I am trying to figure out how many are actually getting probation or parole services. You say you have a case load of 45; and how many parole officers do you have?

Hon. Mr. Grossman: Fifty-nine.

Mr. Thompson: I cannot add that up in my head, but I would suggest there must be a large number of people who leave institutions and are not covered by any kind of parole services. You are saying that 95 per cent are handled by you.

Hon. Mr. Grossman: I can understand the hon. member not thinking about this, because most people forget about it from time to time. You must remember that the only people we have any control of from the standpoint of parole, and the only people we are allowed to parole by law, are those who are on indefinite sentences, so there are many who come out of our institutions who are never eligible for Ontario board of parole, so we cannot supervise them. But if you will multiply 45 by 59, I think you will come to the figure of about 2,655. I think you will find that works out pretty well to the figures in the table on page 29.

I should also point out, Mr. Chairman, that they must be doing a fairly good job, because of the success ratio on parole. The hon. member will note that the number of paroles which were effected were 894, and the number successfully completed were just over 77 per cent; there were six per cent still incompleated as of the date this was made up. So the rate of success would be around 80 per cent, I imagine. They must be getting fairly good supervision.

Mr. Thompson: Is this adult parole we are talking about?

Hon. Mr. Grossman: This is adult parole. You will find it on page 29.

Mr. Thompson: Could I ask you, in regard to your training institutions, if these boys and girls, when they leave, would still be under supervision? And how many—do you have a separate division of parole officers for them?

Hon. Mr. Grossman: It is the same group of rehab. officers, except that in the larger areas, like Metro Toronto, for example, there is a sufficient number of cases to divide them up between a juvenile division and an adult division.

By and large, across the province, the same people are doing the rehabilitation work. I think the hon. member would appreciate that, even if it were desirable—and we are

not too sure about that—to have different rehab. officers for the juveniles than we have for the adults across Ontario, it would be impractical—to have, for example, a rehab. officer going out of a training school to visit some youngster, say 100 miles from the training school, and an adult rehab. officer doing the same thing, moving 100 miles, when the same person could really look after both of them.

Mr. Thompson: I think that the hon. member for Windsor-Walkerville has already raised the question in connection with rehabilitation, but I feel it is tied in with parole as well. I think probably the hon. Minister would agree with me that in many cases where children are in institutions, if you want to get at the root cause, you can look to the parents. I have often felt that sometimes a child is in there, taking the treatment and the punishment, when we should be doing something with respect to the parents. I think you have agreed with me on this; I know others have, but we never do anything about the parents. I realize that with The Juvenile Delinquency Act there are limitations about what we can do with parents. There is a set fine and so on, not used very much, with respect to parents.

But I know in some jurisdictions that where a child has come before a court and is placed within an institution, it is mandatory, to an extent, for the parents to come together anonymously for group experience on family life. I wondered if you have ever thought of this—while the child is being helped—that you go to the root problem, which is the parents, and arrange that the parents themselves have to take some kind of group family life approach?

Hon. Mr. Grossman: Again, Mr. Chairman, I do not know how I can answer that any differently than I answered the hon. member for Nipissing. It is a difficult problem that has been with us for a long time. I think you will appreciate that you would require a Solomon to solve this.

We do our best. Of course, the juvenile court judge does his best to bring the family into the court, but by and large, when one reads the files, one comes to the conclusion in many instances that you are not getting too much sympathy from the parents. Many of the parents who will treat the children the way they have, and who will neglect the children the way they have, are really beyond reasoning. There are, of course, many families to whom reasoning can be of some assistance; we have found this to be the case.

How you move into the family circle is, I repeat, a problem that was discussed at the conference on the family. All people in this field—social workers, psychiatrists, everyone—came to the conclusion that a lot of the work you are doing is fairly useless because you are not getting at the family source. We appreciate this.

But appreciating the problem, and being able to do something about it is another thing. All I can say is that we hope, again from this family conference and the studies now going on on this problem, we will be able to attack it a little closer at the source. We are doing the best we can with the knowledge we have and the facilities available.

Mr. Thompson: I appreciate the hon. Minister's insight into this. I would make this suggestion, realizing all the implications attached to it, where there is a sacred aspect to a family. What I would suggest is that if you, for example, were to let magistrates know in various centres around Ontario that when children come up to be sent to one of your institutions for treatment, if the magistrate is so considerate that he would suggest—I do not know if it is in his legal power to order the parents—that they should have to meet at a YMCA or a Catholic church or somewhere, to meet with someone whom you would make available. If you would suggest that these facilities would be there, I think this would be a worthwhile experiment.

Hon. Mr. Grossman: We are working with the magistrates. We have a very good relationship with them. Whether the magistrate has this authority or not I would not be in a position to say. Off the cuff, I would say that he usually takes what authority he feels is necessary in dealing with a family, except if he is dealing with a recalcitrant parent or parents who do not care. With those people, it is beyond anyone's imagination. But the hon. member's suggestion is a good one; to try and perhaps expand this and put a more intensified campaign on with the magistrates when we meet with them. We are meeting regularly now with the magistrates. I think the hon. member will recall in my remarks prior to the estimates, that I did point out that we have finally arranged for regular visits to our institutions by the magistrates. There is a great deal more co-operation between the magistrates and our department than there has been in the past. And I think we are finally getting to the stage where we begin to understand each other's problems which, in the final analysis, will help the youngster.

Mr. Troy: In looking at the estimates, Mr. Chairman, in 1902 we have a total asked for of \$605,000. Then you look at your vote 1903 and you find in salaries alone you have practically \$10,500,000. About the salaries in your institutions; compare that amount with the request in vote 1902 and you find it is about five per cent. Do you think, sir, that this is adequate, particularly when we find in your institutions that many of them that are there are former offenders? In fact, I understand that 3,709 out of a total of 12,353 offenders had a record of more than three previous offences. Does the hon. Minister not think that it would be far better and much more valuable to spend more money on the rehabilitation service with the possibility of reducing the recidivism? In the rehabilitation services, it seems to me it would be money well spent. In one case, I think the way it is being spent now is penny-wise and pound-foolish. About 40 per cent of the inmates, I understand, are either second or third offenders, and there are some with more than three. It seems to me that it would be advisable to spend more money on this particular service because the hon. Minister seems to have an appreciation of the value of this rehabilitation service. You could reduce the expenses of operating your institutions; you could possibly keep them out, because I think it is much more expensive to keep them in an institution than doing what you can in the rehabilitation service.

Hon. Mr. Grossman: Well, Mr. Chairman, perhaps I should point out to the hon. member that he is comparing the estimate for just the parole and rehabilitation service, with the total salaries of all of the institutions, which makes it, of course, five per cent. But, of course, if he takes the total salaries for the training schools he will find—this is just a rough figure, I am just going down each institution—that the figures for salaries for the training schools run into well over \$2 million. So he has compared all the salaries for the whole department, with the \$605,000 which is allotted just for the parole and rehabilitation service.

Mr. Newman: Some of these rehabilitation officers then are under salary—

Hon. Mr. Grossman: Oh, yes, they would be.

Mr. Troy: Mr. Chairman, you mean that they are under the salaries of 1903, too?

Hon. Mr. Grossman: No. Perhaps I have not made myself clear. The hon. member pointed out that it appeared that we were

spending for the youngsters about \$605,000. Is that right?

Mr. Troy: Yes.

Hon. Mr. Grossman: And that \$605,000 is not just for juvenile schools, this is the total for the parole and rehabilitation service only. The hon. member compared that with \$10 million for salaries, which we show for all of our institutions. Well, of course, the \$10 million salaries includes all the institutions as well as the training schools.

Mr. Troy: Oh, I am not referring only to training schools.

Hon. Mr. Grossman: You are suggesting that the five per cent we are spending is, perhaps, too little for rehabilitation? We should remember that within all of these institutions we are spending hundreds of thousands of dollars—I suppose it would run into millions—out of the \$20 million roughly of the estimates for people who are in the rehabilitation service. For instance, social workers, psychiatrists, psychologists and counsellors within the institutions, who do not show in this particular vote. So there would be millions spent within all of the institutions for rehabilitation, which does not show in this vote.

Mr. Troy: It makes it rather difficult, then, for someone to criticize your department when you label here “rehabilitation services” and then you say other departments are doing all kinds of it. It would seem better if we knew just how much you are spending on rehabilitation, then we would not criticize and say you are not spending adequate funds.

Hon. Mr. Grossman: I appreciate this, but how else could you do it? Your parole service consists of those officials, those civil servants who are doing the direct rehabilitation of people coming out of the institutions and preparing a place for them, and that sort of thing. The others are all within the institutions. It would be a very difficult thing. As a matter of fact, everybody in an institution is supposed to be involved in rehabilitation work, even the custodial officers. The hon. member will recall in my opening remarks that I stated that we were building up staff training for every custodial officer, as well as others, because we appreciate that he is the person who can do a great deal of rehabilitation work. So it would be very difficult to sort this out from the standpoint of moneys spent. The custodial officer, for example, is doing custodial work as well as rehabilitation work. How would you divide his salary to show it this way? It would be very difficult.

Mr. Troy: All right. Are you proud of the record that with all this rehabilitation in the institutions, there are almost 4,000 out of 12,000 who have been there a number of times? There must be—

Hon. Mr. Grossman: Mr. Chairman, I am proud of the work that is being done in the institution. If the hon. member would ask the question in a different way—"if I am satisfied"—I would say no. Nobody in our institutions is satisfied. Incidentally, I think it would be a good thing to point out at this time that the figures can be misleading. This is why we are trying to develop a good statistical service, because when we quote figures like 12,000 and 20,000, and when you go into the figures as to how many people have been committed all over the province, you run into some 55,000-odd people. Many have been in and out half a dozen times a year, in the adult institutions particularly, and they do not show. You would think from this that these are different people, that there have been 55,000 people. The figure that the hon. member has used, 12,000 might give the impression that 12,000 different people have been in the institutions. This is not so. Many of them repeat within a year—for example, the chronic type of offender. I was at the jail out in Windsor and they pointed out to me a man who, I think the governor told me, had been in there 38 times in a year. That person would show on the record here; it would show 38 commitals and 38 convictions, so the figures really do not give a true picture. This is, incidentally, where we may get a distorted picture of the number of people who are put in our institutions as against another jurisdiction which keeps its statistics in a different way. This is what we are trying to arrive at, so that we will get a better picture. Surely the hon. members will agree that with the new report we are trying to give them a clearer picture. Next year you will find more improvements.

Mr. Troy: My suggestion to the hon. Minister is that he ask the questions of the IBM machine and we will probably get the right answers.

Mr. D. A. Paterson (Essex South): Mr. Chairman, one short question regarding rehabilitation as it relates to the training schools and industrial farms. We in Essex and Kent counties are not too familiar with these operations. I have only been to one such institution. Are the inmates being trained at all in agriculture and, if so, are they allowed to work out part of their rehabilitation on individual farms?

Hon. Mr. Grossman: At most of our institutions we do. The hon. member knows that on the industrial farms they are doing farming work. If he is talking about a specific course in training, I suppose that just by being there you learn a lot about farming. Perhaps you might recall that in my opening remarks I said that we were planning on opening a special farm-training centre so that we can train some of these men who do not seem to be suited for anything else, who do not have the ability to absorb academic training, who appear to have the willingness to work; if we find some of them that way, we will train them for farm work and hope to place them on farms.

In answer to the other question: None of our people are allowed to go out, while they are in our charge, and do farming work for others at cost. From our training schools, we do put youngsters out on placement; sometimes they go into a home as mothers' helpers and they get paid, but of course this is their own money; and they go out to farms, but this, in effect, is on parole. We do have some training at Bowmanville, we have Cold Springs camp there, and we are moving further into this field, but the hon. member will also appreciate that you have to select people carefully for this, because you have to be able to trust them in this open setting.

Mr. Paterson: I do realize the psychological and social problems of the inmates and the persons with whom they are going to be placed, but I just wondered if the hon. Minister would consider placing this new institution in Essex or Kent county. We are facing a dire farm labour shortage this year, and if persons could be screened that could be placed in this area I am sure they would be very welcome and accepted by the people of the area.

Hon. Mr. Grossman: Mr. Chairman, we would be very glad to consider that when we are establishing this training farm.

Mr. Singer: Mr. Chairman, during the Throne debate I put forward the suggestion that this department could well be bulked with The Attorney General's Department, because many of the functions are more closely akin to functions that that office is carrying on; and there would be a continuity of control and operation from the time someone comes into trouble with the law until the time they are sent back into society.

Under this vote we have a parole service which this department supplies; and this service is, as I understand it, supplied to those people under indefinite sentences who

are released after the parole board determines they should be released. They are released on that condition and the parole officers handle them. Then, if you turn just briefly to The Attorney General's Department, we have a probation service; and in that vote the hon. Attorney General (Mr. Wishart) will be requesting \$1,714,000. The hon. Minister of Reform Institutions is asking for \$605,000.

While the names are different and the significance, I suppose, is somewhat different, the people who are served by probation services are people who come into difficulty with the law and who are put on probation. In other words, the difference between parole and probation is that the people on parole have been in an institution and are let out, and the people on probation, perhaps with the same sort of problems, have never been in an institution but are let go on generally the same type of understanding. They will report, and they are given counselling, and there are certain restrictions to which they are subjected.

By and large, these functions of these two services are substantially the same. There is a difference in definition but, by and large, the functions are substantially the same. We have two branches of government going off and doing the same function in different ways under different control, and perhaps with different rules.

Then there is another vote in The Attorney General's Department dealing with magistrates, and juvenile and family courts; and while the whole of that vote, which is \$1,125,000, is not devoted to rehabilitation work, a lot of that money will be spent within that vote on the same general sort of thing insofar as juveniles are concerned.

It would seem somewhat reasonable to me, Mr. Chairman, that when this government has, as it must be, the problem of dealing with people who are in trouble, and trying to rehabilitate them—I do not care whether you say they are being rehabilitated on parole or probation, or because they have come into problems with the juvenile and family court—then it would seem reasonable to me you should have one sort of central control doing all of this work. You should have a standard of qualifications so that the people who are equipped to do this work, the people who should be hired to do this work by the government, would all have the same qualifications whichever of these three branches they are serving in.

I would like to hear the hon. Minister's views on this, and his justification for the continuing separation of these responsibilities.

I would like to know, in addition, what training the parole officers have; what educational qualifications are required before they are taken on as parole officers; their salary range—he perhaps has said it, I did not catch the figure; the number of parole officers he has; and if he is aware—he may not be—whether these qualifications in the probation service are the same as for the people who work in magistrates' courts. I wonder how much real liaison there is and how much thinking or studying there has been done about unification in these various services.

Hon. Mr. Grossman: Well, Mr. Chairman, regarding the general principle of the combination of parole and probation officers, the hon. member is probably familiar with the fact that this is a classical dialogue that goes on in many jurisdictions. Some jurisdictions, as a matter of fact, have combined them. There is, I find, some resistance in this country, and particularly in this province, on the part of some of the judiciary, for example, about combining them. This has been discussed and, as a matter of fact, the inter-departmental committee between the representatives of the Attorney General's department and our department have this on the agenda for further discussion. But it is a problem, because some people feel they should not be combined; some people feel that you are dealing with two types of people.

For example, there would be a resistance, it is claimed, on the part of those who are on probation and had never been in an institution to be considered in the same category, or be supervised by the same person who is supervising those who have serious criminal records. There is this problem. This is a discussion, as I say, with a great deal of merit; it has been suggested that they be combined but, as I say, there is a great deal of resistance as well. I would say that this is not, by any means, a closed book.

The other question which the hon. member has raised—I am told that these are questions which he put on the order paper. I recall now that they were. Would he prefer to wait for that, because we can get the information in greater detail? I know that he has asked so many questions that he has forgotten, but it is on the order paper; is it all right if we let it go until then?

Mr. Singer: That is all right. What about comparative levels between salaries to parole officers and to probation officers? Are they the same?

Hon. Mr. Grossman: Probation officers' salaries are higher.

Mr. Thompson: Mr. Chairman, I think from this that I should suggest to the hon. Minister that we can do a great deal more in the parole area. From his report he has emphasized that it is one of the most important aspects of this whole approach in rehabilitating people. I want to emphasize again that it does not really amount to very much if you have some convict who fits in well and has an exemplary manner within the institution. The real test of success is when he is back again in society. I think that the suggestion of my hon. friend is a very good one and I appreciate that he is studying this because I am going to charge that he has a patchwork approach with respect to parole throughout the province.

I notice in the hon. Minister's report—he is very frank and honest in this report and I congratulate him on that—that there are only five outside officers around the province. This means that there must be many areas where people, when they leave an institution, do not have any parole supervisor.

Hon. Mr. Grossman: I think that the hon. member should be advised—I do not know whether it is in the report—that there is a parole officer in every institution throughout the whole of the province.

Mr. Thompson: But the point I am emphasizing is that I am not focusing on the institutions, I am focusing on the rehabilitation of the man when he gets out and goes back to a city. I think this is really where it must be built up.

Hon. Mr. Grossman: The parole officer works out of the institution. There is one located, in addition to these five centres, in each institution and he works out of that institution. If the hon. member is suggesting that we should have more than one in each institution, as well as the balance of the staff we have, we agree with him. We would like to have more, and are intending to do so, but the province is covered insofar as covering the geography and the people in those areas is concerned. Because, in addition to the main office staff and the five districts, there is one in every institution.

Mr. Thompson: I am suggesting—and I think that we are in agreement on this—that a parole office should be located, for example, in Toronto; a parole office in Sudbury or Ottawa; and so on. I notice that they are located in Toronto, Hamilton, London, Ottawa and Port Arthur; but the responsibility of this parole office, and the rehabilitation officer in it, is to do the job of keeping a check on the man after he has left the institution.

I can see the rehabilitation officer in the institution helping to amass the facts for the parole board and helping to find out about the parole, and I would hope that this man would be going from the staff of the institution and at least making several visits to the men's homes.

Hon. Mr. Grossman: That is his job.

Mr. Thompson: I think he must have a tremendous case load.

Hon. Mr. Grossman: Where the case load is larger he would get assistance from the balance of the staff; but there is one located in every institution, as well as the general staff which deals with the home problems as well. The hon. member should remember that he alone does not do this counselling inside—there are others who do it as well. There is a chaplain, and a social worker, and other who are counselling at all times.

We do not think that it is patchwork. We say that it is not as adequate as we would like it to be, and I do not suppose that it ever will be as adequate as we would like it to be. Again, it is a matter of a staff-to-inmate ratio; we like to have that as large as possible.

Mr. Thompson: To bring this out, could I ask the hon. Minister if there are children who leave institutions on indeterminate sentences—do some parolees who leave these institutions report to a police officer because there is no parole officer?

Hon. Mr. Grossman: I am told that there are adult parolees who do; children, of course, do not.

Mr. Thompson: This is what I say.

Hon. Mr. Grossman: There are some areas—and I found this out when I was in my childhood—in which the police officer is a good man for the person to be paroled to; there may be a particular area where there is respect for a particular police officer, where there is a good relationship and it works out very well. Even if there were more rehabilitation officers in some of these areas, you would still co-operate with particular policemen because of their relationship with the community.

Mr. Singer: Mr. Chairman, the question to which the hon. Minister was referring was question number 8, I think.

Hon. J. P. Robarts (Prime Minister): Excuse me—

Mr. Singer: I will be very brief.

Hon. Mr. Robarts: All right.

Mr. Singer: There is a question the hon. member for Yorkview (Mr. Young) asked. Some of the things were the sort of questions I was directing to the hon. Minister earlier. There are a number of questions, a number of expansions on his questions perhaps, which I propose to put to the hon. Minister when his estimates are called again; so, as far as I am concerned, there should be more information. Perhaps the hon. Minister will have time between now and when we come back to—

Hon. Mr. Grossman: On this vote?

Mr. Singer: Yes.

Hon. Mr. Grossman: Why does the hon. member not ask them and I will get them ready for him?

Mr. Singer: All right. Fine.

I want to know the qualifications they have to have before you hire them. The hon. member for Yorkview says: "What are the academic and experience qualifications of each one on staff?"—and I want to know what the standards are, and what training they have had. I would like to know what the salary levels are, and I would like to know what the turnover has been in the last 12 months.

Hon. Mr. Robarts moves that the committee rise and report progress and ask for leave to sit again.

The House resumed; Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of supply begs to report progress and asks for leave to sit again.

Report agreed to.

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, on Monday we will continue with the estimates of this department and clear the estimates of The Department of Labour. Following that, we will deal with The Department of Energy and Resources Management, and following that one, with The Department of Economics and Development. I had The Department of Highways in there, but it has been moved.

Mr. Speaker, The Department of Energy and Resources Management will be next and The Department of Economics and Development will follow that.

I would point out that on Wednesday next, the House will not sit. There have been two legislative tours arranged: One to London to visit the children's psychiatric research institute, which is a new development in the field of mental health, and the London vocational centre, which is the most recent of our vocational centres. There is another tour going to Douglas Point, the nuclear power plant there, which is, I think a very interesting and very important development in the life of the province.

I would suggest to the hon. members that the House is not sitting in order that they make take advantage of these tours; and if we are going to lose a day here I hope that the day will be properly spent in these endeavours and will not be looked upon simply as a mid-week break.

Details of these trips will be circulated to all hon. members.

Hon. Mr. Robarts moves the adjournment of the House.

Motion agreed to.

The House adjourned at 1.05 o'clock p.m.

ERRATUM
(March 23, 1965)

<i>Page</i>	<i>Column</i>	<i>Line</i>	<i>Correction</i>
1553	2	30	Change to read: Toronto last year, the city welfare depart-

APPENDIX A
INFORMATION ON COMPANIES IN RECEIPT OF GUARANTEED LOANS WHICH HAVE FAILED—Question No. 86 (Mr. Taylor)

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
<i>Name of Company</i>	<i>Location</i>	<i>Amount of Guarantee</i>	<i>Term in Years of Guarantee</i>	<i>Payments made by Government to Liquidate the Guarantee including Interest</i>	<i>Indebtedness of Company before Realization of Assets</i>	<i>Remarks</i>
*A.C.L. Manufacturing Co. Ltd.	Scarborough	\$ 100,000.00	2	\$ Nil	\$ 336,000.00	Guarantee discharged in full through sale of assets.
Campbellford Pulp Co. Ltd.	Campbellford	75,000.00	4	77,618.85	208,000.00	Payment made by government includes interest.
H. J. Fairfield Ltd.	Owen Sound	160,000.00	2	164,821.71	305,000.00	Payment made by government includes interest.
International Welder Corporation Limited	Windsor	100,000.00	3	72,047.19	211,000.00	\$69,000.00 out of guarantee made available to company. Balance of amount paid by government represents interest payment.
*Monarch Master Manufacturing Ltd.	Toronto and Orangeville	150,000.00	2	154,623.28	756,000.00	Payment made by government includes interest.
Trentex Limited	Ajax	15,000.00	3	14,393.96	29,000.00	Repayment of \$555.00 made by this company. Payment made by government includes interest.
*Pengor Limited	Carleton Place	150,000.00	2	Nil	601,000.00	Company petitioned into bankruptcy, but attempts being made to reactivate it. In the event that these are not successful, it appears highly likely that assets will realize sufficient to completely discharge the provincial guarantee.
Total		\$750,000.00		\$483,504.99	\$2,446,000.00	

*Petitioned into bankruptcy.





Legislature of Ontario

Debates

OFFICIAL REPORT—DAILY EDITION

Third Session of the Twenty-Seventh Legislature

Monday, April 5, 1965

Speaker: Honourable Donald H. Morrow
Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

MONDAY, APRIL 5, 1965

The House met at 3 o'clock, p.m.

Prayers.

Mr. Speaker: We are always pleased to have visitors to the Legislature and today we welcome as guests, in the west gallery, students from Our Lady of Sorrows separate school, Etobicoke; and in the east gallery, students from John Fisher public school, Toronto.

Petitions.

Presenting reports by committees.

Mr. D. Bales (York Mills), from the select committee appointed to consider Bill No. 80, An Act to amend The Legislative Assembly Act, presented the committee's report which was read as follows and adopted:

Your committee begs to report the bill with a certain amendment.

Mr. Speaker: Motions.

Introduction of bills.

Mr. D. A. Paterson (Essex South): Mr. Speaker, before the orders of the day, I have a question for the hon. Minister of Economics and Development (Mr. Randall). The question was duly submitted:

Will the hon. Minister give any assurance that a study will be undertaken regarding daylight saving time and its effect on the economy as it relates to the St. Clair region of the province?

Hon. S. J. Randall (Minister of Economics and Development): Mr. Speaker, the answer to the question is: "No." I would like to make a comment on this: I received a proposal from the St. Clair regional development association on March 10 asking us to carry out such a study. As hon. members know, we have received requests from many sources requesting the department to carry out specific economic studies, or requests that the department provide assistance. In this case, if the association wishes to carry out such a study, we are prepared to provide background information as we do for all requests. However,

it is not physically possible to carry out these studies within a department or to provide staff for them.

Within the next few weeks, the department will be undertaking an economic survey of the St. Clair economic region; it will be published in a series of similar studies done for other economic regions in the province. I believe that this study will be more productive than the one they requested.

Mr. B. Newman (Windsor-Walkerville): Mr. Speaker, before the orders of the day, I have a question for the hon. Minister of Highways (Mr. MacNaughton), notice of which has been formally submitted. What is the reason for The Department of Highways' delay in approving designation of streets as connecting links for the city of Hamilton's \$500,000—

Mr. Speaker: Order!

I do not believe I received the member's question in my office. Has the Minister received any notice?

Hon. C. S. MacNaughton (Minister of Highways): Mr. Speaker, I have received no notice of this question, I regret to say.

Mr. Speaker: Apparently there has been a slip-up in the question getting to my office.

Mr. Newman: I will ask it tomorrow.

Mr. Speaker: Orders of the day.

Clerk of the House: The 51st order; House in committee of supply; Mr. W. E. Sandercock in the chair.

ESTIMATES, DEPARTMENT OF REFORM INSTITUTIONS

(continued)

On vote 1902:

Hon. A. Grossman (Minister of Reform Institutions): Mr. Chairman, early the other afternoon when we adjourned, a number of questions were asked by the hon. member for Downsview (Mr. Singer) and I would like to deal with those. I promised to have the answers for him.

But even before dealing with them, I would like to make something clear. In reading the transcript, and the questioning that was put to me by the hon. member for Parkdale (Mr. Trotter), I appreciate the fact that a misunderstanding could be arrived at from reading *Hansard*. The hon. member was referring to the fact that there were 24 accommodated at Ingleside and I kept insisting that there were 40. The misunderstanding arises from the fact that I generally think of the Brampton treatment centre as one unit—that is, the women's guidance centre, otherwise known as Ingleside, and the women's treatment centre.

The guidance centre, or Ingleside, does in fact accommodate 24 and the treatment centre accommodates 16, which makes 40; and while, technically, we were both correct, I would not want anyone to get the idea that I was denying something which, in fact, was so.

The hon. member for Downsview asked a number of questions. The first one is: What are the salaries of the rehabilitation staff? The "rehabilitation officer 1" salary scale is from \$4,200 to \$4,800. They remain as "rehabilitation officers 1" for two years, then write examinations set by the civil service commission and thereby qualify as "rehabilitation officers 2" with a salary range of \$4,800 to \$5,750. "Rehabilitation officer 3," that is supervisor, receives a salary of \$5,500 to \$6,600. "Rehabilitation officers 4," assistant directors, are \$6,900 to \$8,200.

A further question was: What was the turnover of rehabilitation staff during the past year? The answer to that, Mr. Chairman, is that on March 1, 1964 there were 49 rehabilitation officers on staff. Since that time nine new staff members have been recruited and the complement was depleted by one due to the death of Mr. B. A. Snow. It is interesting to note that, in the past 15 years, only two officers have resigned from the service and one of these has since returned.

The hon. member for Downsview also asked: What are the qualifications for the position of rehabilitation officer in the department? The answer is: Grade 13 education, with some experience in related work; or Grade 12 education, with two years of relevant experience in an institution involving considerable personal contact with inmates. Successful completion of the civil service examination is designed to select suitable staff based on their knowledge of and aptitude for rehabilitation work.

Mr. V. M. Singer (Downsview): Is there an age limit?

Hon. Mr. Grossman: Yes, I was about to come to that. The age limit is 25 to 45 years of age.

Third, the ability and co-operation to win the confidence of persons with anti-social attitudes; patience; tact; good judgment; willingness to travel and work on unscheduled hours when required; ability to drive a car; and personal suitability.

A further question from the hon. member for Downsview is: What training is given a rehabilitation officer by the department? The answer is: Many of the staff have been recruited from within the department and have attended our staff training course. Also, we encourage the officers to participate in university extension courses, seminars, and so on. Rehabilitation conferences are conducted regularly, the last one having finished at the end of March.

At the present time discussions are being held with the civil service commission and two other departments who have related services. Consideration is being given to the establishment of a training course which would be beneficial to staff from each of the departments.

I hope I have answered the hon. member's questions.

Mr. J. B. Trotter (Parkdale): Mr. Chairman, I was wondering if the hon. Minister had the answer to my question regarding how many psychiatrists and psychologists had come in and out of the department in the last ten years.

Hon. Mr. Grossman: Yes, Mr. Chairman, I have that answer. I was hoping to deal with this when we started on the last vote. I thought that it belonged more properly under "institutions." If it is all right with the hon. member we will hold it.

Mr. F. Young (Yorkview): Mr. Chairman, I have one further question regarding the grants to various institutions in rehabilitation. Would the hon. Minister tell me what standards are set up in regard to staff in institutions such as the Harold King farm, the John Howard society and other similar agencies?

Hon. Mr. Grossman: Mr. Chairman, there are no standards in respect to staff requirements for them, as far as our department is concerned. The John Howard society, of course, does varying types of work and, as far as I know, the Harold King farm or any other halfway house is a private agency; and, as I mentioned the other day, they do

not get grants from our department at all. The halfway houses get their grants from The Department of Public Welfare; the others, of course, get their grants from us, but they are private agencies.

Vote 1902 agreed to.

On vote 1903:

Hon. Mr. Grossman: Mr. Chairman, if I may, I will deal with the answers to the questions of the hon. member for Parkdale.

In reply to the hon. member's question of Friday last, regarding the turnover of professional staff, the following are the facts. In this we have considered all who were on staff on April 1, 1960, and those appointed since that date. The total number of psychiatrists is 23; the number of those 23 still on the staff is 13; of those ten who separated, seven resigned due to the pressure at their own practice, two to accept positions in the Ontario hospital and Homewood sanitarium, Guelph; and one was over-age. Psychologists: 39 were on staff as of April 1, 1960; the number still on staff is 20; of those 19 who separated, six resigned to accept another position, two transferred to The Department of Health, four because of a change of community, four because of home responsibilities, two returned to private practice, and one re-enlisted in the army.

Does that answer the hon. member's questions?

Mr. Trotter: I rather gathered from the transcript, and I know we discussed going back five or ten years—do I take it that the hon. Minister is only able to go back five years? Is that correct?

Hon. Mr. Grossman: Actually, in the interests of getting the answers today rather than three or four days after my estimates had been completed, I thought it would be better to give the hon. member the answers we had for the five years—these are much easier to get—particularly when the questions were asked late last Friday. But if the hon. member wants us to go back further—

Mr. Trotter: I would be curious to see that figure because even this period of five years, Mr. Chairman, I think, points out the criticism which has been made of this department and its inability to hang on to trained staff. The department has lost 13 out of 23 psychiatrists, and 20 out of 39 psychologists; in fact it has lost slightly more than half, which is a tremendous turnover. I know there may be different reasons why these people left, but it is certainly an ex-

tremely high rate of turnover. There must be something wrong within the department—either the rate of pay or the atmosphere that seems to prevail.

Very seldom does any company, or probably any department in government, have the turnover that the hon. Minister has among his psychiatrists and psychologists. I know that some of the other government departments, including The Department of Health, have trouble getting trained help, but they certainly do not have the turnover that The Department of Reform Institutions has. I think it bears more looking into on the part of the Minister in charge.

Again the hon. Minister may say that it is hearsay, but I hear so much of why different psychologists and psychiatrists become fed up—because of the atmosphere, and the attitude of the head men within the department. Maybe it is because there have been so many Ministers in this department that it has not had the proper guidance; but we have had all this hearsay—if you want to call it that—and I would say from these figures that, over only a short period of time, it bears out the criticism that there has been a tremendous turnover. So I would say that there is a lot more than meets the eye.

Hon. Mr. Grossman: Mr. Chairman, there is one thing I would like to get into the record: It is, of course, more difficult for any corrective institution to retain this type of staff than it is for any other department, as far as I am able to ascertain. This is also endemic across the whole world, because in our work there is a great deal of room for differences of opinion; quite often psychologists and psychiatrists, particularly, differ in their views as to what should be done. Some of them feel frustrated if their views are not accepted, and they leave. As a matter of fact, without mentioning any names, there were a few in the number I mentioned who, because of differences of opinion, left The Department of Reform Institutions and went with the addiction research foundation; after being there a short while, they left there as well because of differences of opinion.

As I say, this is not just in our jurisdiction. I have just had handed to me a recent report of the commissioner of penitentiaries for Canada. On page 3 of that report he states:

The situation described in the previous report—

That would be the 1963 report:

—has not changed appreciably as regards recruitment of professionally qualified staff. Half of the establishment for psychologists

remains vacant, and group counselling is at a standstill in most institutions due to the lack of adequate professional supervision.

This is the federal system. I am not saying that it would not be a good thing to have this professional staff; and I am not saying it is a good thing that some of them keep moving around, but again I suggest to the hon. member that one of the problems, as I said earlier, is that there is room for differences of opinion; and, as the hon. member knows, I am sure, there is no group of people with greater differences of opinion, and their own views, than psychologists and psychiatrists.

Mr. Trotter: I still think, Mr. Chairman, and I will not belabour this particular point, if there was leadership given, if psychologists and psychiatrists felt that something was going to be done, that the department had some drive—and again I repeat that this is what has been wrong with this department and I hope the new Minister can change it—but there seems to have been no sense of purpose as to where they have been going. Too many of the old theories have been held by those in command. I do hope that the new Minister will give this department a new look.

Still on this vein, I would like to ask: How many psychiatrists do you have in the department now? I think you told us this earlier in your talk, but I just want to make a comparison. How many psychiatrists are with the department now?

Hon. Mr. Grossman: Thirteen.

Mr. Trotter: Does that include full time and part time?

Hon. Mr. Grossman: Yes.

Mr. Trotter: How many are full time?

Hon. Mr. Grossman: All of our psychiatrists are part time.

Mr. Trotter: All your psychiatrists are part time?

Hon. Mr. Grossman: That is right.

Mr. Trotter: Would you take full-time psychiatrists if you could get them?

Hon. Mr. Grossman: We certainly would, but of course the hon. member must appreciate the fact that psychiatrists can pretty well write their own terms insofar as salary is concerned. I have spoken to a number of them

personally and no matter what salary you offer them they would not want to leave private practice. Many of them feel that the kind of work in which they are engaged in private practice is the most rewarding from their own point of view. They deal with a group of people with whom they become personally acquainted and are able to follow them through a good portion of their lives. They do not find it as interesting to come into institutions where there is merely a fleeting connection with some of those whom they are trying to treat. They have them today, and six or seven months from that day they are gone. They do not feel this gives them sufficient scope.

That is in addition, of course, to the matter of salary. As I pointed out to the hon. member, our part-time psychiatrists get paid \$40 to \$50 for half a day.

Mr. Trotter: Well, now, if you are going to pay a psychiatrist full time what, approximately, would his pay be?

Hon. Mr. Grossman: The hon. member I think can judge that, by the fact that we are paying them at the rate of I suppose \$20,000 to \$25,000 a year.

Mr. Trotter: Would you pay that much if you could get one?

Hon. Mr. Grossman: My inclination would be to say yes, except that I would not give a definite answer to that because it is something we have not had to face. We have been discussing this with psychiatrists and have not had anyone get to the stage where he was interested in considering it and was therefore prepared to talk terms.

So I would not give a definite answer because the hon. member knows I do not control salaries. This is a matter for the civil service commission. If I had a prospective psychiatrist prepared to come in full time I would then discuss it with the civil service commission.

Mr. Trotter: Mr. Chairman, I would like to ask the hon. Minister if in his attempts to gain psychiatrists, to hire psychologists or psychiatrists—in any of these fields—have you attempted to go abroad to England?

Hon. Mr. Grossman: Mr. Chairman, I can say from my personal experience when I was in the UK I discussed the matter with people who were involved in this work in the permanent Home Secretary's office and there was not a hope. They were having the same problem we were and they were quite prepared, if it was necessary, to outbid some-

body else because they were anxious to get more on staff as well.

Mr. L. Troy (Nipissing): I agree with the hon. member for Parkdale that it is a sort of "on-again, off-again Finnegan" with this department. In the short period I have been here there have been three Ministers. I do not know whether it was the purpose of the leader of the government to do some reform in that regard also.

I can just say this: If you pay psychiatrists \$25,000 a year to go in your department, you would find there would be all kinds of vacancies then in the Ontario hospitals, because I do not think they get anywhere near that amount.

It is a strange thing, too, Mr. Minister, I believe that the government does subsidize graduates of universities by very substantial amounts to study psychology and psychiatry, but there are very few of them that accept their obligation and spend a certain time in the employ of the government.

Have you got psychologists, too, in addition to psychiatrists?

Hon. Mr. Grossman: Oh yes!

Mr. Troy: How many?

Hon. Mr. Grossman: Twenty psychologists.

Mr. Troy: Twenty—that is 33. Full time or part time?

Hon. Mr. Grossman: Twenty full-time psychologists.

Mr. Troy: And counsellors?

Hon. Mr. Grossman: And 11 social workers.

Mr. Troy: Any counsellors?

Hon. Mr. Grossman: Well, the social workers, plus 60 rehabilitation officers who do counselling work.

Mr. Troy: How many guards of all categories have you?

Hon. Mr. Grossman: I am sorry—the hon. member is speaking of how many guards?

Mr. Troy: Yes. You know, all the categories: Guards, corporals, sergeants, matrons and so on. How many in your employ?

Hon. Mr. Grossman: The total of the staff of the department is about 2,400 to 2,500.

Mr. Troy: This is guards?

Hon. Mr. Grossman: No, total staff. Do you want to know how many guards?

Mr. Troy: I want to find out just how many you have—not primarily in rehabilitation, but those that are guards and matrons—the staff in your institutions.

Hon. Mr. Grossman: Correctional officers.

Mr. Troy: Thank you very much for your information, but the number?

Hon. Mr. Grossman: I am told that you will find that on page 19 of the report. They are outlined here. Captains—

Mr. Troy: One thousand, five hundred and eleven.

Hon. Mr. Grossman: These are adult institutions.

Mr. Troy: 1,511 altogether, and when you take—

Hon. Mr. Grossman: Well, these are other staff as well.

Mr. Troy: Yes, the total number. I believe there would be between 900 and 1,000 guards; or as you call them, correctional officers. It seems to me though that the percentage of those who are actually engaged in rehabilitation of offenders is very small. I guess you employ 10 correctional officers to one counsellor; that is in proportion to those that are engaged definitely in the rehabilitation aspect of your institutions, those who definitely might help to reform a person. I think the percentage of those is quite low. Do you agree?

Hon. Mr. Grossman: This question was asked on Friday and the hon. member will recall my answer at that time was that we consider everyone in the department as doing rehabilitation work. Our custodial officers, if you want to call them that, are trained for this sort of thing. We have on-going in-staff training for them. We encourage them to take courses at the university in this work. They attend seminars, all for the purpose of keeping them up to date so far as what is required in rehabilitation work.

The hon. member will also recall, I am sure that I stated last week that we appreciate the fact that the officer who is in the institution 24 hours a day in close contact with the inmates, so far as adult institutions are concerned, is more important to the offender from a rehabilitative point of view than even treatment staff, because he is with them all the time. This is becoming more and more evident in all correctional jurisdictions. We consider those people as doing rehabilitative work as well.

Mrs. A. Pritchard (Hamilton Centre): Mr. Chairman, in rising to speak to the estimates, particularly as they relate to Mercer reformatory, I do so in accordance with my statement that I would give this House a clear picture of Mercer as I found it on Friday, January 15.

Initially, I was shocked and disturbed at the news reports emanating from the findings of the grand jury. However, the action of the hon. Minister of this department in holding an immediate press conference was commendable and reassuring. With the door of the Mercer thrown wide open, the newsmen were able to see for themselves.

However, it was obvious that this sort of inspection could only deal with surface matters. I felt much more was needed and I was much reassured when the hon. Minister so quickly announced that an investigation would be made. I thought it was only proper for me to wait for this investigating committee to complete its findings. A great number of people jumped on the band wagon, asked for an investigation and then, without waiting for the report, condemned everything about the Mercer reformatory.

It was encouraging, as time went on, to find an occasional voice denying a number of these charges—people who were in a position to know—but it was still important and essential to get the full factual report. We have it now and I studied it with great interest, but before commenting on it I would place on record Mercer as I found it Friday, January 15, without additions or omissions.

First, Mr. Chairman, the building, admittedly, is old. It is immaculately clean. Obviously it should be replaced—probably this is in the future plan. The girls and women were going about their allotted tasks. The atmosphere, to my inexperienced eye, was not belligerent. I respected their unfortunate position. In the kitchen, dinner was being prepared. Four girls were preparing vegetables; baked haddock with parsley sauce was the main dish. In the laundry, washing and ironing was in progress and about 15 girls were at work. I talked to several of these girls. They were polite and ready to talk, and asked where I was from and what I wanted to know. One girl of 19 told me her story—broken home, common-law parents, five foster homes, a baby at 15. This girl also stated that, on being sentenced to Mercer, she was scared, but added it was not so bad.

In the sewing room about 20 were at work, mending or making the various uniforms and other clothing. Some were critical, some resentful, but in the limitations of the surroundings this was not surprising.

I visited the cells, the library, and the basement, especially the detention cells. I did not like them, but behaviour problems must be dealt with and isolation seems to be the prescribed form.

There must be rules and regulations, and they must of necessity be obeyed. The staff at Mercer is expected to follow instructions. I have every compassion and sympathy for the unfortunate inmates, in many instances victims of their environment. However, we must think at the positive level. I suggest that perhaps the reform should start with an examination of the criminal code with respect to the sentences meted out for the various misdemeanors in the light of changing standards.

Of the 80 inmates, 11 were in for drug addiction, 12 for prostitution, 13 for theft, 12 for a breach of The LCA, five for uttering, the rest for other offences. Sentences ranged from one to 17 months in the jail, and from one to 36 months in the reformatory.

Drug addiction is of great concern and I read here a short excerpt from the report in the *Canadian Journal of Corrections*, April, 1964, by Maurice S. Flint, director of chaplain services, Department of Reform Institutions:

Female addicts are apprehended by law enforcement officers and are usually held at a local jail for several days or weeks for sentencing before being moved to a provincial or federal correctional institution.

After transfer to the Mercer unit they are now appraised medically, psychiatrically, interviewed, psychologically tested, and given up to ten weeks to find freedom from the sense of physical dependence upon the drug. During this period, the addicts are given an opportunity to volunteer for treatment at the OWTC, Brampton. Only those who volunteer and are willing to accept the rigorous routine at the new treatment centre are considered for inclusion in treatment.

It has been found that there are certain factors militating against choice to participate in the treatment process which include: The lack of desire to face the unknown. Treatment in the reformatory is acceptable, but treatment in a unit unknown to them is considered of dubious value.

The custodial setting of the Mercer unit, with its locked doors, separate inmate room, detention room, and the large inmate population, appeals to many narcotic addicts for locks mean security, rooms spell privacy, punishment to some is rewarding, and to know that one can be lost in the crowd is helpful for others.

I talked at some length to the assistant matron, who seemed to be a practical, well-adjusted person, interested in her job. She made some astute observations and suggestions from her experience, which I noted pending the study of the expected report of the advisory committee.

My next visit was to Ingleside at Brampton, a branch of Mercer for first offenders. I lunched there—fish and chips, and chocolate pudding. I toured the building—ranch style and completely open. Here is the modern method and I have nothing but praise for the programme carried out. The girls are kept busy and seem to take pride in their rooms. Typing and bookkeeping courses are available and I saw some good paintings, the work of the girls. I then went over to the alcoholic clinic. The therapy class was in session, and every effort is made to assist these unfortunate women.

Mr. Chairman, I have attempted to give a calm, factual appraisal of Mercer reformatory. I have no wish to oversimplify the profound problems of human behaviour. The need for sympathy and understanding, and a greatly improved rehabilitation programme, is apparent—subject, of course, to finding the qualified staff.

I would remind the hon. members that the Stewart committee in 1954 went into the whole subject of reform institutions in great detail, made recommendations, and arrived at conclusions which were accepted by all parties in this House. With particular reference to the Mercer reformatory and the programme for female offenders, it would seem that with the exception of the replacement of the old buildings, most of the recommendations have been carried out.

At this point, it is interesting to bring to light the fact that in the Stewart report, in its mention of Mrs. Burrows, described her as a very able superintendent. Where were all these apostles of truth, who simply let the grand jurymen's misstatement go by the board when they knew better?

To revert to the report of the hon. Minister's investigating committee, I think this is a most valuable document. It deals with each particular subject in sufficient detail, showing the amount of research done on this and the care taken to ensure that all points were investigated. It would be pointless to repeat what was reported upon, and very time-consuming, too, so I would just like to mention one or two things that struck me in going through this.

The whole atmosphere of the report gives the impression of people who knew what they

were doing. The psychologist knew what his job was, and was doing it. The matron, the superintendent, the librarian, the rehabilitation officer, were all obviously on top of their jobs; and, when a detailed survey was made, they proved to be doing them very well.

The next thing of interest was the number of volunteer social agencies we have working with the women in Mercer. They are doing a most worthwhile job; and, in case the hon. members have not read this section of the report in the detail I think it deserves, I would like to repeat the names of these agencies and individual workers who are giving positive expression in their desire to help people in trouble:

Miss G. Simon, Ingles House, Toronto, who represents the Anglican Church, has been visiting Mercer for 20 years, counselling inmates and offering help to them on their release.

Miss Winifred Hunter, of the Hope Harbour home, represents the Baptist Church. She has been working in this field at Mercer since 1953.

Miss E. Hart, of the Fred Victor mission of the United Church of Canada, gives after-care and counselling services.

Mrs. MacLean, a rehabilitation worker with the Legion of Mary, represents the Roman Catholic Church, and seeks to find suitable homes for inmates, and openings for employment.

Another very active group, of which we are all aware, is the Salvation Army, with three separate phases of rehabilitation services offered to the women who leave Mercer. Major Thelma Worthylake works at the courts and in institutions, befriending girls on discharge. Incidentally, Major Worthylake said that she felt the programme at Mercer had something to offer the inmates. She had followed the careers of ex-inmates and knew of many who had been rehabilitated. Brigadier Pike is the superintendent of the Salvation Army receiving home, and Major E. Peacock is in charge of the Salvation Army home on George Street. Neither of these two ladies reported hearing serious criticism from ex-inmates of Mercer.

I would like to repeat what is said in the report, and I quote:

The church workers were unanimous in their appreciation of the co-operation of the superintendent and staff of the Mercer.

I suggest, Mr. Chairman, that any man who is honest in his own heart will readily believe these workers who are devoting their life to this field and take their judgment,

which has been formed over the years, rather than split-minute opinions, arrived at perhaps even before seeing what was going on.

With reference to the Elizabeth Fry society, which unfortunately is the one exception, I have no personal knowledge of their particular problem. I know they do a great deal of valuable work. Perhaps in their zeal for penal reform, following in the footsteps of their worthy founder, they were involved in supporting statements which they now regret. This is what I have read in the news reports. I hope that there will be a much better understanding in the future.

Mr. Chairman, supervising a reform institution must be a terrible job. It is difficult enough keeping order amongst an ordinary group of school children, and even perhaps on occasions in this august assembly. It is even more difficult to make people change their ways.

I think from what I have heard and read in the last few months we owe a debt of gratitude to the staff of Mercer reformatory. I appreciate the problems that are part of trying to rehabilitate the inmates and I would close my remarks, Mr. Chairman, by putting on record my own personal appreciation of the good work they are doing in this most difficult field.

Some hon. members: Hear, hear!

Mr. Trotter: Mr. Chairman, just one or two points.

The last speaker just said that the Elizabeth Fry society made remarks for which they are now sorry. I went to the trouble of reading into the record letters made public by the Fry society and I know of no recantation on their part. They have objected to Mercer in the past and in the main, they supported the grand jury report. They did not support everything the grand jury said and I know of no change that they have made, so I think it is most improper for the hon. member to have said that, because there certainly is no public record of which I know where they said that they were sorry.

Again, I do not want to rehash all the statements that were made about Mercer. I might recommend to the hon. Minister though, that if he ever wants another whitewash committee that he get the hon. member for Hamilton Centre as the chairman, because certainly that is what her statement amounts to.

An hon. member: Shame, shame.

Mr. Trotter: Now while we are on the subject of Mercer, I would like to ask the

hon. Minister if changes have been made in the medical treatment setup at Mercer? I rather suspect there have been and I would like to know what he has done.

Mrs. Pritchard: Mr. Chairman, if I may reply to the comment made by the hon. member? I read in the press, very clearly, that there was some disagreement among the people in the Elizabeth Fry society as to what was quoted. I certainly based what I said here on what I personally read in the press. I would suggest that if we are going to have a McCarthy chairmanship, perhaps the hon. member would be available.

Some hon. members: Hear, hear!

Mr. D. C. MacDonald (York South): Mr. Chairman, I am all for gallantry in this House, but let us deal with the facts that are presented by any member, no matter who the member is. I would suggest that if the hon. member who rose in defence of Mercer really wanted to find both sides of the story, she would have gone first to the one organization that was critical and not taken something from the paper; she would have checked with the organization itself. Instead, she went to all those organizations from which she thought she would get material to support her particular presentation.

The fact of the matter is that the newspaper reports she saw were with regard to one or two people in the Elizabeth Fry society who had differences of opinion. I do not want to get involved in those differences, but they involved personalities and a lot of other things. They are being critical of Elizabeth Fry and they made some comments; but I would suggest to the hon. member for Hamilton Centre that if she wanted to know what the Elizabeth Fry society thought and she wanted to present a balanced view of what she considered to be the case with regard to Mercer, she would have gone to Elizabeth Fry, the one organization which was critical. But she obviously avoided that.

Mrs. Prichard: Mr. Chairman, for the record, I did not go to any. I am reporting from the—

Mr. Singer: The hon. member should have.

Mr. MacDonald: It is obviously a whitewash.

Mr. Trotter: A report appeared in some newspapers, and just for the record I will read a copy of the letter sent by the corresponding secretary of the Elizabeth Fry society to the editor of the Toronto *Daily Star*, trying to correct what appeared. The letter is dated

January 15, 1965, to the Toronto *Daily Star*. They sent similar letters to the *Globe and Mail* and to the *Telegram*.

The letter to the *Daily Star* reads as follows:

Dear Sir:

The Elizabeth Fry society is extremely puzzled and much disturbed by the report in yesterday's paper, the item headed "Three Fry officers Quit over Mercer Case." On looking through our records we find that Mrs. Hall Humpherson resigned from the society in 1962, two years before the current grand jury report. Mrs. Mason and Mrs. Kelly were not officers nor even members of the board at the time of the resignations.

Our society has a membership of 444 individual members and 24 corporate members, so the resignation of two members, whilst regretted, hardly amounts to a significant percentage.

The report brought in by the grand jury was on their personal inspection of the Mercer reformatory. It was not completely endorsed by our society—see your report, November 6, 1964. Miss Phyllis Haslam, executive director of the Elizabeth Fry society, made a statement to the press at the direction of the board of directors. No reference to personalities was made by the Elizabeth Fry society in this or any other press statement.

Yours truly,

Mrs. N. Moody
Corresponding Secretary
Elizabeth Fry Society

I wish that the hon. member for Hamilton Centre had seen the letter, in the "Letters to the Editor" section. That is the only instance that has come up of which I know. I know of no instance where the Elizabeth Fry society tried to back away from what they said. Quite frankly, from any correspondence that I have read that they sent out to their members, or to those of us who have actually been receiving the correspondence over a long period of time, I think they have been most reasonable. Quite frankly, looking over the record, they have been most accurate.

So again I would like to repeat this question to the hon. Minister: How are they now treating the inmates in the medical setup at Mercer?

Hon. Mr. Grossman: Mr. Chairman, at first, before I forget, that last sentence seems to be equivalent to the one: "Have you beaten your wife lately?"

First, I would like to thank the hon. member for Hamilton Centre for having taken the trouble as she did—

Mr. Troy: Mr. Chairman, on a point of order. What right has the hon. member for Hamilton Centre to make that report? I thought that we were on the estimates. It has been the practice in this Legislature that the member for the government side, the Minister, makes his report; then the Opposition leads off, both our own party and the NDP.

This is not a question on the estimates at all. This is somebody that is practically planted to make this statement and enhance reputations in view of what the hon. member for Parkdale and others have said.

Hon. Mr. Grossman: Mr. Chairman, I would agree with the hon. member, if the Opposition had followed this practice in this session and the last one. He must surely appreciate the fact that one of the complaints of the members of this House has been that this practice has not been followed. Time after time, hon. members of the Opposition get up and make long speeches on particular votes. The hon. member must appreciate this, and surely he would not deny the hon. member for Hamilton Centre the same privilege.

Mr. Troy: Why not make it in a Budget speech, then?

Hon. Mr. Grossman: I agree with you, but the hon. members of the Opposition have not followed this practice. I am sure that they would agree that the members who support the government should be entitled to the same privilege.

Mr. Troy: We are taking our cue from you people.

Hon. Mr. Grossman: From whom do you take your cue?

Mr. Troy: You.

Mr. S. Lewis (Scarborough West): Point of order, Mr. Chairman.

As a member of this Legislature who has discussed this general area of business, I would hope, in distinction from my hon. friend from Nipissing, that we would encourage participation from government members on individual estimate items and that debate is not to be confined in the manner suggested, either by the hon. member for Nipissing or by the hon. Minister, in his own reservation.

Hon. Mr. Grossman: Mr. Chairman, I appreciate the fact that the hon. member for Scarborough West is setting the stage for a long speech he intends to make on a certain item. I will not get involved in this. I will be very pleased to hear what he has to say.

Mr. S. Lewis: The Opposition has that privilege.

Hon. Mr. Grossman: I would like, Mr. Chairman, to finish my words of commendation to the hon. member for Hamilton Centre for having taken the trouble to visit all of these institutions.

I might say, too, that I have no anxiety to prolong the debate on Mercer. Of course, I have not. I said last week that this had been thoroughly dealt with by the investigating committee. I thought that would have settled it, but apparently it has not. But at least the hon. member went to visit all of these institutions. Of all the criticisms I have received from the other side, I have received them from hon. members who, in spite of the strong criticism they have made of Mercer, still have not taken the trouble to visit the treatment centres at Brampton, which are branches of Mercer. Surely the hon. member for Parkdale knows that our Dr. Flint pleaded with him, and pleaded with the hon. member for Downsview and the hon. member for Etobicoke (Mr. Braithwaite), to go out to Ingleside to the treatment centres and see our programme there—and they still have not gone. So I think the hon. member for Hamilton Centre is to be commended for going out.

Mr. Singer: We will, in due course.

Hon. Mr. Grossman: Now, the suggestion is—

Mr. Singer: There was a lot to look at in Mercer that morning.

Hon. Mr. Grossman: I think the time to have done it would have been at the time people were making criticisms about the programme at Mercer; going only to the King Street branch was not giving a correct picture to the public.

Mr. Singer: Oh, nonsense! Mr. Chairman, on a point of order, the hon. Minister is really asking for it and he is going to get it.

Hon. Mr. Grossman: Have I got the floor, Mr. Chairman?

Mr. Singer: No. If you are going to misstate the facts, then you have got to expect interruptions.

Hon. Mr. Grossman: Mr. Chairman, I take it that the hon. member is going to tell me where I misstated the facts.

Mr. Singer: Yes. The fact is that we went on a visit to Mercer. We were escorted by one of the officials of your department; and just because we were not prepared to stay to the strict schedule and the Cook's tour—the pleasant Cook's tour that was laid on for us—certainly does not imply the criticism the hon. Minister is now levying. The investigations we made at Mercer took at least a full five hours, and probably could have gone on for another several hours. The hon. Minister—

Hon. Mr. Grossman: The hon. member said I misstated the facts. I merely said he did not go out to Ingleside, and he admitted this.

Mr. Singer: That is correct, and you know why.

Hon. Mr. Grossman: I said you had not been there, and you made your criticism in spite of that fact.

Mr. Singer: Because of that fact.

Hon. Mr. Grossman: The hon. member for York South suggested that he did not want to get involved in personalities insofar as the ladies are concerned, and I do not want to either. One of the things that caused all this was a personality problem between two ladies, and the last thing I want to do is get involved in that. But this was a personality problem, and a good portion of this was caused—

Mr. A. E. Thompson (Leader of the Opposition): Why?

Hon. Mr. Grossman: Because two women could not get along with each other.

Mr. Thompson: Why?

Hon. Mr. Grossman: This happens even among men, and I am not going to get involved in why two women cannot get along with each other. A lot of this would have been entirely unnecessary if they had been able to settle down and find a common ground on which to work together, but they just could not do it. I am not going to say whose fault it was. I have my views; other people have their views.

To suggest that the hon. member for Hamilton Centre should have gone to some place else to get a more balanced view—the point I am trying to make here is that those who were criticizing should have taken in

the whole area, should have gone to those others to get a more balanced view, too.

Mr. MacDonald: You go to the board instead of the two dissidents. That is the weakest argument—

Hon. Mr. Grossman: I am not talking about the two dissidents. The hon. member was suggesting that when the hon. member for Hamilton Centre went to visit some of the other agencies—some of the religious agencies who were very complimentary about the institution—

Mr. Trotter: We have wanted to tear that place down for 44 years. Do not blame it on two women.

Hon. Mr. Grossman—that she was only getting a one-sided view. Of course, the same thing applies in reverse to those who are going to one organization to criticize these things.

Mr. MacDonald: In the Elizabeth Fry society—

Hon. Mr. Grossman: Mr. Chairman, the problem is that when you quote estimable people of integrity who say anything complimentary about any of the work of The Department of Reform Institutions, unfortunately there is a tendency to suggest that they are whitewashing; and this of course reflects on their integrity. I hope the report I am going to read now, which was just handed to me—and, quite frankly, I wish it had been handed to me a few months ago—will not cause any of the hon. members to suggest this is a whitewash as well.

This is from the inspector of public schools, who inspects our institutions. This is his report on Mercer and the first one is dated—pardon me, I am sorry, it is a lady. It is signed by Lotta L. McNeill, inspector of public schools, The Department of Education, and it is dated December 13, 1963.

Mr. Trotter: 1963?

Hon. Mr. Grossman: This, of course, is a regular inspection which goes on at regular intervals. It was not a particular inspection made at that time.

Mr. Singer: You mean 1963?

Hon. Mr. Grossman: That is right.

Mr. Singer: They do not report regularly?

Hon. Mr. Grossman: They report regularly. I will give you the next one; I want to prove that this was not just a report. Someone may

suggest it was thrown in at the last minute to whitewash. This is the one a few months prior to the criticism of what was going on in Mercer.

Mr. Trotter: I was wondering, Mr. Chairman, if the hon. Minister would answer my question?

Hon. Mr. Grossman: I have got your question.

Mr. Trotter: On medical treatment?

Hon. Mr. Grossman: I will answer the hon. member's question. As I pointed out, I do not think I can ever be accused of failing to answer a question that is put to me; and I answer it directly, I am sure you know.

This is from the inspector of public schools, dated December 13, 1963, to the deputy Minister:

Re girls training school, Andrew Mercer reformatory for women.

Dear Sir:

On several occasions during the past year I have visited the Andrew Mercer training school for girls. This report is submitted for your consideration. The training school continues to be a most convincing recommendation for the modern enlightened philosophy of penal reform when applied with sensible efficiency and sympathetic understanding. Its foundation stones are a living and learning environment established on a sound basis of cleanliness, order and beauty, thoughtful provision for the physical well-being of the girls, respect, courtesy and kindly consideration for each inmate on the part of staff members and officials and a well balanced programme of trade training, academic study, work and recreation. The results are seen in the remarkably pleasant, well-ordered tone of the school and the fine attitudes of the girls.

The institution's record for successful rehabilitation of its inmates is achieved through their learning to live and work effectively together. The girls are invariably well-mannered, friendly and responsible. The teaching staff are of the opinion that their department in most cases is superior to that of pupils in the public school system and my observations during the past 14 years support this claim. The girls show commendable interest in their studies and associated activities and the standards of neatness and accuracy and workmanship are sound.

Because of limited periods of sentencing,

and of the additional provisions in recent years for segregation of first offenders and more readily reformable cases, the academic programme of this school has been reduced. However, where girls are interested in improving their academic standard and have the ability to do so, correspondence courses and individual tutoring are provided. Several of the girls have successfully completed courses in English, mathematics, history and geography at the seven, eight, nine and ten levels.

The home economics department, under the direction of Mrs. Steinberg, functions effectively throughout each school year and remains a most valuable and popular part of the educational programme. Groups of six to ten girls successfully receive a practical comprehensive ten-week course in homemaking, and all the girls take advantage of this opportunity. The programme includes an excellent course in cookery, with the useful background of food rules, principles of nutrition, simple basic chemistry and budgeting economy. The girls enjoy entertaining at luncheons, teas and occasional dinners for staff, fellow inmates and visitors. These occasions not only provide sound learning and testing experiences but also help greatly to bolster the girls' confidence and self-respect.

Mr. MacDonald: It sounds like a report from the hon. Minister of Mines (Mr. Ward-robe).

Hon. Mr. Grossman: But it is not the hon. Minister of Mines; it is the inspector of public schools.

Mr. MacDonald: Well, I just say it sounds like it.

Hon. Mr. Grossman: To continue:

Mrs. Steinberg is also very capable in mathematics, and is presently tutoring three girls in mathematics and English, making use of correspondence courses in these subjects. Most of the academic courses are now conducted by Mrs. Steinberg in evening classes. She also conducts physical education classes in two groups during two evenings a week.

Mrs. Frances teaches business practice in regular day classes throughout the week; 15 girls are enrolled in this course in two groups. The course includes considerable typewriting; a little shorthand, largely carried on through private study and group testing; related English studies, particularly in grammar, composition of letters, and study of form; and basic operations—

Mr. Singer: Mrs. Frances has not been there for over a year.

Hon. Mr. Grossman: Well now, I am reading a report dated December, 1963—one thing at a time.

Mr. Singer: But Mrs. Frances has not been there.

Hon. Mr. Grossman: I will read the other report later, if the hon. member will just give me a chance.

Achievement in typewriting is commendable. Progress records are kept for the class as a whole by an ingenious system of line graphs, and for each girl in an individual record book. Mrs. Frances is an enthusiastic, co-operative and capable teacher. Her classes provide enjoyable and useful training for the girls. New typewriting machines and textbooks are being used to advantage.

Under the capable direction of Mrs. Hall, the sewing school is providing useful trade training for the girls. There is a very good supply of modern factory-type machines and a remarkable variety of articles produced in a pleasant, comfortable working environment. The girls are learning a saleable trade and many of them are becoming very skilful and taking pride in their handiwork. Instruction in arts, crafts, and dressmaking is now being provided by Mrs. Dasch.

Mr. Singer: Mrs. who?

Hon. Mr. Grossman: Dasch—D-a-s-c-h.

Mr. Singer: Is she there now?

Hon. Mr. Grossman: If the hon. member will let me finish, he will get a chance to question later.

She is particularly efficient in dressmaking and needle work, but is providing opportunities for the girls to continue with some handiwork and painting also. Miss Clark, who has been promoted to senior matron and is now largely concerned with other activities, is outstanding in crafts and continues to provide assistance and direction in this work whenever possible. The excellent display, which formed a part of the recent training school exhibition at Malton, largely represented her work.

Guidance groups, testing, library, and various recreational activities, are supervised by the teachers. The staff nurses conduct evening classes in home nursing, and hairdressing courses provide both trade

training and a much appreciated service for the inmate.

Religious teaching and counselling are provided by members of the clergy and Salvation Army who visit the institution regularly.

Mr. Cozens, through his choir work with the girls, makes a fine contribution to the spirit and achievement of the school.

The school has a capable and devoted staff of teachers and instructors, who work tirelessly and co-operatively with the superintendent to maintain the excellent programme of rehabilitation through education which has become traditional for this training school.

Respectfully yours,

Lotta L. McNeill,
Inspector of Public Schools.

Now, Mr. Chairman, dated April 27, 1964—

Mr. Thompson: Mr. Chairman, just before the hon. Minister starts on the next programme, could I get clarification on this? Did he state that nurses provide hairdressing courses in the evenings? Did I catch that correctly?

Hon. Mr. Grossman: No. If the hon. member would just wait until I finish; this is a short report—

Mr. Thompson: No; this is in the last report. I thought he said that staff nurses gave hairdressing courses in the evening. Am I correct in that?

Hon. Mr. Grossman:

Staff nurses conduct evening classes in home nursing, and hairdressing courses provide training and a much appreciated service for the inmates.

No, it is not the nurses who provide it.

This is dated April 27, 1964. To the deputy Minister:

Dear Mr. Graham:

Re: Andrew Mercer reformatory for women

I very much enjoyed my visit to the school on Friday. It is operating as efficiently and as serenely as ever. The business administration and home economics departments are maintaining their traditional high standard. And I was particularly pleased with the work now being done in the arts and crafts department. The dress-making and needlework are of great variety and of a uniformly excellent standard. The addition of eight new typewriters during the past three years has served to equip

the business school very well. A dictaphone, if one could be obtained, would provide further valuable training for the advanced students.

Re Mrs. Dasch: A departmental summer course in arts and crafts—probably carving leather work—would be very helpful if arrangements could be made for her to attend.

Yours sincerely,

Lotta L. McNeill,
Inspector of Public Schools.

Mr. Chairman, the impression seems to be that if anyone is highly commendatory about the things going on in the school, it must be a whitewash and there must be something wrong with it. I do not know how you deal with criticism other than to bring forward reports from people of responsibility and this is precisely what I am doing.

The hon. member for Parkdale—

Mr. Singer: Just at that point, would the hon. Minister pause? Of those five women he mentioned in that report, am I correct in saying only one is now employed there—Mrs. Steinberg? Are any of the other women who were mentioned in the first report still employed at Mercer?

Hon. Mr. Grossman: If you will hold that question I will get the information while I answer—

Mr. Singer: And the other thing: Am I not correct in saying there is only one staff nurse there—not “staff nurses”? There is only one, and she leaves at four o'clock in the afternoon?

An hon. member: They counted Mrs. Burrows in as two.

Hon. Mr. Grossman: Well, Mrs. Burrows is a nurse.

Mr. Singer: Yes, but she did not act as a staff nurse nor did she give any courses in nursing; she was the supervisor.

Mr. Trotter: While you are still on that, the report that the hon. Minister read says they taught them hairdressing. I admit the equipment is there, but they do not teach them hairdressing. At least I asked this question, and the answer was: “No.” This answer was to me, and I mentioned this two or three times. Hairdressing is an obvious trade that could be taught many of those girls—but they just do not.

It is all well and good for an inspector to go—but unless somebody goes digging and

really inquiring, then they just see what is drawn up for them; just like on page 4 of your advisory council where they set up all the different things they have for academics and domestic science and arts and the crafts. They are there in theory, but in actual practice they simply do not exist, surely? Do not try handing me that kind of report and expect me to swallow that.

Mr. MacDonald: Mr. Chairman, there is a very pertinent question. How long does the inspector spend in inspecting the school? Does she take the word of somebody about these evening classes or does she inspect them?

Hon. Mr. Grossman: I do not have that information.

Mr. MacDonald: I think that is rather pertinent.

Hon. Mr. Grossman: Then the hon. member is critical of the manner in which the inspector of public schools inspects the training at Mercer. I would suggest you put that question to her.

Mr. MacDonald: On the basis of the report you read, the answer is: "Yes."

Hon. Mr. Grossman: I do not think the hon. member for York South is qualified to say that.

Mr. Singer: The report says there were five giving training and there is only one there now; what else can one be except critical?

Hon. Mr. Grossman: Mr. Chairman, in answer to the questions on changes at Mercer, about which the hon. member has asked: Hon. members will recall that, on February 18, 1965, when I tabled the report of the Minister's advisory council on the treatment of the offender, I promised, and I quote:

The committee of inquiry has in its report made certain recommendations which they believe are necessary for a more efficient operation at the Mercer. Insofar as such recommendations are feasible and practical, they will be carried out.

As all hon. members know, the superintendent of Mercer, Mrs. Jean Burrows, was due to retire over a year ago but stayed on at the request of the department. However, since December, Mrs. Burrows has been in ill health; and, in view of this, the department has appointed, as acting superintendent, Dr. A. L. MacKinnon.

Dr. MacKinnon, after being head of the women's division at the Homewood Sanitarium for some years, took over the position of superintendent at Homewood in 1962. Since that time, he was employed as a consultant psychiatrist for The Department of Reform Institutions at the A. G. Brown memorial clinic at Mimico, and the women's treatment centre at Brampton. Dr. MacKinnon is recognized as being a very able administrator, and is widely respected in medical circles. On February 2 of this year, I informed the House that I intended to appoint an administrator of adult female institutions. Funds for this purpose have been allowed for in this year's estimates. As soon as this administrator is appointed, steps will be taken to find a permanent superintendent for Mercer.

Mr. Singer: Could I ask the hon. Minister a question at that point? What date was Dr. MacKinnon appointed as acting superintendent? Was that subsequent to the grand jury report and subsequent to the visit of my colleagues and myself?

Hon. Mr. Grossman: Oh, yes—if the hon. member is trying to make something sinister out of that—

Mr. Singer: Oh, no. I just wanted to set the record straight.

Hon. Mr. Grossman: I can tell the hon. member this: If Mrs. Burrows were not ill, she would still be there. Mrs. Burrows is ill.

Mr. Singer: She was not there.

Hon. Mr. Grossman: No, she was ill, and she has been ill ever since; but we cannot leave the place without a superintendent. It has been most difficult to find even a temporary one, and this is what we have.

Mr. MacDonald: I wonder why?

Hon. Mr. Grossman: Well, now, this is the old vicious circle all over again; we discussed it the other day. I do not know where the hon. member could find any other jurisdiction, doing our sort of work, which does not have difficulty filling staff positions.

As recommended by the MACTO committee, a community doctor has been appointed to take complete charge of the medical facilities at Mercer reformatory and to provide medical facilities for the inmates. The doctor appointed is Dr. William Kurtasy of 1430 King Street West. He is 40 years of age, born in Canada, and a graduate of the University of Toronto in medicine in 1950.

He spent five years in general practice, one year in Welland and four in Toronto. Dr. Kurtasy took three years of post-graduate training in Detroit, two years in the Henry Ford hospital. He returned to Toronto, and has been two years in general practice at this present time.

At the time of the grand jury report, the Mercer was temporarily without a qualified typing instructor. Hon. members will recall I pointed this out and so did the committee of inquiry. The position at that time was being advertised. This vacancy was filled on November 2, 1964, and an instructor is in attendance for two hours a day, five days a week. Within the last few days, under our new contract system of hiring teachers, a fully qualified commercial teacher has agreed to start work in September.

However, as all hon. members agree, the main change required at the Mercer is a new building. On February 18 of this year I stated, and I quote:

I then decided to ask the Minister's advisory council on the treatment of the offender to explore the feasibility of designing a women's institution in connection with the Brampton complex, which in the case of a radical change in our responsibilities as the result of a new federal penal policy could be converted to other uses within our system of reform institutions.

This study is now underway.

Mr. Trotter: Mr. Chairman, I am happy to see that government and the hon. Minister have done something in order to change the medical treatment at Mercer. It was long overdue. But the fact that the change has taken place makes it obvious that the criticisms that were being made over a long period of time were justified, because evidently even though there were certain attempts on pages 19 and 20 of the advisory council's report to cover up the situation, the hon. Minister has evidently gone ahead and done something about it. This proves one particular point in that the criticism, the outspoken criticism of that one particular phase, has obviously been justified or you would not have made the change.

I am happy to see, too, that you are now getting trained teachers. I hope you can hang on to them and keep them. Again it shows that before we get anything done by the government you have to really raise an uproar, to bring it to public attention what actually is going on within an institution like Mercer.

I hope that these other changes that are so

necessary are going to be made. After all, our criticism has been that these things have existed for so long and nothing has been done. It is long overdue that we make these changes.

But how much more confidence we would have had in the hon. Minister, if, as a new man, he said these things are wrong, I am going to do something about it. Instead of that, he has gone through this procedure of whitewashing, then surreptitiously making the changes. He made no announcement in the change of the medical setup until now, although I have kept hinting at it and rather gathered, because he did not deny what I was saying, that it had happened.

These things have been done on the quiet. Why could he not have come out and done them in the open? We would have had far more respect for him. We always feel that too much is hidden. It is like an iceberg, one-sixth is above water with regard to what is going on over there.

Hon. Mr. Grossman: Mr. Chairman, I think I would like to get one thing clear, the suggestion that I surreptitiously appointed a doctor. Now, I suppose inherent in this whole discussion is the matter of how you deal with people publicly. As far as we are concerned, as far as the MACTO committee is concerned, they did not find anything which might reflect on the professional ability of the doctor who is there now, and I think—

Mr. Singer: Why did you get rid of him?

Hon. Mr. Grossman: Now, just a moment, let me explain this. I did not get rid of anybody.

The hon. members will appreciate the fact that if you are in a responsible position one should be very careful of how one handles a person's reputation. Now, as far as Dr. Hills is concerned, the doctor who was at Mercer, I would tell the hon. members that some time ago when I found out the tremendous amount of work he was involved in at the Don jail—his essential work is at the Don jail, and he looks after hundreds there. I went back into the record and he was doing this additional work at Mercer in an effort to supplement his income because he was not being paid sufficiently there to keep a doctor full time.

I was concerned about this, and we went into this whole matter; it was a very delicate situation. There was some suggestion, when I discussed this with MACTO and with others, that Dr. Hills may have—and I think this is understandable when you work in a

penal institution over many years, you sometimes have a tendency to become hardened to the situation—become somewhat brusque in his mannerism. This is all that we could find wrong with Dr. Hills. As I say, this probably stems from the fact that he had been working there so long, doing this tremendous amount of work which he was doing at Don jail.

Now, when the committee of inquiry suggested we should have a community doctor who will not have another institution of this nature with which to work, this seemed to be a very good suggestion, if we could implement it.

Now, surely the hon. members would not suggest that I blow a bugle about this and get up publicly and say: Hurray, we got rid of Dr. Hills and we have got a new doctor.

There was no need to do this. We have nothing against Dr. Hills and there is nothing to suggest that there was anything wrong with him professionally, or morally, or any other way, except perhaps he was over-worked and we needed someone in there with a fresh look who did not have so much to do. This we have accomplished; and I did it the way I thought it should be done; quietly, without any publicity.

We are dealing with a man's professional reputation and this is the reason it was done that way. Obviously I knew there was a good chance that the question would be asked in the House here, and if it is asked, I have to answer it. This is what I have done, but that is the reason it was handled that way.

Mr. Singer: Mr. Chairman, I think the hon. Minister is emoting far too much about the particular problem of the medical system there. Certainly the grand jury found that it was far from adequate. Certainly that was the observation of my hon. colleagues and myself.

I think the hon. Minister would have been giving good public service if he said that as of—I wonder what date this new doctor came in?—as of whatever date it was, there is a new medical system there and we have a new doctor, and let it go; that is all. That is all that was necessary.

There has been no public announcement of this. Why the hon. Minister wanted to wait until the specific question was asked in the House I do not know. Now, if he wants specific questions, we will give him some more.

Has the nursing staff been supplemented since the visit of my hon. colleagues and myself? Is there more than one nurse there?

Mr. Trotter: Even your advisory council said the nurses were in short supply.

Hon. Mr. Grossman: Well, there is one on duty every day at Mercer full time, and there is one part time.

Mr. Singer: But when we were there there was only one registered nurse and she went off at three or four o'clock in the afternoon. It was very difficult to get any medical attention if anything happened between four o'clock in the afternoon and when she came on duty again at seven o'clock the next morning.

Hon. Mr. Grossman: This was made an issue of some time ago. Nursing staff is not easy to come by, but there is no problem there because now, in particular since we have a community doctor, if there is any emergency the doctor can be reached in a matter of minutes. So I do not think there is too much concern about that.

Incidentally, about making public announcements which possibly affect the reputation of staff: I know I could have made a hero of myself but I have never found it necessary to do that, to get places on the reputations of members of the civil service.

I know this is quite a thing to do. It could have been done that way. I could say: "I am a great hero, I got rid of the doctor and got a new one. I am a great hero, look at the Minister I am, I have changed this and I have changed that."

That is not the point. I like to get credit the same as anyone else, but I still have to concern myself with the reputations of some of these people; which incidentally is another reason why it is difficult to get certain staff because they do not want to expose themselves to this sort of publicity. If they feel that any time they make a mistake or do something which the Minister or someone in the department does not agree with or somebody in the Opposition does not agree with, it will be on the front pages of the newspaper, this is not conducive to recruiting the kind of staff that you would want.

Mr. Singer: Mr. Chairman, the thing that puzzles me about the hon. Minister—I would have thought that perhaps he would have recognized it too—this hon. Minister, and my hon. colleague has said it, this Minister does not have to apologize personally for what has gone for the last 20 years. He came in, he worked hard at his portfolio and if he wanted to say that he had embarked upon a new scheme, without condemning anyone, a new method of carrying on Mercer, I think

that the public and the Opposition and everyone else would have commended him. But instead he wants to do it the hard way. Well, if you want to do it the hard way, then do it the hard way, and we will keep after you then.

Are there any more nurses than there were the day we visited?

Hon. Mr. Grossman: No.

Mr. Singer: No more nurses. Have there been any changes in the visiting regulations?

Hon. Mr. Grossman: Visiting for whom?

Mr. Singer: For the inmates.

Hon. Mr. Grossman: The answer is no.

Mr. Singer: So that if an inmate wants to be visited by someone to whom she is not related by marriage, it is impossible for that person to be allowed to see her. Is that correct?

Hon. Mr. Grossman: I am told that each case is investigated on its merits and I am sure the hon. member will appreciate the need for that. I think he raised the question of a common law husband.

Mr. Singer: That is exactly right.

Hon. Mr. Grossman: Well, I am sure he will appreciate—I can easily see, right off the top of my head, some implications regarding this.

Mr. Singer: What are they?

Hon. Mr. Grossman: One implication might be the woman wants to see someone who according to the regulations she is not entitled to see. I mean you cannot see everybody. There are certain groups whom you may be permitted to see, at certain hours.

After all, we are running a corrective institution. If a person is able to say: "Well, I want to see Joe Brown." And you say: "Well, is Joe Brown your husband, or a relative?" They say: "No, he is my common law husband." So how do you prove he is a common law husband?

Mr. Singer: Well, at least you accept her statement. We know you are not running a social hall and allowing visitors every ten minutes. If she is limited to one visitor a week, or whatever it is, certainly the hon. Minister must recognize, as do most hon. members of this House, that there are thousands of people living in common law relationship in this province. I think you are just being inhumane. Will you deny this?

Hon. Mr. Grossman: Mr. Chairman, I did not say a woman would be precluded from seeing her common law husband, that is not what I said. I said each case is investigated on its own merits. You just cannot take a woman's word because she says that person is my common law husband. If the hon. member suggests we should take all of the inmates' word for everything, he surely does not appreciate what the problems are in running a penal institution.

Mr. Singer: The hon. Minister is avoiding the issue. We were told—not once, we were told at least a dozen times while we were there—that for a woman to arrange for a visit from any male she had to produce a marriage certificate to prove that she was married. This was the invariable rule and it had never been departed from.

Hon. Mr. Grossman: Again, there are reasons why they may ask for this in a particular instance. The hon. member surely appreciates, being a lawyer, that there are cases where the staff, the administrators of the institution, want to make certain, if a woman is a married woman, that she is seeing her husband and not just someone else with whom she is living. This is not going to help rehabilitate her either. There are many of these problems. It would be well if the hon. member just took our word for it that we do everything we can to encourage visits, proper visits; and if he has found one particular case of a woman not having been able—

Mr. Singer: There were at least a dozen.

Hon. Mr. Grossman: A dozen with common law husbands?

Mr. Singer: Yes. A substantial proportion of the population of that institution has common law husbands.

Hon. Mr. Grossman: And did the hon. member satisfy himself that that dozen did not have legal husbands? How does the hon. member know what our records show? You have to know these things.

Mr. Singer: All right. Again, about the visiting, have arrangements now been made to allow the inmates to see the persons with whom their children have been left?

Hon. Mr. Grossman: All I can tell the hon. member, Mr. Chairman, is that whatever regulations were in force at the time he was there are still in effect. There have been no changes made.

Mr. Singer: There have been no changes. So the situation still maintains, apparently, that if a woman who has an infant is in the institution and has left that infant in charge with someone else, while she is allowed to see the infant she is not allowed to talk to the person who is in charge of her child? Is that correct?

Hon. Mr. Grossman: Oh, I would be very much surprised if that were correct. I am told by the acting deputy that every case is considered on its own merits. Certainly this is the proper way to run that kind of an institution.

Mr. Singer: If the hon. Minister is surprised, I think it is about time—

Hon. Mr. Grossman: I said I would be surprised if this were a policy; and I am told by my acting deputy that every case is considered on its own merits.

Mr. Singer: Yes, but the hon. Minister did not say whether every case may be considered on its own merits, but within these rules. We suggested that this was information that we had; it has been in the paper; the hon. Minister has had a chance to read about it; his investigating committee has had a chance to read about it; nobody has answered it; and I am asking the hon. Minister if this is, in fact, correct.

Hon. Mr. Grossman: My answer is that there is no such rule.

Mr. Singer: All right. Can the hon. Minister tell me for a fact then that if a woman, who is an inmate of Mercer, has left behind her an infant in charge of another woman, she is able to see the person who is in charge of her baby?

Hon. Mr. Grossman: That would depend on the particular circumstance. Surely the hon. member must know that that particular woman may be a person who, in the past, may have been convicted of bringing in contraband to an institution? She may be suspected of attempting to do this; there are all sorts of implications which our people would have to consider before they gave permission.

Mr. Singer: I would think that the course of being humane would indicate that when a woman is in an institution, and has left her baby in charge of someone else, she would be most interested in talking to the person whom she left in charge of her child. And if you cannot arrange proper security for such an

interview to take place, then it is not her fault; it is your fault.

The other thing I wanted to inquire about is whether the system still exists of punishing persons, who are shown on the records as Protestants, and who go to Catholic church services and vice versa?

Hon. Mr. Grossman: Mr. Chairman, this was suggested one time in the past. To suggest that a person would be punished for that purpose is ridiculous.

Mr. Singer: Well, Dr. Flint told us—

Hon. Mr. Grossman: Let me finish now. If Dr. Flint told you that, he probably told you about a case where a person was punished for disobeying orders, not because she attended that service. I am sure if a person wants to attend a particular service and asks and gives a good reason for it, there would be no punishment.

Mr. Singer: No, that is not so.

Hon. Mr. Grossman: Of course, the suggestion that we would be so picayune and so inconsiderate as to punish a person merely because they wanted to attend a particular religious service—

Mr. Singer: A church service other than the one of the religion that they designated.

Hon. Mr. Grossman: Let me read this; I have the official answer to this thing, in anticipation of the question:

Inmates may attend religious services of other denominations. All women are asked what their denominational preference is when they enter the institution and they are grouped, for the purpose of attending services, into Protestant and Roman Catholic. An inmate should have permission from the chaplain and the superintendent if she wishes to attend the services of, or change to, the other group.

Surely the hon. member can appreciate the need for that?

Mr. Singer: Why? Well, I cannot.

Hon. Mr. Grossman: You have to know where your inmates are. If he was in charge of an institution of this kind he would like to know if there is supposed to be 25 in this particular group, and 31 in the other; he would want to know where they are.

Mr. Singer: That is very simple. You do not need all this complicated system of permissions.

Hon. Mr. Grossman: This regulation is clear and the procedure is simple. Occasionally an inmate may persist in defying the rule; when this happens the behaviour, like all disobedience to institutional regulations, would be subject to disciplinary action. But, provided that she makes a justifiable request in the proper way, the inmate may attend religious services of other denominations. I see nothing wrong with that.

Mr. Singer: Mr. Chairman, I think that is the height of religious bigotry, emanating from an institution.

Mr. Troy: Mr. Chairman, could the hon. Minister answer: In his statistics under "Educational Status of the Inmates" on page 15, there are 160 illiterate and 5,888 elementary, and it is my understanding that there are 27 teachers, and 23 vocational instructors—that is 50 altogether?

Hon. Mr. Grossman: I think that the figure I gave was 77.

Mr. Troy: Now?

Hon. Mr. Grossman: There are 77 teachers—academic teachers.

Mr. Troy: Full time?

Hon. Mr. Grossman: Yes.

Mr. Troy: Almost 6,000—and we will say, 75 or even 80 teachers; well, even in an elementary school that ratio of teachers to pupils would be very high. The hon. Minister of Education (Mr. Davis) is not here, but he would agree with me that the ratio was 80:1.

Hon. Mr. Grossman: The hon. member should appreciate that a lot of our inmates do not take academic training at all; lots of them. They get beyond it at a certain age; they are older ones; they do not take academic training because they do not want to, and some of their minds could not absorb it. Anyone who wants to take academic instruction is not only welcome but is encouraged; and we have sufficient teachers for this purpose.

Mr. Troy: You have—

Mr. Singer: Of the five women, I think, who were mentioned in the 1963 report of the public school inspector, how many are, right now, today, employed at Mercer?

Hon. Mr. Grossman: One resigned on October 31, 1964; she has not yet been replaced. One of them retired, due to age, and

prior to 1963 she had been replaced by another one. Mrs. Steinberg is still employed there. Mrs. Frances resigned and was replaced by Mrs. Anderson. Miss Crock was promoted to senior matron at the treatment centre. The other vacancies, we hope, will be filled.

Mr. Singer: Is Mrs. Anderson still there?

Hon. Mr. Grossman: The answer, I am told, is yes.

Mr. Singer: What does she do now?

Hon. Mr. Grossman: Part-time typing teacher.

Mr. Singer: So there is one full-time teacher, Mrs. Steinberg, and Mrs. Anderson is part time.

Hon. Mr. Grossman: There is another qualified typing teacher who has been hired for September, 1965.

Mr. S. Lewis: Mr. Chairman, I should like to commence a modest effort rather than a major one. During the course of this session there has been some question about treatment within training schools and facilities that are available within The Department of Reform Institutions generally. The feeling expressed on behalf of the official Opposition and we in the New Democratic Party is that many of the institutions within this department should lie in fact within public welfare; or indeed preferably within education. Some would even say within health, and nowhere do we suggest that this is truer than in the area of the emotionally disturbed child.

Now the hon. Minister to some extent agrees. He put, I noticed, quite some emphasis on emotionally disturbed children in his original remarks. I do not think, and I contend strongly, that such children could be adequately provided for within the institutions as presently constituted.

I have searched for some time to find a dramatic case illustration which could embody this lack in our government services as a whole. I believe that I have found such an illustration. It is not a lengthy one. I want to read it into the record from beginning to end. I believe it is a classic case of the inadequacy of services in the province of Ontario.

Now, may I admit to the hon. Minister opposite that such a case necessarily impinges on other departments. I introduce it at this juncture in the estimates because I think it has particular applicability here, and there are certain observations I should like to make at the end with reference to this department.

I have obviously left the name as a pseudonym and I have omitted the precise town, but every other fact in this case is as read. The quotations come from documents which I am prepared to file before the House and with the hon. Minister and his Cabinet confreres if it is deemed desirable. The parents, if requested, are ready to corroborate the material contained herein. I may say that I have omitted the name of the individual involved and the family and the city because for obvious reasons, once I have read the case, any enterprising journalist or member of the media, could find the individual I am discussing. I leave that to their better judgment.

I am also going to depart from habit, Mr. Chairman. I should like to read this into the record. In this instance I want the quotations and the facts to be precisely correct. The case is the case of Anna X, as I will describe it.

Earlier in this session I spoke of the desperate situation of up to 250,000 children in Ontario who need some form of treatment for emotional disturbance. About 80,000 of these children are severely disturbed. These are the youngsters who seem to slip through the gaping holes in the network of our social services and whose lives are an anguish to themselves and to their family.

At the time I attempted to document the way in which every government department—education, health, public welfare, reform institutions and the Attorney General's department failed these children.

After I spoke, I received the usual deluge of letters from parents who found themselves in just this situation. Among the letters, came the documents on the Anna X case and it is this case I wish to outline. In the history of this one child and her family can be traced the failure of every government department and branch to solve this crushing human problem.

Anna X's case history is the paradigm of ignorance and callousness toward, and government neglect of, the emotionally disturbed children of this province. It is a depressingly thorough corroboration of my attempt at a department-by-department critique.

Anna X, now 18 years old, was adopted by the X family of northern Ontario when she was three months old. The X family had their own three-year-old daughter at the time and later had two more children, a girl and a boy. They are an intelligent, devoted, Catholic family and responsible members of their community.

Anna X was a bright, gay, active infant, unusually well co-ordinated and talented. But

by the age of three, despite loving care from her family, she had inexplicably become practically uncontrollable by anyone but her parents, excessively demanding of attention and apt to wander away from the house if not kept under constant supervision.

Anna has an IQ of 145. She did exceptionally well in the early grades of school; but after a severe bout of measles at the age of six, her behaviour rapidly deteriorated. It was now clear that Anna was an emotionally disturbed child.

Though she was clever enough to deceive and manipulate adults, she was caught in a series of bizarre acts—shoplifting, stealing from teachers, hiding in ditches on the way home from school, sneaking free bus rides when she had car fare, refusing to do her school work, showing an excessive interest in boys.

Now was the time, if ever, to catch and treat her illness before it became too highly developed.

The X family acted promptly. When Anna was six, they took her to the local mental health clinic for six months of weekly therapy sessions. It seems that the local clinician then washed his hands of the case. The clinic, incidentally, was subsequently closed. This was the total extent of the involvement of the Ontario government's much-vaunted community mental health programme in the case of Anna X.

The only advice given to the X family was to remove Anna from the community and parental milieu and send her to boarding school. The X family felt at this time, and many times in the years to follow, that their concern and informed interest in Anna was professionally resented and discouraged. Nevertheless, they followed the advice and sent her to boarding school. At the end of the school year, she was expelled for her total inability to conform to minimum standards of behaviour.

The hon. Minister might well begin to descry a pattern. This was the first in a long series of sad failures, on the part of the school system, to help Anna. In all, she went to six public and private schools and was expelled from most of them. A typical letter listing the reasons for expulsion came from St. Joseph's College, North Bay, after Anna left there in November, 1961. I should like to read them quickly and for the record; they form an important background:

1. Anna was frequently untruthful with regard to her school work and her conduct in school and in residence and outside school.

2. Within the school she committed petty thievery involving other students' personal articles, school supplies and money.

3. She was very careless about personal hygiene and grooming though well-provided for by her parents. She did not take proper care of her belongings.

4. In general, she was not socially accepted by her classmates.

5. She resented authority and disregarded the rules and regulations of the school.

6. She persisted in reading obscene literature and wrote objectionable letters and compositions. She composed letters to herself and signed boys' names to them, pretending that she was receiving mail from popular boys. These she would show to her associates.

7. Social contacts outside the school were highly objectionable. She frequented the company of young men of undesirable appearance and conduct. These friends were usually poorly groomed and, by the standards of our school, were offensive in their conduct.

8. Anna apparently lacked a sense of honour and responsibility.

9. She was well aware of all her weaknesses and sought help but did not follow the advice of those who tried to assist her.

This is directly from the school record. At the same time, Mr. Chairman, Anna was highly articulate and persuasive and evidently talented in writing, with emphasis on poetry, drawing and music. I may say to the hon. members of the House that I have seen much of that original poetry and talent and it makes this particular story, as it unfolds, an exceedingly tragic one.

No clearer syndrome of maladjustment could be presented, yet at no time was any school able to offer her adequate psychological counselling or help.

The Department of Education was only the first to fail Anna. In dismal succession came every other government department.

Government welfare services were equally inadequate. Though the X's are resourceful members of their community, and doggedly explored every avenue, they could not find a single social service in their community able to help them. The children's aid society pointed out, with graphic irony, that since Anna was not a neglected child within the meaning of The Child Welfare Act, nothing could be done for her. Prevention and protection, it seems, were not within their province.

Government hospital services were next. When Anna was 14 years old, an examination at a general hospital revealed no evidence of brain damage. Medical assistance was therefore closed to her.

What is a family to do? Isolated from major centres, trapped in northern Ontario with pitiful health and welfare referral services, the X family found their morale faltering. They were exhausted financially, physically, emotionally. Their other children—healthy, normal and successful—were being neglected in their effort to help Anna. Every school, every summer camp, which might have encouraged Anna's talents, had ended by expelling her.

In 1961, the X's, in total desperation, turned to the city court authorities. The Attorney General's department was as lacklustre as all the rest. Far from offering preventative services, they merely suggested that the X's admit Anna to St. Mary's training school in Toronto. In the fall of 1961, Mr. X took Anna to St. Mary's and spent a day there. The hon. Minister of Reform Institutions may fondly refer to his training schools Act as the finest in the world, but the desperate Mr. X was appalled. He decided that the school, in his words, was "too harsh a solution" and had no positive rehabilitative programme to offer Anna.

Incidentally, in this layman's judgment, he was later proved correct. He was, of course, perfectly correct at the time. No clinical services were available there to treat such a complex emotional imbalance. Taking the girl, he drove straight to Windsor to apply for her admission to Meryvale, a semi-treatment centre for borderline delinquent girls, where he was willing to pay the full cost of her upkeep.

Anna attended school in Windsor while under observation by Meryvale. By the time of her inevitable expulsion, after three months, Meryvale had decided it could not help Anna and recommended Warrendale, an intensive treatment centre in Newmarket for disturbed children. At this time, a volunteer social agency commented in a letter to the X family, and I quote:

You will be disappointed, as we were, that Meryvale cannot accept Anna. They have given this very careful consideration and discussed it with their psychiatrist. The reason for their rejection was Anna's use of manipulation, which had been evident to them during the weekend she spent at Meryvale before she went to St. Mary's Academy, the Windsor school. In an institution as large as Meryvale it is

almost impossible to control this. Added to this was the age factor. Anna would have been one of the oldest girls in Meryvale, which is a serious consideration in view of the length of time she would require treatment.

I say, by way of an aside, Mr. Chairman, that this latter comment is particularly painful and revealing. Anna should have received treatment when her illness first became noticeable. Now, nine years later, time was running out.

Other agencies were also to recommend Warrendale, but the painful fact was that intensive treatment of this kind, the only kind that might have saved Anna, costs about \$600 a month. Because Anna was not a CAS ward—and I emphasize that particular irony to the hon. Minister of Public Welfare (Mr. Cecile) in the hope that the regulations of The Children's Institutions Act may be altered—no public facility was available to her.

In July of 1962, the X's sadly admitted their 15-year-old daughter to the adult psychiatric wing of the Toronto Western hospital. She had been through a mental health clinic, education, Attorney General, poked her nose into reform institutions for a moment, and now went to the psychiatric wing of the Toronto Western hospital. Mr. X had travelled 13,000 miles and spent thousands of dollars in his search for more encouraging help. This was their last resort, as it is too so many parents of disturbed children. In fact, few of them have the strength and resources to hold out for so long, before relegating their child to the ranks of the adult mentally ill.

The public hospital system, however, was no more equipped to help Anna than the educational or welfare system. Anna remained in this large hospital, under the care of a psychiatrist with no training in child psychiatry, until August, 1963.

Now, the psychiatrist brought the Big Sisters association into the case. No noticeable success was achieved. After he had failed with Anna, he refused to consider alternative proposals by either Big Sisters or the X family. Although he had never previously heard of Warrendale, he refused to consider sending Anna there, because, he wrote:

I had no idea the cost was so high. I would think that this in itself ought to make one feel as though guaranteed results could not be available from such an institution.

I cannot say what strange logic lies behind this statement, but it does seem to point out

the woeful failure of our public psychiatric authorities to be aware of and capable of recognizing the most advanced forms of treatment for children.

The Big Sisters, who had strongly suggested a treatment centre like Warrendale, finally gave up. I emphasize, to those few hon. members here who are interested in this field, the number of groups that have had to give up.

In February, 1963, they wrote to the X family and I ask the hon. members to put themselves into the minds of the family on receiving this letter:

In accordance with a plan arranged by the hospital and this agency, Anna was allowed gradually increased privileges to leave the hospital, to look for employment, and to visit the Big Sisters services.

Anna was not able to cope with a minimum degree of independence. She manipulated rules and people to achieve her own ends. This took the form of a surface respect for the privileges while, at the same time and within the limits set, she was abusing them.

She arranged to have appointments for employment prospects at a time when she could meet friends or go on a shopping spree. Except for one close girl friend, these friends were boys whom she claimed to have known for a long time. These boys loaned her money and gave her cigarettes.

The greater the freedom Anna had, the greater became her almost frantic desire to see these friends, and the greater her inability to control herself. The attempts to find employment have already been reported to you, although since then there have been further unsuccessful attempts.

It was soon evident to us that we could not make community living arrangements for Anna. She could not live in a home where there would be no controls, and says herself she would be afraid of this. It would be impossible to find people strong enough to withstand her manipulation and her abusiveness. Neither could she live in a residence with rules, because she would break them all.

The letter goes on:

It was with regret that we had to report to the conference that we have concluded that Anna cannot be maintained in the community and, at the present time, she is unable to live independently even with the support of a voluntary agency. We recommend an institutional placement and currently are exploring available resources.

And let no one underestimate the recommending facilities of Big Sisters or the exploratory capacities they have. These are scarce and expensive, they say of treatment facilities:

Although her age militates against her response to treatment we do not believe that it is hopeless. Teen-age girls with problems just as deep as Anna's have been rehabilitated in controlled treatment centres.

Big Sisters also pointed out that a large institution would be unable to handle the girl as convincingly, as successfully, manipulative as Anna; and this proved to be true of Toronto Western where she was able to deceive and use everyone from nurses to elevator boys.

Later that year, in May, Big Sisters wrote again, and I quote:

This agency regrets that we have been unsuccessful in finding a place for Anna. We have tried every resource which we know and which we believe would have been helpful to Anna and there is nothing more we can do.

Anna is a 15- or 16-year-old girl in a province of this wealth and this population and "there is nothing more we can do."

Nevertheless, the Toronto Western psychiatrist was now insistent upon returning Anna to the community. Now the X family wrote a letter to the hon. Minister of Health (Mr. Dymond) in a last appeal for help. He replied that they should consult Dr. McNeel, director of the mental health branch of The Department of Health.

The letter from the hon. Minister of Health contained the following observation:

Unfortunately, we are not always in a position to solve or propose a solution to such problems.

The hon. Minister of Health indicated that all that was available to her was treatment in an Ontario hospital.

Unfortunately, that too had proved to be a barren hope. The previous month the X's had taken Anna to be interviewed at the Ontario hospital in North Bay. The resident psychiatrist there explained that Anna was too clever and manipulative to be contained in such an institution.

The X's now turned to Dr. McNeel, whom they visited in Toronto in March of 1963. Dr. McNeel was sympathetic but advised them that nothing was available for Anna in the entire province. The X's recalled that Dr. McNeel felt that nothing could be done to help Anna until she actually broke the law. Perhaps the hon. Minister can see now why I am bringing it into his field.

During this time, when arrangements were being made for Anna to leave the Toronto Western hospital and to live in a Toronto boarding house, the X's frantically wrote to Dr. Whery, psychiatrist at Montreal children's hospital, and to doctors at Verdun Protestant hospital, among others. The Quebec Department of Health was rather more helpful in offering services to Anna than Ontario had been, but the Ontario department declined interest in helping to pay for such services on the grounds of the complexity of interprovincial arrangements.

Ontario advised the X's to keep looking in Ontario. Meanwhile the director of psychiatric services in The Quebec Department of Health wrote the X's that the medical consensus was:

This girl is suffering from a severe personality disorder and would require long-term treatment in a closed institution.

No such institution was available in Ontario. I approach the dénouement.

Anna had finally been discharged from Toronto Western and was living in a Toronto boarding house. The Ontario Department of Public Welfare, rehabilitation branch, was to provide supervision while Anna attended a hairdressing school, but that lasted scarcely a month. There followed a series of disappearances, for weeks and months at a time. The X's made desperate trips to Toronto to locate her, sometimes finding her in a coffee house or in various apartments with men. Twice, during the winter of 1963, she turned up at home to borrow money and promptly vanished once more.

Before I bring this presentation to an end, let me remind you again that this is a young girl, with remarkably resourceful parents who explored every community facility, who moved from one department and one branch and one voluntary agency to another, without finding the answer to their problem.

In April of 1964, one year ago, when she was 17 years old, Anna turned up in jail in Daytona Beach, Florida. Her parents bailed her out, paid her various debts, and brought her home, where she was found to have contracted venereal disease. She stayed at home intermittently for about a month, spending most of her time in pool halls, tangling with police in local restaurants, and associating with a gang of motorcyclists. That winter was, in Mrs. X's anguished words, "A nightmare of stolen cars, accidents, sudden visits and disappearances."

In the summer of 1964, Anna had again disappeared, leaving behind a trail of cheques, forged in her father's name. Recalling Dr.

McNeel's advice that only once Anna had broken the law might she finally receive treatment, the X family allowed the bank to lay charges against her. Anna was brought to court on September 26, 1964, put on probation during a remand for a pre-sentence report and disappeared once again.

The police could not find her to bring her to court for her next appearance. She was finally located in October, in the Don jail, where she had been in on a vagrancy charge. Her defiance of the court and her easy evasion of the law would read almost like a comic opera if the history of this brilliant and disturbed youngster were not so uniformly tragic.

On October 2, she was remanded in custody but, due to a clerical error, she was let out on bail—bail provided by an unknown man. On October 7, when she again did not appear in court, another unknown man appeared to testify on her behalf. He led police to an apartment where Anna was found beaten and drugged. Magistrate Bolsby sent the girl back to the Don jail for medical treatment.

On October 9, Anna was sent to Ontario hospital, 999 Queen Street, on a warrant of recurring seven day periods for psychiatric examination.

Within three days, Anna, who had no clothes, managed to secure an intern's uniform and walk out of the hospital in disguise, using two other patients as foils. She disappeared again. In her absence, she was discharged from the hospital, due to yet another clerical error. In fact, automatic discharge only operates when the period of elopement—which is the hospital designation for what people would call escape—exceeds the stipulated time of the warrant.

Anna reappeared when she was deported from the United States after having spent some time in jail in Buffalo; she spent Christmas, 1964, back in the Don jail.

I ask hon. members to harken to this: On December 28, Dr. Shinobu, of Queen Street hospital, testified in court that Anna was a psychopathic personality needing long-term custody and therapy. Medical evidence submitted to the magistrate showed that Anna needed long-term custody for her own protection but, because of her coherence and plausibility, was not defined as certifiably mentally ill in the technical sense of the term under The Mental Hospitals Act.

May I make a minor observation at this point; I have tried to understand this in discussion with psychiatrists. Apparently, within the context of the Act as presently

defined and operative, mental illness demands, in order for certification, a certain estrangement from reality sufficient to grant that certification. In the case of a psychopathic personality, the person is conscious of the act to be performed and frequently conscious of the consequences thereof and therefore the treatment orientation is somewhat different. The precise definition within the meaning of the Act, as it presently operates, does not apply.

On February 11, 1965, Anna was placed on probation and required to live at a girls' residence in Toronto known as the Sancta Maria House.

Newspaper accounts of Anna's various appearances in court make much of the painful scene in which both parents and daughter express love for each other and hopelessness for the future.

The root bitterness and futility of the X's long search for health can be seen in the letter written to them by Magistrate Bolsby the day he sentenced their daughter, and I quote from that letter:

I do not expect Anna to abide by the terms of the probation order and it is quite likely that she will be back on my hands for a breach of probation in due course. If so, there will be no alternative but to send her to prison and hope that she can obtain some useful psychiatric assistance there. This may be a pessimistic outlook but all the medical evidence points in that direction.

The prison to which Anna will be sent will be either Mercer reformatory or Kingston prison for women.

Needless to say Mercer, with its total lack of psychiatric facilities will spell total and final disaster for this young woman. Kingston, no more adequately equipped to rehabilitate, is scarcely more adequate to render the intensive treatment the psychopathic personality needs.

Prison, the next inevitable step for Anna X, could also be the last step. It does not need an active imagination to picture the sordid finale which Ontario prisons might provide for this vivid and painful chronicle.

Most cruelly ironic, of course, is the fact that proper treatment, provided 12 years ago, might have prevented this whole unhappy story from taking place. I wish to emphasize that it is not just Anna's story. Hundreds, perhaps thousands, of these 80,000 youngsters like Anna will end by filling our training schools and criminal institutions instead of having the opportunity to become useful, happy members of society.

For prison is only the dénouement in this long chronicle of the failure of Ontario's institutions and I remind you of them: Schools, public hospitals, training schools, courts, Ontario hospitals, welfare agencies, mental health clinics—all the government's proud boasts of its fine services cannot hide the fact that it was totally unable to help one young girl who might have been saved.

Now, I appreciate the hon. Minister granting me the indulgence to read that record through from beginning to end, because I recognize that it does not impinge, except indirectly, on his department. It impinges on several departments.

I chose to read it into the record here because it is true, and I think the hon. Minister admitted this in his opening remarks, that in a sense the psychopathic personality, if not precisely to this degree, is in fact characteristic of a large number of those who inhabit our training schools, our reform institutions.

As psychiatrists have pointed out, if in fact you were going to bring all psychopathic personalities in for traditional forms of treatment, you would have to double or triple the number of beds in Ontario hospitals, because that is the number with which we are dealing. But if you wanted to treat them in a long-term therapeutic milieu—in a residential treatment centre, if you will, whether it be under this department or whether it be under The Department of Public Welfare, or indeed under the special educational facilities of The Department of Education—then that is where the emphasis must be placed.

I say to the hon. Minister opposite that there was no institution for Anna in this province which could properly have looked after her except, perhaps, one or two agencies like Warrendale. And because there are no subsidies available and costs are high, those institutions were precluded from having Anna as a girl to be treated.

Now I suggest to the hon. Minister that this is not an incidental case, this is a pattern which is true of vast numbers of emotionally disturbed children. When they are in an institution, let me point again to the Galt training school, without any social worker and without any resident psychologist and with only part-time psychiatric help, then with the best will in the world it is impossible to provide the intensive treatment required to rehabilitate this kind of emotional disturbance.

I think that this is one of the most critical areas of government policy. I appreciate the hon. Minister talking about Hagersville and introducing that new school several weeks

ago in this House. But I point out that the small group units to which he referred are for children under 12, children who because of their age should not, I contend, even be in this department. And if they are under 12, in these small group homes, there was no suggestion that we would have the kind of clinical team facilities required to do the job.

In a very real sense other departments of government were more culpable in this case than that of the hon. Minister of Reform Institutions—health, welfare, education, Attorney General. But in the broad sense all branches stand equally indicted. One young girl with a psychotic personality made a desperate attempt, a herculean effort, at assistance; and not a single resource readily available to the girl in question, or to the parents, Mr. Chairman.

I appreciate that the hon. Minister cannot give a precise answer to this problem, but I felt it should be spelled out for him.

Hon. Mr. Grossman: Mr. Chairman, I have no specific answers to this general problem which has been raised by the hon. member, but I would not want by my silence to suggest that I was not concerned, as indeed all of the government is concerned and all the hon. members of this House, with these tragic situations.

I by no means feel it is as widespread as the hon. member suggests, but no matter to what degree, it is very important and it is pitiful, it is sorrowful, it is a tremendous problem with which the most able people in this country, yes, and all the world, have been struggling.

The hon. member said he searched hard to find such a case. I am sure he did search hard, because it really is a terrible story, a very depressing one. I am sure that having read that he will appreciate the difficult problem that I would have, and people on my staff, to maintain an optimistic point of view in reading many of the files of the youngsters in our institutions. It becomes most depressing, because you see everything has been tried.

Now, really, we do what we see it is possible to do. This is one of the reasons for setting up a department of research. Our department will do whatever it can do. The hon. member has brought out a case which poses tremendous problems which have been attacked by jurisdictions all over the world. I had a note here from Dr. Tadieuz Grygier, and I hope that Dr. Grygier will not be accused of whitewashing because he does not condemn the department. I think it is very important to read this into the record because

it is a thoughtful comment on this particular problem. He states:

The case described is typical of the cases discussed at the annual inter-faculty inter-professional conferences initiated several years ago at the University of Toronto by the school of social work. The facilities and professions represented included sociology, psychology, law, psychiatry, pediatrics, nursing, education and others. Despite several years of study, no agreement had been reached as to what is the best way to approach these so-called multi-problem families and children. No department, private agency, profession or co-ordinating agency in any country has the answer.

Of course, I know this is a rather negative reply. Merely because no country has the answer does not mean that we should not concern ourselves with it. But really, I do not know what the hon. member would expect that The Department of Reform Institutions should do. What we can do in our training schools for a particularly difficult problem like this.

The hon. member suggested that perhaps there might be some hope in the residential type of treatment for this girl. I am sure he must agree, after having read this and studied it, that residential type of operation would not be suitable for this girl. All through the piece, everyone is suggesting a controlled approach. As a matter of fact, I do not know if the girl had gone into Warrendale, I do not know how that would have been suitable for her, because Warrendale is an open institution.

Mr. S. Lewis: It is an open institution within certain defined control areas. When you say that everything has been tried, in fact the one avenue which has not been tried is the treatment centre emphasis. It is the one avenue which, groups like Big Sisters and attendant psychiatrists were agreed, might have given the solution.

The import of my remarks is very simple. With the greatest respect to Dr. Grygier, if across the province of Ontario there were, whether it be in your department or in the hon. Minister of Public Welfare's department, residential or confined treatment centres with very heavy emphasis on treatment milieu and clinical team work, it is quite possible that the Anna X's of this world would have their problem solved before the age of 15 rather than reach the threshold of a personal disaster at the age of 18.

There is a total lack of facility across the province for such people; and it is not a minimal number of people. Any superin-

tendent of any Ontario hospital in the province of Ontario will indicate the extent of this problem. The directors of Warrendale, of Boys' Village, of Sunnyside children's centre, of Meryvale, of the Ottawa Protestant children's village—any directors of these centres—will tell you about the problem of psychopathic children and schizophrenic children and the severely emotionally disturbed, and the number who exist in the province of Ontario.

It is not minimal in any sense. Many of them inhabit our training schools; invariably, that is the ultimate consequence to which they come. If they do come to that unhappy end, then I am suggesting that within the reform institutions setup, as within welfare, there must be provision for a very intensive treatment milieu.

And with the greatest of respect, Mr. Minister, I repeat this does not exist at the present time. Indeed, I think you yourself would probably admit that it does not exist at the present time. The mere suggestion that there are not enough social workers or psychologists or skilled people for counselling purposes is open demonstration that it cannot exist. Girls like this can be swallowed up and destroyed in such a system unless a new emphasis intervenes.

I appeal for such an emphasis and I put this case on the record as a classic documentation of the requirements. Apart from that, the area of argument is a clinical one and I would not pretend to be able to engage in it.

Hon. Mr. Crossman: But does the hon. member appreciate that his indication that this is a psychopathic personality really is an admission that there is no known treatment today for psychopathic personalities of this nature? This is one of the problems. I have a note here which was handed to me by the chief psychiatrist of the department, Dr. W. F. Wright, a very eminent gentleman. He says there is at the present time no method of successfully treating a psychopathic personality.

I think one thing the hon. member's presentation pointed up, in addition to the fact of course that there is a great need to try and find an answer to this, and I will agree with him wholeheartedly on this, is the difficult cases that the department has to deal with and our training schools have to deal with and why they deserve credit for anything they can do to improve the situation. They do whatever they can to set along the right path as many as they are able. Certainly if there is at any time any hope placed before our department by our specialists, by the

psychiatrists, by our research department, that such a unit would be helpful, might be successful, if there is any chance of success and it should in fact be part of our department, we would be very glad to go into that.

Mr. S. Lewis: May I say then, Mr. Minister, that as a single and, at this point, a very humble member of this House, may I commend to you a study within your department of some of the residential treatment centres that fall within the children's institutions Act under The Department of Public Welfare, some of those that I have enumerated, and see whether in fact their methods not be embraced by The Department of Reform Institutions. I think this is the objective to which you should logically aim in setting up your new Hagersville school and any further schools.

Perhaps I can itemize it. Perhaps indeed you can do it for me, and demonstrate some of the weaknesses and concerns I have.

I looked at your annual report on training schools very carefully. It had a very impressive statistical documentation of reasons for entry into a training school—number of days, problems of rehabilitation, problems of re-entry—but nowhere in that report, from cover to cover, was there an analysis of the treatment staff in each individual institution. We do not know how many social workers there are at Galt; we do not know how many psychologists at Galt or at Lindsay or at Bowmanville or at Trelawney House; we do not know how many teachers have proper degrees at these places; we have no idea of some of the fundamental facts of the training and treatment in the training schools.

Now let me be unkind; let me suggest to the hon. Minister that one of the reasons for omission is that it is probably not a very happy record to spell out in a report. I suggest to the hon. Minister that it is much easier to place on record the number of social workers at any school than it is to analyze statistically those inmates who have become rehabilitated—or break them down by age categories. It is very easy to tell us the number of social workers or resident psychologists; but they are not in the report. If the hon. Minister is serious in his training and treatment emphasis, then I suggest to him strongly that they should be there.

Perhaps for the interest of the House—and I will break it down to the girls' training schools, because I am personally quite familiar with St. Mary's training school in Toronto, with Galt and with Trelawney House—perhaps he might tell us, leaving out the superintendent involved, the number of full-time social

workers or full time psychologists at each of the girls' training schools in the province of Ontario. I for one would be interested. I am trying to corroborate the contention made.

Hon. Mr. Grossman: I do not have the detailed information for each school, but I would be very glad to get the information for the hon. member.

Mr. S. Lewis: I thank the hon. Minister. The hon. member for Nickel Belt (Mr. Demers) wants to enter this debate and since he is a good colleague, I do not want to go on much longer. But I do want to bring two further things to the attention of the hon. members of the House. My contention is—and I come right back and reiterate the central theme for raising this case and the central theme in all of this—that if the case histories you find in your files are frequently bizarre, and you have implied that they are, and if they come with degrees of emotional disturbance and horrifying environmental background, as frequently they do and you have admitted they do, then I suggest that we must have at the training school level a treatment milieu which knows no equal.

We do not even approach it. I indicated in this Legislature some time ago that there were 116 girls at the training school at Galt under the age of 16 and not a single resident psychologist, not a single resident social worker. I am sorry to repeat it ad infinitum, but it must be done.

Incidentally, in the *Galt Evening Reporter* of March 3, 1965, the superintendent of the training school corroborated almost word for word every contention I had made in the House the previous day with one small addendum which I think is of interest.

Mr. Lewis charged that there are 116 girls at the training school but not one social worker or psychologist. Mr. Wilson explained to the *Reporter* today that there were openings at the school for both these posts but no applicants to his knowledge. Hiring is carried out in Toronto by The Department of Reform Institutions.

Now, quoting Mr. Wilson: "They do not like to work in an authoritarian atmosphere."

I remember the hon. Minister somewhat vigorously berated me earlier in the session for using words like "punitive" and "authoritarian" when describing these training schools.

Hon. Mr. Grossman: Mr. Chairman, on a point of order!

The hon. member said "punitive" and "barbaric." Mr. Wilson used the word

“authoritarian.” It is a mistake, and if Mr. Wilson feels that he is running an authoritarian institution that is his fault, because he is not told, authorized or encouraged to run an authoritarian institution and I will have a talk with Mr. Wilson.

Mr. S. Lewis: Fine. I read purely from the press report. Mr. Wilson, of course, as the hon. Minister himself pointed out, suffers from what all the leading supervisors of our reform institutions suffer from, an atmosphere of inadequate staff and inadequate facilities and overcrowding. That is why you have members of the heads of staff at Guelph, and heads of staff at Mercer and heads of staff at Galt trying to depart from this particular Ministry.

Now, they may have their own reasons; perhaps Mr. Wilson does not like to work within an authoritarian atmosphere, I do not know. Perhaps out of respect to all concerned, I will not overemphasize that particular aspect. I just say to you—

Hon. Mr. Grossman: Did Mr. Wilson say there was no social worker at Galt?

Mr. S. Lewis: That is what Mr. Wilson told me and that is what I reported and that is what is again confirmed in the press story—

Hon. Mr. Grossman: Well, it so happens that Mr. Wilson is a social worker.

Mr. S. Lewis: Oh, I said except for the superintendents; knowing that you would say that—I said except for the superintendent. Surely the administrator of an institution is not expected to be the chief social worker of that institution.

Hon. Mr. Grossman: Nothing wrong with it!

Mr. S. Lewis: I said it because that is also true of St. Mary's training school in Toronto, and there, too, you do not have any kind of adequate social worker, psychological emphasis.

Well, I want to go back to the Toronto *Daily Star*—

Hon. Mr. Grossman: Mr. Chairman, just to keep the record straight: The hon. member knows that the diagnostic centre is right there on the grounds at Galt. We have social workers there and obviously it is not necessary to have social workers at both institutions. Anyone who requires the services of a social worker will get this from the other building at Galt, which is right on the same property.

Mr. S. Lewis: That is an interesting contention. It is not one to which I subscribe but I know that does not bother the hon. Minister.

I say to him, with respect, that the Galt training school should have resident and available for the girls, living with them all the time, social worker staff and psychological staff; they should not have to run a quarter of a mile down the road to the diagnostic and treatment centre when they have a particular problem. If it is not a quarter of a mile, perhaps it is 150 yards.

Hon. Mr. Grossman: Which makes quite a difference.

Mr. S. Lewis: All right. It makes quite a difference—

Hon. Mr. Grossman: I do not want to interrupt the hon. member, but although I think this was an interesting discussion I think he will agree that we should try and get these things clarified. In the first place, I said that we would like to get as many social workers as we can. Obviously, we have been going through these mental gymnastics for the last few days. I say that if he can find the social workers who are prepared to come in I would be very glad to hire them. The obvious answer is that they do not want to go with The Department of Reform Institutions. It is a fruitless discussion. Then we ask you why all other types of social agencies are short of social workers; does the same thing apply to them? They are all short of social workers. So it is not just our department; that is not the reason.

In addition to this, the suggestion that a good vast army of social workers would solve our problem is, of course, not so. Social workers, or psychiatrists, or psychologists, are not the be-all and the end-all. We presume this will help. You have to get somebody with some experience to deal with these things, and we presume these are the people who are trained for it, who would be perhaps of some great assistance. So we would like to have them. But there are other people on the staffs of these institutions who are doing a good job, even though they may not be social workers.

Mr. S. Lewis: I could not agree more with the hon. Minister. I do not suggest that you have to have a ratio of one social worker to one youngster in an institution. I would say that, just as in the school, it is desirable to have social workers or psychologists strategically placed at the institutions for referral purposes. Just as your teacher can refer, so

your housemother can refer. No institution can operate adequately without this. I must say I am totally perplexed by the government's inability, in several ministries—I admit to the hon. Minister that it does not plague only his department—to find trained staff.

Hon. Mr. Grossman: All governments.

Mr. S. Lewis: Not all governments. We will, later on, in fields of public welfare and health, introduce activities of other jurisdictions which are not having the same—

Hon. Mr. Grossman: Mr. Chairman, if the hon. member will permit me, in this particular type of work, in correctional work, I have gone through the statistics of all the provinces. I have gone through those of many of the American states. I have gone through the figures for the United Kingdom. They all suffer from the same problem. I think I would like to get that on the record. Even a province for which the hon. member may have a great deal of admiration, suffers from the same—I mean a jurisdiction, let me put it that way, which was built up, by and large, for 20 years, by the party to whose philosophy he pays allegiance. It suffers from the same problem. As a matter of fact, in many instances they do not have the staff and the facilities we do, on the basis of staff-to-student ratio.

The point I am trying to make is that I want to try hard—although I know it is difficult—to kill this idea that there is something about The Department of Reform Institutions of this great province that discourages good and able people from working for it; because we have many able people working for the department. Those who are more dedicated will work; and the staff shortage we suffer from is endemic in all jurisdictions in this particular field of work.

Mr. Young: Mr. Chairman, I wonder if the hon. Minister has faced up to the possibility of a real job being done at the university and high school level here? We have today, I quite realize, a shortage of staff right through his department and other departments. Other jurisdictions have the same problem. But today we have a unique opportunity. We have the teen-age population of this world really burgeoning and now entering university. We have a resource here from which to draw, and from which no generation in our memory has had a similar chance to draw. We have young people by the thousands now, anxious to get into life. We have idealism here, which has been demonstrated time after time, and which can be mobilized.

I wonder if the hon. Minister has really attempted to reach down into the senior high school level and set up liaison to capture this idealism, and to say to these young people: "There is a challenging task here in this whole field of reform"; to say to them: "We have a programme of scholarships; we will give assistance; we want you to think seriously of the challenge that this field presents"?

I think the hon. Minister has a great opportunity here. It means work; it means a great deal of planning. It means perhaps more staff at this level of recruitment. I know something has been done, but how much has been done? How much thought has been given to this field by this hon. Minister and by this department?

Hon. Mr. Grossman: Mr. Chairman, we are doing whatever we can. I think I mentioned the other day that we are working in close co-operation with the school of social work at the University of Toronto. We are in contact with and have made some plans with other universities. We are hoping to encourage more people into this—and I hope the hon. members will not think I am belabouring this point too much, and I do not want them to feel it is critical of them—but there are too many pseudo-experts on the outside who put themselves up as experts in this field, and who, at regular intervals, get into the newspapers and give the department such a black name that precisely what we were discussing exists.

It is very difficult to get people. How are we going to encourage young people by saying: "There is a great challenge for you in this department," when day in and day out they pick up a newspaper in which someone is giving a completely false impression of what goes on within our department? I am sure the hon. member, in his travels around the province, in some of our institutions, must have seen a great number of very dedicated people; but it is very difficult to encourage the young people to get involved in it, and we are doing everything we possibly can.

We hope, with the new positions we have established—an administrator of adult female institutions, and adult male institutions, and so on, and with the appointment of a director of education, which we shall be announcing I think very shortly—they will find that perhaps this will proceed along more quickly than it has been able to do in the past.

Mr. Young: Mr. Chairman—

Hon. Mr. Grossman: Incidentally—pardon me. I have been handed a note. I should have

mentioned this. I thought I had mentioned it the other day. We will have seven students in psychology—from the University of Waterloo—doing field work this coming summer.

Mr. Young: Mr. Chairman, the hon. Minister has indicated that some of us who are pseudo-experts—

Hon. Mr. Grossman: No, Mr. Chairman, on a point of order. Mr. Chairman, I made it quite clear that I am not referring to any hon. member in this House. I said, “outside of this House.”

Mr. Troy: You did not make it clear.

Mr. Young: But, Mr. Chairman, I think we have to face the fact that every department in this government, and every department of any government, gets its full share of criticism. In our newspapers we have a great deal of criticism of The Department of Education and its failure to develop certain kinds of programmes and curricula and all this sort of thing. We certainly get all kinds of criticism of The Department of Labour. We have heard, this last week, very serious criticism. All these criticisms are widespread in our civilization and they are not all in this House. But this does not mean that young people are not going to be attracted to a challenge in these departments. Every day young people are meeting challenges. They are going to work at all kinds of activities which are being criticized, and criticized severely everywhere; so I do not think this needs to bother the hon. Minister that much.

Hon. Mr. Grossman: I hope the hon. member is right.

Mr. J. C. G. Demers (Nickel Belt): Mr. Chairman, on this last vote; I will be very brief, but I cannot let this occasion pass without saying something about the hon. Minister's plans for building a new training school for boys near Sudbury. I was very happy when this announcement was made a few months ago. I was especially glad to learn that it will be built within a 25-mile radius of the city of Sudbury, so that it can make full use of the facilities available at Laurentian University, and especially their department of psychology. I spoke to the officials of several service clubs in Sudbury, and in the Valley, and they will welcome this further opportunity to serve those less fortunate than themselves. They are, I must say, very anxious to support this school.

The proposed new school will take boys of every religious denomination. This is an

experiment which is welcomed by the members of the clergy and the leaders of various denominations in the Sudbury district. This seems to be a valuable way of teaching the boys to live together with other faiths and widen their view of the world.

In a small school, such as that proposed for my riding, boys are going to get the individual and personal attention they need and I am sure it will make a real contribution to the great task of helping boys who get into trouble.

The most valuable factor I see in this school is the fact that it will be the first of its kind in the north. We all appreciate the strength of family ties: the old song says that “there is no place like home,” and although we have heard it often, it is still very true. Most persons, I am told, even boys at schools who have had unhappy relationships with their parents, cannot wait for the day when they will be allowed to go back home. As they are such strong family ties, it is indeed important that we make every effort to preserve them. I know that the hon. Minister is very sensitive to these facts, and I know that he has to balance many factors when arriving at the decisions regarding an area in which he will place a new school. We have to remember that there is a shortage of professional staff; that public money has to be spent where it will do the greatest good; and that he can only provide facilities where there is such a need.

Mr. Chairman, we in the back benches often wonder why the Opposition is so severe in its criticism of The Department of Reform Institutions—although it is their duty, I presume, to criticize us on this side of the House—but in the short period of time that we have been here, we have realized that the hon. Minister has given his department great dedication and, indeed, a new purpose.

Human values rate very highly with the hon. Minister of Reform Institutions. His decision to establish a training school in the Sudbury district to serve the great mid-north is another indication that his department intends to give every part of Ontario equal treatment. Our boys from the north will be able to have visits from their families and they will not be so cut off from their homes.

Mr. Chairman, I completely endorse the wisdom and the humanity of the hon. Minister's proposal and I sincerely hope that construction of this school will commence very soon.

Mr. S. Farquhar (Algoma-Manitoulin): Mr. Chairman, I may be able to explain why the Opposition gets a little critical once in a

while. Following on the words of the hon. member for Nickel Belt; and, Mr. Chairman, I recognize, of course, the criteria that influences the placing and the removal of institutions to or from an area, it is not based on what the institution can do for the area, but exactly the reverse. It must be recognized, though, that the economics of Elliot Lake were at least partly the reason the reform school was originally placed at Elliot Lake in 1961, and as a result of various statements from various Ministers in the debate that year.

I want to place on the record, if I may, a few comments from substantial people in that area and as a result ask the hon. Minister a few questions. I quote from the Sault *Daily Star* of November 7, 1964, as follows:

It was a shock to residents of this uranium centre and the area in general when it was announced that the Ontario reformatory in Elliot Lake will close in the near future—

Mr. Troy: The riding became Liberal, that is one of the reasons.

Mr. Farquhar: I continue:

In a telephone conversation with Mr. Bloom, accountant for the improvement district, the *Star* learned that it will mean the loss of a \$290,000 payroll for Elliot Lake.

"It is quite a blow to have families move at the present time," he said. "It will mean that at least 30 people, many with families, will be on the move. This comes at a time when more families are leaving the town-site each week. This kind of action at this particular time by the government is something we could have done without."

We [meaning the Sault *Daily Star*] inquired if Mr. Bloom knew what Allan Grossman, Minister of Reform Institutions, meant when he said: "The Elliot Lake location was unsatisfactory, largely because treatment and other professional personnel necessary for a correctional programme were too few in the area."

This was news to Mr. Bloom as he had not heard why the move was made. In his opinion he thought that the facilities had measured up to standard.

He said, "The training centres seem to be working well. The boys had a rink in winter; they played ball in summer; had exhibition games out there that were well organized. I just cannot understand the move."

The chairman of the improvement area

told us that the municipality was having great difficulty, in the light of a difficult assessment, of managing the levy for the new home for the aged in Thessalon. In the light of this then, and since Elliot Lake is a government corporation, the situation has an amusing slant to it. With one hand the government removes an institution and with the other hand offers money for a loan. It may make sense to some, but it surely sounds funny to many people, especially in the uranium centre.

Elsewhere in news items in connection with the removal of this institution, which was one of the most unpleasant Christmas presents the improvement district could receive, there appear statements to the effect:

—that 45 families will be removed from Elliot Lake to other parts of Ontario at the expense of the provincial government. Mr. Grossman admits his decision was drastic but that many of the staff will likely be moved to a new training centre in Fort William.

Another interesting item appeared in the *Globe and Mail* on November 5, 1964, as follows:

Ontario reformatory on Quirke Lake north of here will be closed. Most of the 45 staff members will leave at Christmas.

Allan Grossman, Minister of Reform Institutions said in Toronto that lack of professional personnel led to the decision to close the four-year old institution which houses about 50 young males.

"Even if an inmate had a bad tooth," he said, "we had to take him to Blind River for treatment."

I would just like to comment for a moment on the suggestion that professional personnel was lacking. The hon. Minister must know that in Elliot Lake there is a \$3.5 million hospital equipped with the finest of modern equipment and it has never been short of well qualified personnel, even though operating at 50 per cent capacity. Because the local dentist was killed just at that time in a car accident, which meant that for a time there was a lack of dental service, surely the hon. Minister does not mean that Elliot Lake is unique in this respect.

I quote again from the *Globe and Mail* of November 5, 1964:

The prison was established by the Ontario government in the unused mine buildings early in 1961 to help ease the plight of Elliot Lake, hit by unemployment and economic difficulties because of the closing of uranium mining.

Mr. Chairman, we know on this side of the House that the closing or opening or placing of institutions is entirely the prerogative of the hon. Minister. I know that there was some reason to do with the acquisition of property which meant that retaining the institution in Elliot Lake would have involved some expenditure, but I also feel that this was not reason enough to close the reform school; opened in 1961, closed at Christmas time, 1964, possibly the lowest point that the economy of Elliot Lake ever had or possibly ever will reach—we hope.

Mr. Chairman, you can imagine what effect this closure had, coming without notice on the municipality at a time when disillusioned people were leaving by the hundreds and commercial enterprises were folding up.

Two weeks later, on November 26, the following item appeared in our local paper:

A \$1.5 million training school for boys to be built near Sudbury will be the first in northern Ontario and the first in the province to serve all denominations. Reform Institutions Minister, Allan Grossman, announcing the plan yesterday, said that the location will reduce travel for boys committed to schools in southern Ontario and for parents who now are unable to visit their sons in the south.

The province will pay both the construction and maintenance of the new school, for 120 boys aged between 8 and 18.

Now, Mr. Chairman, we do not put ourselves in a position of denying the city of Sudbury the acquisition of this immense complex and we certainly admit that the need for this institution is in the north, but at the same time we will know better than to believe the hon. Minister if he comes to this Legislature with any more statements to the effect that he is sympathetic toward any area that is suffering from economic disaster.

I hope that the hon. Minister will elaborate on the reasons for the closing of this institution, against now building a new one 90 miles away.

The reasons we have heard are vague, Mr. Chairman, and we feel he must have better ones than we have heard so far.

Hon. Mr. Grossman: Mr. Chairman, I do not know what the hon. member for Algoma-Manitoulin has really implied as to why we closed it up. Surely he must not think that this was an easy decision to make. It was a most difficult decision to make. But, as he has intimated, our lease was expiring. We were involved in having to put hundreds of

thousands of dollars into buying and rebuilding.

A decision had to be made. If we put these hundreds of thousands of dollars into that location, is this a proper location for such an institution? Or is it not? On the basis of those criteria we had to make the decision to move it.

I remember, in the first place, we went into—I was hoping we would have the figures here. We went into all sorts of studies to find out what effect it would have on the economy; because even though this could not be the major factor, we were concerned with it. It did not run anywhere near—it never ran anywhere near—\$200,000, incidentally. But even if it had, I could not possibly—and I am sure the hon. member must appreciate this government could not possibly—justify spending many hundreds of thousands of dollars to establish an institution which had no likelihood of improving its situation insofar as what is required for a reformatory. It just was not working well.

The hon. member has stated that it was working well. All the reports I had from my staff, all the reports which were on file, showed a great deal of dissatisfaction. Treatment staff was unavailable. We could not get any social workers, psychologists or psychiatrists. I know we do not have some of these on permanent staff in some of our institutions, but they are at least available for visiting at regular intervals. And it was most difficult to get any of those interested in coming to Elliot Lake.

The hon. member also suggested—it was a rather funny expression he used, I think—that the government, at the same time it was closing this institution, was loaning money to help the economy. I think this proves the sincerity of the government in making this decision, because it was interested in the economy but could not justify keeping a reformatory there. And there is a difference between establishing a school up in Sudbury and closing this; in the first place, you are talking about two different types of institutions. The school in Sudbury was a training school for juveniles, and this was an adult institution and not a suitable place for it; we could not do anything for those boys. It was failing as an institution.

I made the statement here last year, before we even discussed Elliot Lake—if I recall, I was asked a question about location—I think the hon. member for Yorkview asked the question. I think he and another hon. member raised the question about where we would put these places, where we were going to establish our institutions. I think the matter

of the federal government putting in a penal institution in Warkworth was current at the time, and there was some interest in where we put these places—whether we put them in for political reasons or not.

At that time I gave a commitment. I think the words I employed were something like this:

So long as I am head of this department, no institution will be placed where it should not be because of political reasons. I am not going to play with the lives of these people for political reasons.

It was a difficult decision to make. The hon. member must appreciate that. It is not easy to close a place. It is a lot easier to establish a new one. It was a very difficult one, we thought about it, we worried about it; but the decision had to be made and it was made strictly on the basis of the proper criteria for the location of an institution.

Now, the hon. member may say: "Well, it was there already." The point is if we did not have to make a decision as to deciding definitely that this was going to be there for a good long period of time by the spending of hundreds of thousands of dollars, it might have been different. But the decision had to be faced and I could not ask my hon. colleagues in the government to let me have "x" hundreds of thousands of dollars on the basis that a place is needed there because it is doing a good job and will be there for the foreseeable future. I just could not make that decision. I am sure when the hon. member thinks that over he will appreciate we did the right thing.

Mr. Farquhar: Oh no! Excuse me, Mr. Chairman, it is just absolutely and simply a matter of opinion.

I do not accept the fact that the area or locality or the personnel were lacking. In fact I do know this: ministers were out there on a regular basis; my wife took her choir out there on many occasions, whenever they were asked. I know as far as we were concerned and the local people were concerned, it was successful. We have not heard that it was not successful.

We do know that—

Hon. Mr. Grossman: Well, I can tell the hon. member that my qualified staff, who are interested in doing a proper job, were reporting month in and month out that they could not do the proper job there and I finally said: "Well, I am not going to make a decision like this unless I see the place myself."

The hon. member will recall this: I went up there and I attempted to reach him so he could visit the place with me. I went through the place myself with my staff. I had them explain the problems and I just could not argue against the logic of what they were saying in view of the decision I had to make.

Mr. Farquhar: To get my remarks into the proper context, I did not say there were political reasons behind this at all. I am only talking about the merits of one place as against the merits of another place. I do know that the facilities there were not adequate, I know the area is adequate. There is not that much difference between temperature in Elliot Lake and temperature in Sudbury, or terrain—

Hon. Mr. Grossman: It has nothing to do with temperature or terrain.

Mr. Farquhar: —or schools or church facilities or any other facilities! There is not that much difference. The fact remains that the money would have to be spent before those facilities would be adequate, I know this because the facilities they had were not adequate.

As I have said before, it is the hon. Minister's prerogative. I do not know why I stand here arguing, it is the hon. Minister's prerogative except that I—

Hon. Mr. Grossman: I think you are doing your job for your constituents, there is nothing wrong with that.

Mr. Farquhar: I am still not convinced that it would not have worked and done a good job, both for the community and for the institution.

Mr. Troy: Mr. Chairman, if you were going to build a new training school, why could you not have built it in the riding of Algoma-Manitoulin and not in the riding of Nickel Belt?

Hon. Mr. Grossman: The choice of the location was taken in consideration of the area from which most of the students would be drawn. This was charted on a map. We saw where every youngster came from during the past year, and this was the best location having regard to the fact that we were just at this time going ahead with one training school in northern Ontario. Algoma-Manitoulin apparently did not meet this criteria, in addition to which the criteria set down by the Canadian corrections association indicates it must be near certain facilities.

Sudbury has a university. This is very important. We were just talking earlier about encouraging young people to come into this work, and the best way to do it is to establish, if at all possible, as close to a university location as we possibly can. This is what we are trying to accomplish, and this is what we have done.

Mr. Troy: Well, what university is near Alfred? What university is near Uxbridge? What university is near Cobourg and Bowmanville and all these others?

Hon. Mr. Grossman: Mr. Chairman, all I can speak for is what the policy of the department is now and what is going on under my leadership. I do not want this to be construed as criticism of my predecessors. Every one does things in the light of the way they see it at that time. It may very well be when those schools were established there was no such criteria laid down by the people involved in this work.

I read this as the criteria. I discuss it with my people. They agree with it, I agree with it and that is where the schools go.

Mr. Troy: Yes, it is the hon. Minister's prerogative. I am very glad to note that at long last the government has recognized the marvellous job that what are called denominational training schools have performed in this province. As anybody who has been in the House for some time knows, the late member for Windsor-Sandwich had pleaded with this government to help them out. It is unfortunate, too, that you are not going to have the type of people—you talk about dedicated people, but I presume you know the dedication of the brothers at Alfred and these other institutions; these are not eight-hour-a-day people; they go on duty for 12 or 18 hours. Of course, naturally, it is their vocation, and they are not of this world, and they have other ideas. But how are you going to bring in the—say, it is non-denominational—how are you going to bring in the—

Hon. Mr. Grossman: It is not denominational; it is interdenominational.

Mr. Troy: Then you have padres on your staff?

Hon. Mr. Grossman: This has not been worked out in its detail, Mr. Chairman. I would ask the hon. member's indulgence not to go into the detail at this time. All I can tell him is that we are working this out with the hierarchy of the Church, with the bishops who are involved in this thing, and with a special committee of private training schools;

we have been working very well together. Everything we have done has been with unanimous agreement. We have some ideas along these lines. I would not want to prejudice them by giving my views. All I can say is that it is working out well and, in respect of the religious brothers, we hope to have their continued support and assistance in the new interdenominational school.

Mr. Troy: Just a final word about that. Did I understand then that the reason you put it in the Nickel Belt area is that that is the centre of juvenile crime in northern Ontario?

Hon. Mr. Grossman: No. That is not the centre at all. Obviously where there are built-up areas they will have more students coming from those areas. It was a good, geographical centre for a particular area near the facilities we want, where there is a university, and so on and so on. These were the factors involved. We hope, in the not-too-distant future, to establish another one in northern Ontario.

Mr. Troy: The last one is about these forestry camps. Where is Hendrie?

Hon. Mr. Grossman: I can show the hon. member on a map, but I always have trouble—

Mr. Troy: I see the picture here on your report.

Hon. Mr. Grossman: Hendrie is in Simcoe county. Both Hendrie and Hillsdale are in Simcoe county, and Wendigo is in Parry Sound district. I am not very good at the map once you get beyond—

Mr. Troy: That is a forestry camp; that is the newest one you have?

Hon. Mr. Grossman: Wendigo Lake, yes.

Mr. Troy: What kind of inmates do you have there?

Hon. Mr. Grossman: This is a satellite of Burwash, and the staff will come out of Burwash.

Mr. Troy: The staff and the minimum security people?

Hon. Mr. Grossman: Yes, from that district.

Mr. Troy: By the way, just for the record, I know this is almost the springtime and it is the time men, in their young men's fancies, turn to a lot of things. Is this the time of year when, as you say, they elope from your institutions? About how many do this?

Hon. Mr. Grossman: Well, apparently this is what happens up at Burwash; but the elopement does not last long, I can tell you that. This is about the time they get the feeling and they start to run off. The figures, I think, are in the report. Not very many, after they run off, stay away very long; I think, out of 100, practically every one has been caught.

Mr. Troy: Have you special training for your staff?

Hon. Mr. Grossman: They have a special training for this. They have an aptitude for it, and they also tell me that the terrain is not conducive to getting away.

Mr. Troy: No, I mean the staff; are they specially trained and physically fit so they can chase them?

Mr. Chairman: Is vote 1903 carried?

Mr. Singer: No, Mr. Chairman.

Mr. Young: Mr. Chairman, I had an observation to make about certain Indian children in the training institutions. It may be that this should be deferred until tomorrow, if you wish to recognize 6 o'clock. Otherwise I am willing to go ahead.

Hon. Mr. Rowntree moves that the committee of supply rise and report progress and ask for leave to sit again.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of supply begs to report a certain resolution and asks for leave to sit again.

Report agreed to.

Hon. Mr. Rowntree moves the adjournment of the House.

Motion agreed to.

The House adjourned at 6.05 o'clock, p.m.



No. 68



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Debates

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Tuesday, April 6, 1965
Afternoon Session

Speaker: Honourable Donald H. Morrow
Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, APRIL 6, 1965

The House met at 3 o'clock, p.m.

Prayers.

Mr. Speaker: We are always pleased to have visitors to the Legislature and today we welcome as guests in the west gallery, students from Earl Haig secondary school, Willowdale and Humberstone collegiate institute, Toronto, and in the east gallery, Eastwood collegiate institute, Kitchener.

A number of members have on their desks today a letter which requires an immediate reply. To facilitate this matter, would they please forward it to my secretary as soon as possible.

Petitions.

Presenting reports by committees.

Hon. A. A. Wishart (Attorney General): Mr. Speaker, early last year, several Ministers of this government met with representatives of the Ontario medical association, the Ontario ambulance operators association and other organizations interested in the ambulance services throughout this province.

As a result of this meeting, it appeared that more information would be desirable in order that we might consider the problems of the ambulance industry and perhaps take some constructive action in respect to those problems.

The government, therefore, appointed a committee made up of several senior civil servants, together with representatives of the Ontario medical association, the Ontario hospital association, the Ontario chamber of commerce and the Ontario ambulance operators association. This committee was asked to review the problem of the ambulance operators and to study all ambulance services throughout Ontario.

As a result of the committee's studies, which have extended over the past year, a report has now been submitted to me and in order that the House may be informed of the views of the committee, I am tabling a copy of the report.

I might say that the report indicates in a statistical fashion the financial problems of a representative group of ambulance operators. The committee also brings forward recommendations for minimum and optimum equipment requirements which, it suggests, might be engrossed in some legislative form. The committee also puts forward suggestions respecting various methods by which financial provision might be made to not only improve ambulance services, but also assist municipalities in the provision of these services.

I think it is significant that a committee of such wide representation submits that the authority for dealing with ambulance services should be left with the local municipalities, with some financial assistance being provided by the province, where a municipality undertakes in a constructive fashion to provide improved ambulance services for its rate-payers.

This report and the suggestions in it will, I am sure, receive the consideration of the hon. members of this House; it is presently receiving my earnest consideration.

Additional copies of the report can be obtained from the Speaker's office.

Mr. F. R. Oliver (Grey South): May I ask my hon. friend if he anticipates legislation arising out of the recommendations contained in this report?

Hon. Mr. Wishart: In reply to the hon. member, Mr. Speaker, I would say that we have just received the report, and it is being studied. It will be submitted to my colleagues in the government and I would hope that some of the recommendations, if time permits at this session, might be incorporated into legislation. That is as much as I am able to say at this moment.

Report adopted.

Mr. Speaker: Motions.

Hon. J. P. Robarts (Prime Minister) moves that when this House adjourns the present

sitting thereof it do stand adjourned until three of the clock on Thursday afternoon.

Motion agreed to.

Mr. Speaker: Introduction of bills.

**BURIAL PLACE OF
JOHN GRAVES SIMCOE AND HIS WIFE**

Hon. J. A. C. Auld (Minister of Tourism and Information) moves first reading of bill intituled, An Act to establish a foundation for the preservation of the burial place of John Graves Simcoe and his wife.

Motion agreed to; first reading of the bill.

Hon. J. A. C. Auld (Minister of Tourism and Information): Mr. Speaker, just a short explanation. This bill will establish the John Graves Simcoe memorial foundation. The objects of the foundation are to acquire and preserve Wolford Chapel in Devonshire, England, as an historical site for the benefit of the public, to disseminate information about the life and works of John Graves Simcoe, and to establish and maintain a trust fund to carry out these objects. Wolford Chapel contains the remains of Governor John Graves Simcoe, first Governor of Upper Canada, and his wife.

The present owner of the chapel, Sir Geoffrey Harnsworth, has generously indicated that he will give the chapel to such a foundation and the province has agreed to guarantee the terms of the trust, as indicated in the bill. The foundation will consist of 15 directors, three of whom will be named for a term of five years, six for a term of four years, and five for a term of three years. The three directors named in the bill have already undertaken to raise the funds necessary to provide for the maintenance of the chapel, which will be arranged through Ontario House in London.

This province is fortunate in its possession of historic sites which illustrate the work of our first Lieutenant-Governor. Simcoe House, where the first meeting of the executive council was held in 1792, has been restored and moved from Kingston to Upper Canada village. Navy Hall, Niagara-on-the-Lake, housed the first meeting of the legislative assembly in 1794 and is now administered for the public's benefit by the Niagara parks commission.

Governor Simcoe directed the construction of old Fort York, and named his Toronto residence after his first son, Francis Simcoe. We know the area today, where it overlooks the Don valley, as Castle Frank. It is appropriate, therefore, to mark, maintain and

foster the final resting-place of John Graves Simcoe by the establishment of this foundation, to the end that all who visit it, will learn of his life and work for the province of Ontario.

Mr. B. Newman (Windsor-Walkerville): Mr. Speaker, before the orders of the day, I have a question of the hon. Minister of Highways (Mr. MacNaughton), notice of which has been submitted to him.

What is the reason for The Department of Highways' delay in approving designation of streets as connecting links for the city of Hamilton's \$500,000 roadway reconstruction programme?

Hon. C. S. MacNaughton (Minister of Highways): Mr. Speaker, in answer to the question asked by the hon. member for Windsor-Walkerville, the clerk of the city of Hamilton was advised on April 17, 1964, that the highway routes through the city for this year's reconstruction programme would be designated as connecting links.

This designation will take place before reconstruction begins. The city has proceeded with design work and recently submitted preliminary plans. These plans were reviewed and have been returned to the district engineer. A meeting with the city's engineering staff will take place within the next week.

Mr. Newman: Thank you.

Mr. R. F. Nixon (Brant): Mr. Speaker, I have a question of the hon. Minister of Highways.

Will the hon. Minister look into the highways situation near the Garden River Indian reserve at Sault Ste. Marie, where there are no school warning signs for Indian elementary pupils?

Hon. Mr. MacNaughton: Mr. Speaker, my answer to the hon. member for Brant in this respect is as follows.

There are two school areas in the vicinity of the Garden River reserve. They are both signed with departmental standard school area signs.

Mr. Nixon: Supplementary to that, the people living at the scene say that they have approached the department before in an attempt to get some signs that would slow the traffic down. I believe there have been three children killed on the highway within eight years and the people feel that the department could do something in respect to signs. Is there any investigation going on to see what might be done?

Hon. Mr. MacNaughton: Mr. Speaker, while that was not part of the original question, I do recall a number of circumstances when the former chief of the Garden River reserve, I believe he was known as Chief Richard Pine, made overtures to the department for surveys of the area. In each circumstance, surveys were made and it was the conclusion of those who conducted the survey that the traffic control and speed limit provisions were quite adequate and quite satisfactory.

I cannot remember the number of times that this has been done, but within my experience I think at least two or three surveys of the type that I have described here have been made with the same conclusions reached in each and every circumstance.

Mr. D. A. Paterson (Essex South): Mr. Speaker, I have a question for the hon. Minister of Tourism and Information.

Has any action been taken by the hon. Minister to acquire the house at Niagara-on-the-Lake as an historic site? If so, what action has been taken; if not, does the hon. Minister contemplate taking any action?

Hon. Mr. Auld: Mr. Speaker, this was brought to our attention a week ago Thursday night. I have been in touch with the owner of the property, Mr. Bowes, who has indicated that he will not destroy the property for a short time.

Tomorrow, people from the staff of Upper Canada village and the Niagara parks commission are visiting the building to find out its condition and see whether it is practical to move it or not. If it is practical, the Niagara parks commission presumably will decide whether it proposes to do this.

Mr. Paterson: Supplementary to this, Mr. Speaker, will officials of the hon. Minister be visiting the Laura Secord home, which was mentioned in the House by the hon. member for Niagara Falls (Mr. Bukator)?

Hon. Mr. Auld: Not on this trip, Mr. Speaker.

Mr. D. C. MacDonald (York South): Mr. Speaker, I have a question for the hon. Minister of Health (Mr. Dymond), a copy of which has been presented to him.

In view of the judgment of Mr. Justice Sam Hughes yesterday, that he would not evict a patient from St. Joseph's hospital until the patient had been provided with free alternative accommodation, will the practice of discharging patients from general or convalescent hospitals without alternative free accommodation now come to an end?

Hon. M. B. Dymond (Minister of Health): Mr. Speaker, not being a lawyer, I am not sure if I am in order in answering this question because I see that Mr. Justice Hughes did not make a judgment. He adjourned the case until Wednesday, I believe. However, I am not a lawyer, so I can claim, I hope, immunity from malpractice.

I would say that the function of a hospital is to provide essential treatment from the basis of medical necessity. It is the responsibility of the attending physician to admit to, and discharge from, hospital. I believe it would be a retrograde step if this pattern were to be changed by edict.

It is difficult to see how a hospital can be held responsible to find alternative free accommodation for those whose condition is such that they no longer need to be in hospital. This is an entirely new concept and one that has never been considered to be a duty of hospitals.

It is true that many hospitals have social service nurses on the staff who try to help make arrangements for patients who are to be discharged—patients who, for a variety of reasons, cannot go home. But this is simply an additional service that hospitals have assumed as a public service, rather than as a duty and responsibility of their own function, and they can never be held responsible to keep patients in hospital until other alternative free accommodation can be found.

As you know, sir, our hospitals operate under a cost-shared plan for maintenance of those patients who are insured under the plan.

When medical necessity has ended, the plan no longer covers the person's maintenance in hospital.

Without having had an opportunity to consider fully the implications of Mr. Justice Hughes' decision in this particular case, and to seek legal advice, I cannot discuss it in particular, other than to say the implications at first apparent are broad indeed, and will, I believe, require a good deal of careful consideration and study.

Hon. J. Yaremko (Provincial Secretary): Mr. Speaker, I beg leave to present to the House the report of the hon. Minister of Education (Mr. Davis) for the calendar year 1964.

Mr. Speaker: Orders of the day.

Clerk of the House: The 51st order, the House in committee of supply; Mr. W. E. Sandercock in the chair.

ESTIMATES, DEPARTMENT OF
REFORM INSTITUTIONS
(continued)

On vote 1903:

Hon. A. Grossman (Minister of Reform Institutions): Mr. Chairman, I mentioned the other day that I was hoping to be able to announce shortly the appointment of a director of education. I am now in a position to do so and I am sure that hon. members would be interested in hearing it.

I wish to announce the appointment of Mr. A. Douglas Mackey as director of education for The Department of Reform Institutions. Mr. Mackey, who is head of the industrial arts department of the O'Neill collegiate and vocational institute, Oshawa, holds a Bachelor of Science degree from the State University of New York, Buffalo, and will obtain his master's degree in June. In addition, he holds certificates from the Hamilton teachers' college and the Ontario college of education, as well as a specialist's certificate in industrial arts. Mr. Mackey has had previous experience in the elementary school system of Port Colborne and the secondary school system of Burlington.

In addition to his academic and vocational qualifications, Mr. Mackey has been programme director for the Ontario society for crippled children at Lakewood Camp, has been secretary-librarian of Ontario industrial arts association research council, and is the Canadian representative to the American industrial arts association, being a member of that board. He is editor of the Ontario industrial arts association *Bulletin*, and is director of publications for the Canadian industrial arts association and co-author of the booklet *Creativity through Design*.

The duties of the director of education with my department must inevitably concern the direction of our programme, both academic and vocational, toward the successful rehabilitation of students, adult and juvenile. Basically, we must place great emphasis on the upgrading of school grades; we must endeavour to bring those who are able to benefit from our vocational training programme up to the academic standing required of their individual trade. Next, we must place great importance on the practical use of trade training in a rehabilitation programme, endeavouring to provide, wherever possible, such training as will lead to purposeful employment after leaving our institutions.

I am sure that with the qualifications, training and experience of Mr. Mackey, we will have a man capable of directing our edu-

cational programme along these lines so that all educational services within our department may be co-ordinated into a purposeful force in the rehabilitation of offenders.

Mr. V. M. Singer (Downsview): Mr. Chairman, late yesterday afternoon, my colleague the hon. member for Algoma-Manitoulin (Mr. Farquhar) was addressing certain remarks to the hon. Minister about the institution at Elliot Lake.

It occurred to me, if my memory served me right, that there had been a great deal of discussion in this House about that institution several years ago, and I went back to *Hansard* this afternoon just to refresh my memory and perhaps to refresh the memory of other hon. members of the House. I am sure the hon. Minister will recall that on March 24, 1960, when Mr. Frost was leading the government, the Elliot Lake crisis had occurred and was being debated here in the House. Ministers on the front bench, one after the other, stood up and told the people of Elliot Lake who filled the Speaker's gallery, what great things they were going to do for Elliot Lake, and one of the great things that was going to be done was to open a penal institution in that area. I thought it would be well just to refresh the hon. Minister's memory as to some of the remarks made by the hon. Minister from Port Arthur (Mr. Wardrope) who held the portfolio of reform institutions at that time.

On that day—and it is reported on page 1726 in *Hansard* for March 24, 1960—the then Minister of Reform Institutions had this to say:

Now, if the hon. gentlemen would listen and not yak, yak, yak—the story of the lion and the jackass—they might learn something from this side of the House.

Then he said:

That is why those hon. members are there. My department has been studying—

And then there was an interjection.

—for many months in order to select the best location for this new institution.

Now, the hon. Minister of Public Works is also aware of the situation, and his staff will be ready to start with this plan, and so forth, if all of our studies now being carried out prove the feasibility of an institution in this general area. I am told—

At that point he was interrupted by the late Mr. H. C. Nixon, who was then the member for Brant, and also by Mr. Frost. Then we come back to the then Minister of Reform Institutions. I am skipping a few of the

interjections here, but about halfway down page 1727 he says this:

Now, Mr. Speaker, I do not want to take up the time of the House any longer, but I mentioned it to show that we are progressing in our endeavours to help Elliot Lake.

Now, if we can start this before too long, and give something to them that will help in their situation at the present time, we will be only too glad to do it. And with that, the hon. Prime Minister and my government go along 100 per cent. They have suggested it, and they will follow it through as they do in all of these depressed areas, in trying to help out the little people of this province.

That was in 1960. Then I thought I would follow it through a bit and see what happened in later years. In 1961, on February 27—I am quoting from page 1542—the present hon. Minister of Mines (Mr. Wardrope) said this:

Yes. We are not going to plan on Quirk Lake, as I am hopeful the mine will open in two years. But there is the Stanley mine which is close to it; and that has been sealed, and there are some beautiful buildings. We hope that, within two years, we will be able to do some fixing there if we take it over, so that it will be a place that will be nice to look at and will be comfortable for inmates, and so on.

It will not be any shack place, I can tell the hon. members that; but we do not intend to build a huge new institution there if we can use those buildings, because they are very fine plants.

That was a year later. Then, a year after that, in 1962, the hon. Minister had left that portfolio and he was succeeded by the present hon. Minister of Transport (Mr. Haskett). This hon. Minister did not wax quite as enthusiastically, but he did say on March 20 of 1962, and at this point I am quoting from page 1330 of *Hansard*:

Early last spring a small unit was opened at Elliot Lake for those men in this category whose homes are up in northern Ontario.

Then, a year after that, the same Minister again talked about Elliot Lake and said, and I am quoting from the debates of December 12, 1962, at page 289 from *Hansard* of that year:

Elliot Lake is a reformatory which has a capacity of 52 and there are now 49 prisoners there today.

It occurs to me, Mr. Chairman, that in light of the great desire of the hon. Minister of Mines and his colleagues of that day to do

something for the little people, as he described them—the people in the depressed areas—the great studies that went on and the co-operation of all of the Ministers of that time in promising great things to the people of Elliot Lake, who were packing the Speaker's gallery, were not being just done at the moment he talked, but they had been going on several months prior to the time he was talking, which eventually resulted in the location of the penal institution there. Then the hon. Minister of Transport, when he took over the portfolio, in the two or three times that he reported to the House, he could find no fault with it. It would seem to me that a pretty substantial commitment had been made to the people of that area to bolster their economy by continuing that institution in Elliot Lake. True, Mr. Chairman, things have changed since that day. The member for Algoma-Manitoulin sits on a different side of the House than the member for Algoma-Manitoulin did in that day. The government is not quite so embarrassed, but I have not heard any logical reason come from the hon. Minister as to why that institution should have been moved in face of the very substantial and definite commitments given by those two previous Ministers.

The hon. Minister says there are criteria which this institution does not fit into. It is not near a university. I do not know that it is too important that the 49 inhabitants of that institution in 1962 should have been close to a university; I would think that they had not too much use for the facilities of Laurentian University if it had existed in that day.

One thing about Elliot Lake was that there were very few escapees. It is a very difficult place to escape from. And people who did decide to take leave for a day or two were quite happy to return voluntarily, because they found that they got much better food and shelter within the institution than they did in trying to escape from that area. I would have thought that was an inducement to keep the institution in Elliot Lake.

But the thing that puzzles me, Mr. Chairman, is that late in 1964 an announcement was made, when the House was not in session, that within a month's time the Elliot Lake institution was going to be closed. A *fait accompli*: the matter was done. All of those 45 employees who contributed in a substantial way to the economy of Elliot Lake were on their way from Elliot Lake a month later.

If the government had any real sincerity in the fine remarks they addressed to the people of this province, and particularly to the people of Elliot Lake when the great economic tragedy occurred there, one would

have thought that it would have leaned over backwards to keep that institution in that municipality.

I could refer at much further length to the glowing remarks, the far-reaching promises, that the various Cabinet Ministers of that day made to this House and the real commitments that they made. None of them were exceeded by the elaborate remarks made by the hon. Minister of Mines.

And yet here, while the House is not in session, suddenly this hon. Minister has changed his mind. Apparently the concern for Elliot Lake diminishes in relationship to who represents the riding of Algoma-Manitoulin. This is the only conclusion that I can come to.

We were going to have schools, we were going to have parks, we were going to have tourist establishments. The Minister of Municipal Affairs was going to throw in millions of dollars. If you want, I have them all here; I can read you all those speeches.

Hon. J. P. Robarts (Prime Minister): Well, Mr. Chairman, his own colleague will tell him what we are doing right now.

Mr. Singer: The whole front bench, one after the other—it started at that end and it went all the way through, with some assistance from the second row. There was not too much that this government was going to do for Elliot Lake. One of the few concrete things that came out of it was the location of this institution. And now it has gone, as I say, coincidentally after the representation in Elliot Lake changed. I think that the people of Elliot Lake deserve a much better explanation than the one they have been given up till now.

Hon. Mr. Grossman: Well, Mr. Chairman, we really completed the circle now. There is no doubt about that. In the first place, the hon. member for Algoma-Manitoulin stated quite bluntly last night that he did not suggest that the decision was a political one.

Mr. Singer: I suggested it.

Hon. Mr. Grossman: All right. Perhaps the hon. member for Downsview takes his reasoning from the manner in which his party in office in Ottawa does things.

Mr. Singer: No, I take my reasoning from the remarks—

Hon. Mr. Grossman: We will deal with that in a minute. The federal government insisted on putting a female institution in a

location to which every corrective group, everyone interested in the rehabilitation of offenders in this country, objected. But because the political colour of the representative changed hands, and the seat is now held by a Liberal, they put an institution there in spite of all the advice they had from those who advised them against it.

Mr. Singer: I think if the hon. Minister—

Hon. Mr. Grossman: As a matter of fact, it would have been, in my view, more to the point for those people who criticized the federal government so strongly when they announced their plans and are now proceeding with it, to come out and say something in support of the action which I was taking, which was a much more difficult one, in closing one up, for the same reasons they gave against the establishment of one in Warkworth.

The hon. member states all the reasons why the government was attempting to help Elliot Lake at that time, and they are attempting to help Elliot Lake at this time. But the reasons why the government was more able to rationalize the establishment of a reform institution in Elliot Lake at that time does not exist today.

In the first place, there are some changes in services available there. But more than anything else, and the hon. member suggests that he did not hear this yesterday; he must have heard it, because I repeated it a number of times. The fact remains that I was faced with a decision of purchasing the property. The company was insisting that we purchase the property. Up until that time we had, and I will say it was, a very generous lease from the company. I think it ran something like \$15,000 or \$16,000 a year, something of that nature. We were faced with having to make a decision as to whether we were going to spend some hundreds of thousands of dollars for an institution and, in having to make that decision, we had to decide whether this was going to be a place which would be the proper locale for an institution of this nature for a long period of time.

Mr. Singer: It did not bother the former Minister. It did not bother him at all.

Hon. Mr. Grossman: Also, in the meantime, Mr. Chairman, the Canadian corrections association had done a study of all the requirements—the criteria for the location of this type of institution.

I told the hon. members last year that I was going to do everything possible to learn all I could about this work, to pay attention

to those real experts—the really knowledgeable people—and this is what I have done. They came out with this report in the meantime—having regard for what they had said at that time and what was said across the way—as to the proper location of institutions—and I could quote that from *Hansard*—I could quote some of the hon. members from the hon. member for Downsview's own party—hon. members from the NDP party, whose—

Mr. D. C. MacDonald (York South): NDP.

Hon. Mr. Grossman:—from the NDP, who repeated on a number of occasions, the criteria for the establishment of this kind of institution. Having regard for that and for the fact that I had to make a decision as to the expenditure of some hundreds of thousands of dollars, I could not in all honesty say that place must remain there. We had to do something about it.

If the hon. member will just wait a moment—

The hon. member also downgrades my argument that it should be near a university if possible. He says that the most important thing for the retention of Elliot Lake was the fact that it was hard to escape from. All of a sudden, custody becomes important. I have heard for the last week that custody should not concern us at all. As a matter of fact, in Mercer, where we have 80 or 90 women, we should not concern ourselves with custody at all—just treatment; see that they get the proper facilities; see that there are visiting psychiatrists and psychologists and that sort of thing. But as for those boys up in the bush, we were not to concern ourselves with them at all. Well, I just do not lend myself to that kind of a philosophy.

I repeat, just in case the hon. member will forget it—if these estimates go on for three or four weeks, he may forget it three weeks from today—we had to arrive at a decision as to whether this, in effect, was going to become a permanent institution, and put into it some hundreds of thousands of dollars. On that basis, the whole situation had to be considered. I am very sorry that we had to close up the place, but the government's consideration for Elliot Lake is certainly shown by the fact that other measures have been taken to help in the economy of Elliot Lake, but not at the expense of people we are trying to rehabilitate.

Mr. Singer: Mr. Chairman, I can only come to the conclusion that all that the former hon. Minister was telling us on that day in 1960, just did not mean a thing. Because he said—

Hon. Mr. Grossman: This is five years later.

Mr. Singer: He explained at length and plaintively to the House, and he was supported by all his colleagues on the front benches:

This is not a study that has just been started, we had gone through it for months.

He said:

I consulted carefully with my colleague, the hon. Minister of Public Works, and he has gone into it and it is logical and it is sensible and we are going to do it, and rest assured that we are going to do it, because we are interested in the economy of Elliot Lake and we think this is a reasonable place in which to locate an institution.

Hon. Mr. Grossman: It was at that time.

Mr. Singer: Unless my hon. friend is dismissing quite casually all of the remarks made by the former Minister and his Cabinet colleagues of that day, then the only other conclusion I can come to, is that the former Minister was just talking politically because the gallery was full and he wanted to make a great impression. Surely one would expect from this government that if a study such as this has gone on, that the decisions made would at least last for a period of three or four years. But not now. The Minister changes, the criteria change, the decisions change and the membership in the House changes, even by coincidence.

Hon. Mr. Grossman: We keep up to date.

Mr. Singer: I would suggest to my friend the hon. Minister that if he is concerned at all about what is going on in the House of Commons about penal reform or penal institutions, he could avail himself of an easy opportunity to assist. I notice the hon. Minister of Lands and Forests (Mr. Roberts) was offering it to the coroner—the federal nomination in Spadina—but you could avail yourself perhaps of that opportunity and have a go up there and see what influence you could bring to bear. I am sure you would do it very well.

Hon. Mr. Grossman: Oh, I can do much better here. I have colleagues here who are more interested in penal reform.

Mr. Singer: Well, all right. While we are here and you have the responsibility for moving this institution, and you have it, then I think that the House deserves a better

explanation than the one you have given up to now.

Mr. MacDonald: Mr. Chairman, I would like to add one point on this particular issue. I think there is considerable validity in what the hon. member for Downsview has said. There are striking contrasts between all the beatings of propaganda drums which we saw on the three tiers of the Cabinet seats. They exacted every conceivable bit of publicity out of every conceivable headline concerning what they were going to do in Elliot Lake. But when they cancelled the project, it was done in relative silence and quiet, and I think it is not very appropriate for the hon. Prime Minister (Mr. Robarts) to step in and say that the government put a school in there, in effect to take the place of the reform institution.

Hon. Mr. Grossman: Mr. Chairman, I know the hon. member does not want to misinform anyone, but he said this was done in comparative quiet. A public announcement was made.

Mr. MacDonald: Yes, but there was not anything like the beating of the propaganda drums—I will come to that in a minute.

The hon. Prime Minister says the government put a school in, in co-operation with the federal government, and it is a very worthy project. What, in effect, you are doing, is stabilizing Elliot Lake at its depressed level. You are keeping it from slipping any more, when you take one out, you put another one in. You are stabilizing it at a depressed level and this is the serious thing about this particular community.

However, the one point, without repeating what the hon. member for Downsview has said—

Mr. A. J. Reaume (Essex North): Indian givers!

Mr. MacDonald: The one thing that surprises me about the government's announcement is why, if you are going to do this kind of thing, is it not done in consultation with the local community, so that it can prepare for and be able to sustain the further economic blow which this decision brought to an already rather economically teetering community. I have here, for example, a clipping from the Sault Ste. Marie *Star* of November 7, in which Mr. J. S. Bloom, the accountant of the improvement district of Elliot Lake, said that it will mean a loss of \$290,000 payroll for this area.

It is quite a blow to have families leave at the present time. It will mean that at

least 30 people, many with families, will be on the move, it certainly all affects the economy, especially the stores. Since Stamrock closed, more families leave the town every week. We have possibly 9,000 people left. We inquired if he knew what Allan Grossman, Minister of Reform Institutions, meant when he said:

"The Elliot Lake location was unsatisfactory, largely because treatment and other professional personnel necessary for correctional institutions were too few in the area."

This was new to Mr. Bloom, as he had not heard why the move is being made. In his opinion, he thought it had measured up to the standards.

In other words, for years we have listened to this government—I can think of the previous Prime Minister, for example—complaining about the insensitivity of industry suddenly pulling up its roots in a community and moving out and leaving that community with all the economic consequences of its departure, and saying that industry should not do this kind of thing but it should consult with the area it is leaving—and indeed, consult with the area it is going to move to, because the move does have economic consequences on both sides.

Yet when this government moves, it does not consult with the local people. The accountant who has to cope with the financial problems of the improvement district at Elliot Lake learned about it when he read it in the newspaper. I think it is about time the hon. Minister stopped preaching to private industry and others not to do this kind of thing, when he himself is doing it.

Even if one accepts all of the hon. Minister's explanations for validity in moving, there is still striking contrast with all the propaganda when he originally made his move. I suggest his action in not consulting with the communities so that they could cope with the consequences of the departure was a sin of omission and in striking contrast to his preaching down through the years.

Mr. F. Young (Yorkview): Mr. Chairman, last evening when the House adjourned, I had started to raise a question about the Indians in our training schools. When visiting the school in Cobourg, I met a couple of youngsters, bright looking children who were Indians, and I asked the superintendent about them. He told me at that time that these two boys were in for a certain behaviour problem.

As I questioned him about the Indian children who came to him, he pointed out

to me that he had no problems whatsoever with the children of Indian families who came into his institution. On making further inquiries since that time, I have discovered that by and large the Indian children who come into our training school system present little or no problem after their arrival.

I would like to ask the hon. Minister, first of all, about the number of such children who do come to our training schools, and why they come. Is this because of breaking the white man's code, or is it for other reasons? Is there any real consideration being given to the special behaviour problems, or the lack of behaviour problems, which they present in our training schools, and is there consideration being given to special institutions, not because of their particular nationality, but because of the particular type of behaviour problems that they present. As far as I can learn, they have little place in our training school system because they do not need the corrective treatment that we ordinarily think of in connection with those from our big cities. I wonder if the hon. Minister would comment in this regard.

Hon. Mr. Grossman: Mr. Chairman, the answer to the hon. member as to the number covered by the annual report is about 130 children out of the total population of 1,635, which is 7.9 per cent of the training school population. As to the other question as to whether we are giving any special consideration to the problem of the Indian children, this is a matter which has concerned the department.

The Canadian corrective association is presently engaged in a study of the relationship of the "Indian and the law," which would cover this area as well, and I have appointed the Rev. Dr. Maurice Flint, director of chaplaincy services of my department, as a member of the study committee. This study committee was undertaken on behalf of the federal government. I think that that answers the hon. member's questions.

Mr. Young: But no plans are under way yet—

Hon. Mr. Grossman: I do not know if it is under way, but I imagine that it is.

Mr. L. Troy (Nipissing): Mr. Chairman, I am glad to see that the hon. member for York South must have thought a great deal of the argument of the hon. member for Algoma-Manitoulin yesterday and so got it into the record twice. Apparently one of the criteria that the hon. Minister has men-

tioned, and would influence his decision in the removal of the institution from Elliot Lake, was because a university and expert personnel were nearby. Does that mean then, Mr. Chairman, that the hon. Minister is going to move his institution from Monteith? It is not near any university. A camp was built at Wendigo Lake away off in the bush near Loring; there is no university near there. Why did the hon. Minister not make a forestry camp in the Elliot Lake if he were going to move the institution? All the explanations that the hon. Minister has made already do not hold water and I am forced to agree with the hon. member for Downsview in his conclusion.

Mr. B. Newman (Windsor-Walkerville): Is the hon. Minister going to answer the question of the hon. member?

Hon. Mr. Grossman: Yes, if he asked a question. Was that a question?

Mr. Troy: The hon. Minister does not answer.

Hon. Mr. Grossman: If the hon. member thinks it deserves an answer, I am sure he is entitled to one.

Of course, the comparison is not really valid. Monteith is an existing institution which we own. I am not faced with having to make a particular decision there. We are building other institutions at the present time. We cannot rebuild all our institutions, but the fact is I had to make a decision in respect of Elliot Lake because we had to buy it or get out. That was the decision that had to be made there. The comparison is not valid, either, in respect of Wendigo Lake or forestry camps of that nature because these are really holding units for short-term, chronic, petty offenders for which no real training is involved.

I think I explained that in my remarks prior to the presentation of the estimates. Minimum security or open institution for short-term offenders is quite a different thing; there is very little that can be done by way of a vocational or academic programme, or anything of that nature, which did not apply to Elliot Lake. These were young offenders to whom we were giving academic, and attempting to give vocational training. This will be much better done at Fort William, where we are just completing a completely new training centre where they will be able to get the kind of training centres suitable for this class of inmate.

Mr. MacDonald: What was the hon. Minister's answer to the question I raised, then?

If the hon. Minister came to a decision to move out, why did he not consult the local community instead of doing it on his own without any collaboration—

Hon. Mr. Grossman: The community had, as far as I can recall, two or three months' notice before we started to move them. The impact on the economy was not anywhere near what has been stated here.

We were so concerned that I went into all the facts as to how it would affect the community. As far as the community having notice, there was, as I recall it, two or three months' difference between the time I made the announcement and we proceeded to carry out our plans, so they really had some notice.

If the hon. member is suggesting that we should have gone into a lot of committee meetings and that sort of thing, we would never have the job done, because then the political pressures would have become so intense, as the hon. member will appreciate, it would have been difficult to do the job which we knew needed doing.

Mr. MacDonald: I suggest that a \$290,000 payroll—

Hon. Mr. Grossman: It was not \$290,000.

Mr. MacDonald: Mr. Bloom is the accountant for the improvement district and he should know.

It was not three months as the hon. member for Algoma-Manitoulin says; it was five weeks when they started to move out.

Mr. Young: Mr. Chairman, I would like to direct attention for a moment or so to the institution in Guelph. The hon. Minister told us the other day that he felt that custodial officers were the key in the whole matter of rehabilitation. I agree with him that they are, but in an institution such as Guelph, with 975 or 980 inmates, I would like to ask the hon. Minister if it is possible that, in an institution of that size, this kind of work can go on with any degree of satisfaction? Is it possible for the average custodial officer there to hold conversations with the inmates? Are they encouraged to do this? Are they encouraged to get at the inmates' problems, or are they simply told that this is the job of the psychiatrists, the chaplains and other rehabilitative officers? I would like to get the hon. Minister's reaction to this point, because it seems to me that, in an institution of that magnitude, custodial officers have little other function than custody. It is very difficult for them to do this other job which has been mentioned by the hon. Minister.

Hon. Mr. Grossman: Mr. Chairman, I think that I would like to get one thing on the record, and that is all the talk about Guelph being too large—and with this I agree. This might give the impression, as it has in other matters relating to the department, that this is an unusual size for an institution. Really, it is one of the smaller ones across this continent.

I have been in California where they are supposed to have one of the most modern systems in the world today, and their institutions far exceed ours in size. In fact, I was in a brand-new one, and I think it held some 2,300. I was out at Chino, where I think the population is 1,200 and they are now arranging to double it to 2,400. I thought I would get that into the record.

Now, I agree with the hon. member that they should not be this large. We are aiming for something like 350 at the maximum, if we can possibly arrange this. It would be better if the institution were smaller. As to whether there is any effective work going on, the answer is yes, a great deal of effective work. I think it could be more effective if it were a smaller institution. Again, I repeat, we are doing what we can in building more forestry camps so that we can reduce Guelph. But as I said the other day, the forestry camps require a certain type of offender who can be trusted in a minimum security, and there are not too many of those. You could take quite a few out, but there are not that many.

Again—and I know people have said we are using this as an excuse, but I am sure any hon. member who looks at it objectively will agree—it would be utter folly to go out and build brand-new adult institutions when we do not know what the federal government has in store for us by way of our responsibilities.

Within the framework of what I have said, we are doing everything possible to carry out a good rehabilitative programme in Guelph, and to reduce the size of it as much as we can.

Mr. Young: In this process, the custodial officers have their part, and are encouraged to do the job and to work with the offenders?

Hon. Mr. Grossman: This is precisely what our staff training course is for and why we have them attend seminars. We encourage them to take some of the courses at some of the universities, and this is precisely to give them the proper approach toward their relationship with the inmates.

Mr. Young: There is one other question, Mr. Chairman, that I would like to ask the

hon. Minister. Some time ago, the hon. Minister and I had a bit of a conference regarding certain problems within the Guelph institution. I am not going to fret those here today, but at that time the matter of whether or not inmates could give gifts to custodial officers was raised and I would like the hon. Minister to explore this just for a moment or two.

I understand that he indicated at that time that it is all right for an inmate to give certain gifts to custodial officers or to employees of the institution.

I think there is danger here and I think this is recognized as dangerous. The Rivard case is an illustration, perhaps, of something along this line. But I would like to know the hon. Minister's policy here, because the policy which was indicated at that time and the policy which I had understood to be in force, were two different policies. I had thought that the matter of inmates giving gifts to custodial staff resulted—if the custodial staff or any employee accepted such gifts—in very severe disciplinary action.

Hon. Mr. Grossman: Mr. Chairman, it is unfortunate the hon. member uses the Rivard case as an example. There is no comparison at all. The hon. member will appreciate when he is talking about gifts here, the implication might be a gift per se. What he is really talking about is something that an inmate makes in a clinic, so it could not be of any material consequence, it could not be worth a lot of money—certainly not sufficient to corrupt the staff.

When the hon. member brought this to my attention, I will admit, having the type of outlook I have, I wondered about any possible implications and I went into this quite thoroughly with my treatment staff. Here again is the dilemma we find ourselves in. The hon. members will appreciate that we are trying to get our advice from people who are supposed to know about these things—such as psychiatrists, psychologists, our treatment staff generally—and they tell us, and the hon. member just mentioned it a few moments ago, that it is most helpful if there is a good relationship—at least the kind of relationship where there is some degree of mutual respect—between the custodial officer and the inmate. How do you retain this and at the same time carry out hard-and-fast rules as to whether you are allowed to accept some piece of leatherwork or something of that nature which the inmate makes in a clinic? I asked our director of psychology to give me his views on this. As a result of the conferences we held—as a matter of fact, at that time I

was of the opinion that we should forbid it completely—he thought this would be a very dangerous thing to do. Here is his statement and I will read it to the House:

It has been our custom to encourage inmates and those who become patients in our clinics to take part in occupational therapy because we believe that it may play a part in the rehabilitation process. In occupational therapy they may develop new skills and by so doing increase their self-confidence. Many live the lonely life of homeless people, and a skill learned at occupational therapy helps them to put in their spare time more constructively.

Articles made in this way have been disposed of in several ways. Each inmate is allowed to take home with him one article that he has made. The majority are sent to charitable institutions for their use. On occasion, inmates have presented an article they have made to a staff member as a token of appreciation for the help they have received. In my opinion, these methods of disposal all have their therapeutic value.

It should be added that a great many of the articles made in occupational therapy are made from scrap materials.

I know the incident the hon. member refers to because he discussed it with me. I was in a dilemma, and I wonder whether any group of hon. members of this House could come to any specific conclusion if they sat down and tried to solve the problem, as to whether they should issue an edict forbidding a member of the staff to accept some article made by someone in one of the clinics, whether they should permit it or not, having regard for all of these factors.

Having regard to that, the only conclusion I could arrive at was that which I did arrive at as a result of discussion with the treatment staff. They think it would be a bad thing to lay down a rule of this nature, because it would put up some sort of wall between those who are taking the occupational therapy and those who are trying to treat them.

Mr. Newman: Mr. Chairman, may I ask a question of the hon. Minister? In looking over the report I noticed that vocational training is provided to the students in the various institutions. The vocational training is of prime importance when it comes to the youngster adapting himself back in society. Who decides what type of vocational training is to be provided to the youngster at the institution?

Hon. Mr. Grossman: There is a classification committee in each institution which goes over the social history and any other pertinent information relating to the particular person. In discussion with him and having regard for any of his abilities, this decision is made by the committee.

Mr. Newman: May I ask the hon. Minister, then, why laundry seems to be the most popular course, or one of the more popular courses, when it comes to the Bowmanville school? Why would you be teaching laundry as a vocational training programme to the boys at Bowmanville?

Hon. Mr. Grossman: This is not a course, it is part of their duties to look after the laundry.

Mr. Troy: It says "vocational training."

Hon. Mr. Grossman: On what page is that?

Mr. Newman: On page 35. It is kind of odd that you would be using laundry as a training programme, unless you are using the students simply—

Hon. Mr. Grossman: I suppose this would come under the same kind of training as you would consider is being given to the inmates at Millbrook, for example, who work in the marker plant. It really is industrial training; it is getting them accustomed to certain habits of discipline, doing a certain amount of work in a day, something of that nature. However, as to whether it should be under vocational training, the hon. member has a point and I will look into this.

Mr. Newman: I certainly would like to see a few more students directed into tailoring and possibly even into printing—types of training that could be of a little more practical use to them once they left the institution. When I check through the institution at Simcoe, I see no vocational training there whatsoever. Is none given to the students there?

Hon. Mr. Grossman: Incidentally, I have been informed by the director of training schools that the figure is 51 youngsters over a period of a year. There would not be more than a very few at any one time, perhaps.

Mr. Newman: Some of your statistics, then, are over a period of a year?

Hon. Mr. Grossman: Yes, in respect of the type of work they do. This would also have to take into consideration the IQ of the person involved. There are some youngsters

with a very low IQ who could not really do much else. We try to give them some academic training and keep them busy at other times.

Mr. Newman: That answer is quite satisfactory, Mr. Minister. Why is there no type of vocational training given to the students at Simcoe?

Hon. Mr. Grossman: This is in accordance with our classification system. At Simcoe it is strictly academic training. Now, when we open Hagersville—

Mr. Newman: The youngster is screened before he comes into Simcoe, is that it?

Hon. Mr. Grossman: Yes, that is right.

Mr. Newman: With the greater emphasis that is being put by the department on vocational training, one would think that the hon. Minister would possibly take some of these students into the secondary schools in the vicinity and maybe give them some type of vocational training. Would the hon. Minister not consider taking a student out of his institution there and, say, have him go to one of the high schools or technical schools in the area?

Hon. Mr. Grossman: In Hagersville we are making provision to hire only fully qualified teachers for this purpose. Sending the boys into the local community works in some instances, and if we establish smaller residential schools this will be more possible than it is at the present time in a place such as Simcoe. I do not think you could send out many of them; the local school could not look after them.

Mr. Newman: There would not be that many involved, because, after all, the numbers are only 100 and that is over the course of the year.

Hon. Mr. Grossman: Simcoe is in a location where I think 100 or 115 youngsters would, I imagine, constitute quite a problem if they had to absorb them all at once.

Mr. Newman: Well, it would only be those in the grade 9 level or above that you would be transporting to one of the secondary schools.

Hon. Mr. Grossman: Is the hon. member referring to vocational training again?

Mr. Newman: Yes.

Hon. Mr. Grossman: At Simcoe we take those who are classified as being suitable

strictly for academic training. We want to make sure that they are brought as quickly as possible up to standard as far as academic training is concerned. These are not the ones that we consider should be put into vocational training.

Mr. Newman: In other words, I am to assume that the 100 students you had at Simcoe are not vocationally inclined, but are academically inclined?

Hon. Mr. Grossman: That is why they have been placed in Simcoe.

Mr. Newman: Well, it really seems strange, because you would normally assume that a youngster who would get into trouble would be a little more likely to be clever with the use of his hands.

Hon. Mr. Grossman: The hon. member will appreciate that we have skimmed these off the group of all of the boys, and ticked off those who are suitable to Simcoe as the ones whom we want to give intensified academic training rather than anything else.

Mr. Newman: But you are still only taking them in grade 8 and 9 levels, so even at grade 9 level your numbers would be very small. I will leave that for the time being as long as the hon. Minister gives me some assurance that these youngsters will be able to get some type or other of vocational training. That is quite all right.

In looking over his other report, I noticed that the industrial production is a little over \$2.75 million. How are the articles produced in the department sold?

Hon. Mr. Grossman: They are just used for government institutions and government agencies—hospitals, and places of that nature.

Mr. Newman: In arriving at a final price for them, are these prices now competitive with prices that the department would be paying were they to purchase this similar type of article in the open market?

Hon. Mr. Grossman: We could not guarantee that. Really, it is not that important. We are going to have these people doing some useful work and we have to do something with the produce. We do not go out in the open market and compete with manufacturers; we provide our own institutions with the product. There really is not much point in making it competitive.

Mr. Newman: My only reason for asking that is to find out how the hon. Minister arrives at a figure of \$2.75 million. Maybe

that figure should only be \$1 million rather than \$2.75 million.

Hon. Mr. Grossman: Because they actually pay us this amount. There is a costing made up. I was referring to the hon. member's question as to their relative competitiveness, but a costing is made up and the other institutions are charged and they pay us the money.

Mr. Newman: That is satisfactory, Mr. Minister. Does the hon. Minister actually think that the manufacturing of licence plates in an institution serves a practical training purpose to the institutionalized?

Hon. Mr. Grossman: Yes. The hon. member will appreciate that the plates are made at a maximum security institution, and it is what they call industrial training. You are teaching them good working habits—that you start at a certain hour, finish at a certain hour. They know that when they go out into society, if they get employed at all, they will get some employment, possibly, in a plant where this sort of work goes on. It is interesting that when I was in the UK, they had just completed a number of years' study on this. They have quite an extensive industry system within the penal system in the UK; as a matter of fact, they are now going out into the marketplace and competing with private enterprise, on a very small basis, of course. But the report of the parliamentary committee, which had some great experts in this field, came up with the conclusion that, by and large, this is the sort of work that is more suitable for adult institutions. They should go into this field of working in a plant, putting produce through a system at a certain speed, knowing that this is the kind of society, as I say, that they know they are going to have to contend with when they get out of the institution. It does teach them good work habits. It has its place.

Mr. Newman: Well, could not the department teach good work habits by doing something other than the manufacture of licence plates? I imagine there are other ways that you could teach them good work habits.

Hon. Mr. Grossman: What is the matter with licence plates?

Mr. Newman: This is a type of operation that mass production could complete in practically no time. There is no skill to speak of involved in the mass-producing of licence plates.

Hon. Mr. Grossman: It is mass production, and they are operating with very modern

equipment. It is the sort of thing that, if they go out into industry and get a job in a plant, they are going to have to contend with. I see nothing wrong with that at all.

Mr. F. R. Oliver (Grey South): Does The Department of Transport pay for these licence plates?

Hon. Mr. Grossman: The Department of Transport pays for them.

Mr. Oliver: What do they pay for them?

Mr. Newman: Seventeen and a half cents?

Hon. Mr. Grossman: Somewhere around 15 cents.

Mr. Troy: Is that why they do not have the slogan Land of Opportunity, because they are made by the inmates?

Mr. Newman: I was going to ask the hon. Minister if it is that complicated in the institution now to put a slogan on the plates or increase the size of the plates?

Hon. Mr. Grossman: I do not know which vote that comes under.

Mr. Newman: This is under the manufacture of the licence plates. Surely there would be more skills involved to the inmate here were he to come along and make a little more complicated—

Hon. Mr. Grossman: Mr. Chairman, we make these plates in conformity with the requirements of the Ministry of Transport; insofar as adding anything to the knowledge or ability of the inmates, of course it will not add anything. They are all made essentially by a die and it would be the original die made up with whatever else was put on it and it would go through the machine. It will not help by way of rehabilitating or teaching them anything.

Mr. Newman: Yes, the hon. Minister is right.

Hon. Mr. Grossman: But the hon. member has made his point.

Mr. Newman: What happens to the 101,000 metal ashtrays that are manufactured there? Who uses them?

Hon. Mr. Grossman: Generally, for the exhibitions that we put on.

Mr. Newman: Right. Thank you.

Mr. G. T. Gordon (Brantford): Mr. Chairman, in connection with the reform institution

at Burtch, some few years ago I visited that institution and I remember that the superintendent was very interested in the training of young inmates. A small shop was in operation, training for carpentry work, tinsmithing and masonry work. It was a feeble effort at the time, but the superintendent was very interested and was hoping that that would be increased and continued. I have not been to the institution for quite some time now. Has that been increased at all, because at that time I was under the impression that it would be a wonderful thing for these young people—they are only 17 and 18 years of age—if they could be taught these various skills that they were teaching at that time. As I said, it was a very feeble effort at the time. Has that been increased at all?

Hon. Mr. Grossman: I am told that it has not been increased. We have some plans which we are working on now to build an extension of the operations, to extend this particular type of work the hon. member is speaking of. I do not want to make a definite promise because I do not want him to come here next year and say: "Where is the building?"

Mr. Gordon: Why was it not increased? It was a success as I saw it, and I was impressed. I was given to understand that it was going to be increased because it was in a temporary building that they were using at the time, and because of the work that was being done and the training that was being given. I understood at that time, when the school at Simcoe was opened, that that would be transferred to Simcoe and these skills would be taught on a wider scale. But has nothing been done since I was there? That was some years ago.

Hon. Mr. Grossman: I am told that because of the plans for a completely new building, it is not desirable, at this time, to engage in any type of expansion. I am also told that we do not want to expand as to the number of inmates who are kept there, and the particular reason for the type of work they are doing. However, I think the hon. member will be happy when he sees the new building up, and with the new equipment, which will help us do a better job than we are doing there now. We are quite happy with the work that is going on there at the present time.

Mr. Gordon: I am sorry to hear that nothing has been done in connection with that, because, as I said, the superintendent of the institution at that time was very interested and was hopeful that this would grow because of the work that was being done.

Hon. Mr. Grossman: I will look into that for the hon. member.

Mr. J. B. Trotter (Parkdale): Mr. Chairman, I was wondering whether The Department of Reform Institutions has given any more thought to paying prison labour a proper wage. Out of that wage, of course, they would be charged for their keep and also for the keep of their families. The present hon. Minister of Mines, when he had the office of the Minister of Reform Institutions, said the department was giving this matter some thought, and nothing has come of it.

I think that about 1961 this very department put out a book setting out what the second congress of the United Nations congress on the prevention of crimes said in this matter. Some of the reading I have done on the subject has been from a booklet printed by this department.

I think that this is a most needed reform and it is something that should be started, if not in a big way at first, at least in a pilot project. It has worked in some jurisdictions, and many men well informed on this subject throughout the world recommend it. Can the hon. Minister give us any idea whether his department will do something about paying prison labour proper wages?

Hon. Mr. Grossman: Mr. Chairman, I think I mentioned some time ago that the department was contemplating the setting up of an industry and trades committee—I am giving this a name, although it may not be the actual name it will finally wind up with—on which there would be representatives from business, labour and so on, to draw up a policy for the department in this respect, and which would in effect be an on-going committee. It would supervise, study and advise the department in respect of matters which the hon. member has raised.

I was very much interested in the committee which was set up in the U.K. for this purpose, and there is one, of course, in the federal system of the U.S.

However, in view of the uncertainty of precisely the type of prisoner we are going to be responsible for, I do not think it would be advisable to proceed with such a study now. We are hoping for the decision of the federal government with respect to our responsibilities, before we proceed on a full-scale basis with a study of this nature. The hon. member will appreciate that, by and large, all we have now are short-term prisoners and it is not too easy to establish such a well-rounded programme to which he is referring with short-term prisoners. In

addition to this, we have to concern ourselves with the likely possibility that our responsibilities will be for prisoners with even shorter terms, that is, six months and possibly shorter. It would perhaps be wasteful of the time of busy people to sit down and plan a programme of that nature, if, within a certain reasonable time, we may have a complete change of responsibility.

Mr. Trotter: Then let us go to prisoners on a short-term basis. This does not affect their pay but it would affect their treatment. These are the people who are alcoholics. The former Attorney General who is now the—

Hon. Mr. Grossman: Not necessarily, not necessarily. You would have somebody given three or six months and he may not necessarily be an alcoholic. He, the alcoholic, would be given perhaps ten days or so.

Mr. Trotter: All right, fine. I accept your answer. I am sorry that something is not being done in this line. Possibly when the federal government comes out with a more definite plan, we here in Ontario could do something in regard to paying wages, because I think it is something that could be done.

But here is a second problem, and again it is something that has been mentioned in this House before—the treatment of alcoholics. The present hon. Minister of Lands and Forests has said, when discussing this problem, that we should keep men and women who are alcoholics in a type of institution that is more of a farm. I have two questions to ask with regard to alcoholics:

1. Has the present Minister any plans for keeping alcoholics in an institution different from those in use now—that is, more or less out on a farm?

2. Would the hon. Minister be interested in urging through the hon. Attorney General (Mr. Wishart) that the law in this country be changed so that alcoholism is not treated as a criminal offence to give a man a criminal record?

Hon. Mr. Grossman: Mr. Chairman, I touched upon this very lightly in my comments prior to the presentation of the estimates. I said quite definitely that many of us feel that the type of person the hon. member is speaking of does not belong in a penal institution as they are structured today. We are doing what we can within the department, in that we have these minimum security forestry camps at Hillsdale, and there is an annex at Millbrook. In the plan for regional detention centres, it is contemplated that there will be a minimum security unit which by and large

will look after these people. But, essentially, the nub of the whole problem has to be attacked in the manner in which the hon. member has suggested, and a great deal of very active consideration is being given along these lines. He may very well hear something about this before this session is over.

Mr. Trotter: I am glad to hear that.

As far as changing the law to treat these men who are alcoholics, I realize that finding them guilty is not in your department, but the problem for your department is that they end up in your hands. If something is ever going to be done to change the law, which is a federal responsibility, the criminal code should be changed. Of course, it does affect us in some respects because of our liquor laws here in Ontario.

We, as a province, should bring pressure on the federal government to change the criminal law in this country. These things are only done by people organizing to speak up for change, and there is no better way than to have a government, such as that of the province of Ontario, make its voice heard. Certainly, I hope that through the hon. Attorney General, your department can put the pressure not only on the hon. Attorney General but through him all the way to Ottawa. It is the only way this law is ever going to be changed. It is all right for the hon. Minister and myself to say this should be done and we hope it will be changed and we think that way, but the thing is: What are we going to do? A lot of responsibility rests with you because you are in a position of power to do something.

Hon. Mr. Grossman: Again I would like to remind the hon. member that I have pointed out that I met with the federal Minister of Justice on other matters which are being held up because of this split jurisdiction. Perhaps I could offer a strictly personal opinion. If the hon. member feels that publicity on some of these things is helpful, perhaps this might be helpful.

I do not think that the penal system across this country is going to move ahead quickly enough, until such time as the federal department has a special ministry for corrections or penal institutions, or whatever you want to call it. This is what it needs, because so long as this is only a branch of a huge department of a ministry of justice, it cannot get the attention it requires. When you can get a Minister up in the House of Commons and question him as I am being questioned, a Minister who has nothing else to do in his official duties but look after correctional insti-

tutions, that is the time when we will get the kind of action we need across this country.

Mr. Chairman: Is the vote carried?

Mr. Singer: No. This is a very interesting topic of discussion. The point that my hon. colleague was getting at, and perhaps the hint dropped by the hon. Minister, intrigues me very much. He said we may well hear something later in the session. But what has bothered me for some considerable period of time, is that it is not just this hon. Minister's responsibility. It is a substantial responsibility shared by his colleague, the hon. Attorney General.

I talked a year ago about the method of handling deviates. My hon. colleague from Parkdale talks about the method of handling alcoholics. But surely it has got to be a continuing process. There has to be a pattern of procedure from the time that the individual—a deviate or an alcoholic or what have you—first comes into contact with the law.

My apologies to the hon. Provincial Secretary (Mr. Yaremko), but I would like to get the hon. Minister's views on this; this is perhaps the first time when the police become concerned with him, or perhaps his family, or his relatives are very concerned with him. They come to some authority and say: "What can we do? We do not want this man or woman to go to jail; they are sick. Is there not a method of treatment?" Unfortunately, the fragmentation of authority brings these people into the hands of the Minister of Reform Institutions after the so-called wheels of justice have ground on for some considerable period of time. Because of the legal procedure, his hands are tied to a very substantial extent.

The real problem is the wedding together, for certain purposes, at least, the responsibilities lying with the hon. Attorney General, and the responsibilities lying with this hon. Minister. That is why I was intrigued with the remark. I suppose that is all we will get; I cannot try to force this any further. Maybe we will hear something further about it in this session. I certainly hope so, and I certainly hope that what we do hear will be something of joint plans that will come from those two departments, at least. Because if this is going to work, if there is going to be any continuing process to deal with these very serious problems in our society, it has to be a process that will start at the beginning—from the first time the individual concerned becomes a problem, whether his relatives bring attention to it, or whether the police first discover it. That is when the treatment

has to start. There is no point running him through magistrate's court, with \$10 or ten days, and he ends up in jail. Or he comes in for some sort of sexual or deviational offence, and he is sent off to jail because there are not proper facilities.

There has to be a method that we must evolve, probably in co-operation with the federal authorities, of being able to identify these people, and segregating them for the particular type of treatment that they can be given to the best of our ability and knowledge. Until that date comes, we are going to have, and this hon. Minister or whoever has that portfolio is going to have, exactly the same problem. He cannot do it by himself. His colleague, the hon. Attorney General, within the four walls of provincial responsibility, has to be an integral part of it.

Hon. J. Yaremko (Provincial Secretary): Mr. Chairman, I meant no discourtesy to the hon. member for Downsview. I just wanted to get the hon. Minister of Reform Institutions' permission for a moment. I would ask the indulgence of yourself, Mr. Chairman, and the hon. members of the House, to call attention to a group of special visitors who have been in the gallery for some time this afternoon and who entered the House since the Speaker left the chair.

Hon. members of the House will recall that during the consideration of The Department of the Provincial Secretary's estimates I made mention of the fact that that department arranges for other government departments to participate in the Colombo plan for public administration in conjunction with the foreign aid office in Ottawa, and today is the middle of a three-day seminar. In the group we have the participants in those seminars; they represent, interestingly enough, some 20 countries from Asia, Africa and West Indies, and I should like, because of the unique type of gathering, to list the countries for the hon. members. They are as follows: Basutoland, Sarawak, Somalia, Pakistan, Swasiland, Cameroon, Indonesia, Brunei, Nepal, British Honduras, Jamaica, Barbados, British Guiana, Antigua, Trinidad, Tobago, Dominica, the Philippines and St. Lucia.

The group also has a number of ladies; I had the pleasure of welcoming them yesterday morning on behalf of the government and on behalf of the people of the province of Ontario. They will be having a dinner this evening which will be hosted by the government. On Thursday they will be proceeding to Niagara Falls. I have, on behalf of all hon. members of the House, and I think that all would concur, wished that they have a

very pleasant and informative stay here and take back very pleasant memories of the province of Ontario to their homelands.

Mr. Troy: Mr. Chairman, on page 34 you have the net per diem cost per capita. I notice in the last year for the Catholic institutions: St. Mary's, \$502; St. John's, \$486; Alfred, \$439. The hon. Minister has stated that there would be an increase. Will they be brought up to the same as the others?

Hon. Mr. Grossman: The per capita?

Mr. Troy: Yes, the per diem.

Hon. Mr. Grossman: They are not going to be getting a per capita allowance; we are going to pick up the complete operating cost.

Mr. Troy: The complete operating cost?

Hon. Mr. Grossman: Yes.

Mr. Troy: Fine. Then again I see that St. John's training school's designed occupation is 150, as of December 31 there were 219 young boys there. Will you be increasing the accommodation? In St. Mary's there is not much overcrowding, 160-167. The one at Alfred, 160-210. Again, 50 overcrowding. In the report on page 35, which showed the vocational training, I noticed there is no vocational training at all at Uxbridge and there is some at Alfred, but none such as in the other institutions where you have special vocational training.

My last question is this: From where will you draw these youngsters who are going to be sent up to the new school in the Blezard Valley? I do not know what you are going to call it, but I understand it is up in the Blezard Valley near Sudbury. Where will you draw those from? The inmates that will be transferred up there, all northern Ontario?

Hon. Mr. Grossman: These will all be from northern Ontario. This is designed to relieve the pressure on St. John's and on St. Joseph's.

Mr. Troy: And not St. Joseph's?

Hon. Mr. Grossman: And St. Joseph's.

Mr. Troy: Is it customary to send the young juveniles who are of French extraction to Alfred, or do they have both English and French?

Hon. Mr. Grossman: They are both, but the larger proportion of the French-speaking go to Alfred—St. Joseph's.

Mr. Troy: And will St. John's have any opportunity, then, to have vocational training?

Hon. Mr. Grossman: There is vocational training at St. John's. The confusion is that there is a column for full-time and a column for part time. The hon. member will note that at St. John's there are farming and horticulture, three; printing, five; tailoring, three; shoemaking and repairs, three; carpentry, three; barbering, three, and so on.

Mr. Troy: My apologies, sir.

Hon. Mr. Grossman: It is pretty difficult to read with all these figures on one page.

Mr. Troy: That is fine, thank you.

Mr. R. F. Nixon (Brant): Mr. Chairman, the hon. Minister referred a moment ago to the expansion of facilities at Burtch. I understand that that was simply to be for training facilities and not to accommodate more inmates.

Hon. Mr. Grossman: That is true. We are going to put up a new building with better facilities for those who are there now. At least, the number who are provided for there now.

Mr. Nixon: Living facilities, or just training facilities?

Hon. Mr. Grossman: Both.

Mr. Nixon: I know that he was a bit hesitant about making any sort of an announcement about it, but would this be expected within the next year?

Hon. Mr. Grossman: We are trying to plan it at the present time, but I would not want to promise it within a year. The hon. member will appreciate there are only so many things you can do. As I pointed out earlier, I hope fairly emphatically, that we have a rather extensive programme this coming year. I hope that I have not embarked upon too much so that this time next year somebody is going to say, "Well, you said you were going to start on such-and-such and you never did get it under way." I hope that most of the things we planned on and we have begun, we will be able to consolidate in the coming year. This is one of them which we hope to get planned and perhaps get under way this year.

Mr. J. Renwick (Riverdale): Mr. Chairman, the hon. Minister will recall our concern last Thursday night about what we consider to be a deliberate suppression of evidence at the inquest into the death of Ronald Franklin Cross on September 9 last, the death occurring on August 20. I would like to ask the hon.

Minister: Who in the reformatory at Guelph makes the decision as to the detention of a person who is an inmate in that institution?

Hon. Mr. Grossman: The superintendent of the institution.

Mr. Renwick: The superintendent is not only responsible for the decision, but he, in fact, makes the decision?

Hon. Mr. Grossman: That is right.

Mr. Renwick: Mr. Chairman, in the light of what he said the other evening, that the inquest had answered his questions and that it was not necessary that there be any further investigation into this matter, I ask the hon. Minister if he would please look at the evidence of the superintendent of the institution on page 34 of the inquest. Referring to a time about May 26, the superintendent specifically states toward the bottom of the page, referring to Ronald Franklin Cross:

He was returned to the main work party and that was the final dealings I had with him.

Mr. Chairman, we had grave difficulty the other night in trying to pin down the responsibility for what to us is this deliberate suppression of evidence. I would suggest that the sworn testimony of the superintendent is in direct conflict with the statement which the hon. Minister read to the House that evening, and is in direct conflict with the answer to the question which he has just given to us, that the responsibility for awarding detention in that institution lies with the superintendent. If our inference is correct in this matter, the superintendent had further dealings with Ronald Franklin Cross after the period of about May 26 to which he referred, when he in fact consigned this chap to detention.

I ask the hon. Minister if he would take this matter under advisement and consider it in the light of our remarks and our concern.

Hon. Mr. Grossman: Of course I will. When any hon. member raises a question, of course I will take it under advisement. I have not read this thoroughly—I say quite frankly to the hon. member—and the statement I made the other day I still think, by and large, holds true. I do not know even whether we should be commenting on it now. If the hon. Attorney General said he will investigate this matter, I will wait until we hear from him.

I think I mentioned at that time that it would be most difficult to take any kind of disciplinary action on the basis of somebody's

suggestion in the House that he did not agree with the report of the coroner's inquest. They, the staff, could quite properly grieve and say: "I was berated by my superior officer for doing such-and-such, whereas the inquest cleared the members of the staff. We do not think we should have to contend with that sort of thing."

It is a very difficult position. I will be glad to look into the report, but quite frankly I do not think that I should comment on it at this time. The report cleared the staff. If the hon. member is not satisfied with that, he raised the question in the House the other day. The hon. Attorney General, who is, of course, the responsible Minister for the actions of coroner's juries in inquests and so on, has stated that he will investigate it, and I think we just have to leave it at that at the present time.

I will, of course, go into the other matters as soon as we have some time to study them, and do what I can by way of clearing in my own mind some procedure which perhaps may be going on at the institution and which may require some correction. I will do that.

Mr. Renwick: Mr. Chairman, has the hon. Minister received any request from anyone, apart from the remarks that we have raised in this House, for an investigation into the question of the death of Ronald Franklin Cross?

Hon. Mr. Grossman: I cannot recall receiving anything like that currently. It may be possible that a few months ago a member of the staff, who since resigned, may have raised this in some of his correspondence with the department. A certain member of the staff had all sorts of complaints to make about various things and it may be that within this correspondence he may have mentioned this. I cannot recall it. The only reason I am referring to it now—and I do not want to say bluntly "no"—is in case he may have. But aside from that, I cannot recall. My acting deputy states he cannot recall anyone else raising this question at all.

Mr. Renwick: Mr. Chairman, would the hon. Minister clarify what he said? Does he or does he not recall having been asked for an investigation?

Hon. Mr. Grossman: I do not recall.

Mr. Renwick: He does not recall?

Hon. Mr. Grossman: No.

Mr. Renwick: Mr. Chairman, I have been gravely concerned, as the hon. Minister will

recognize, about the question of the inquest into this death of Ronald Franklin Cross.

I am greatly concerned on another score, because I received yesterday a letter from a former custodial officer—or a custodial officer who is at present grieving to the civil service board—and I would like to read the letter to the House. I think this is the only way in which we are going to be able to get an investigation into matters which we have been pressing for. This is a letter dated April 3, 1965, addressed to myself:

Dear Sir:

I was a member of the custodial staff of the Ontario reformatory at Guelph from April 1, 1957, until my forced resignation or dismissal on January 21, 1965.

In the approximate eight years of service, I was not once reprimanded for dereliction of duty. In fact, other than minor disagreements with a few members of the senior staff, the verdicts were usually in my favour. My yearly appraisals, five by the superintendent and one by the assistant superintendent, were very good. Over and above my duties as custodial officer, I was often called on to perform extra duties such as the installation of linoleum and floor tile and ceramic wall tile. Last November, 1963, I was one of the two officers from the custodial staff selected to lay concrete blocks for the gym at the boys' training school.

However, certain conditions pertaining to the treatment of inmates forced me to ask myself if I were doing my duty as a custodial officer in remaining silent or in turning a blind eye. My conscience answered "no." I cannot here elaborate further as I am bound by the oath of secrecy. The superintendent made this emphatically clear to me when he stated in the presence of the deputy Minister's designee on December 21, 1964, in his office, that I was bound by my oath for all time, and should I slander his name, he had a lot of money at his disposal and would use it against me in court.

In the spring of 1964, our branch had one of our best attended meetings at which a brief was drawn up and duly voted on. Mr. Young has a copy of this brief. A small part of the brief constituted a threat to security and consequently was deleted. This brief was to be delivered to the civil service association of Ontario personally.

Approximately seven months had elapsed with no word regarding our brief. At this point I was instrumental in calling a special meeting to discuss the matter. We

had a large turnout as tempers were high. We were not enlightened in any way by the members of our executive as to whether our brief had been delivered, received and read, accepted or rejected. At this point the meeting was in turmoil.

I made a motion that copies of the brief be given to three members of the Progressive-Conservative Party, one copy to a Liberal member, and one copy to a New Democratic Party member. I went on to state here that these gentlemen were duly elected by the people to represent us. A member of the executive gave me the necessary copies there and then.

I personally, in the company of another officer, delivered a copy to the president of the civil service association of Ontario. The only member of Parliament we were able to contact in Toronto was Fred Young of the New Democratic Party. A few days later a member of the staff delivered a copy to Mr. Root of the Progressive-Conservative Party, and on this same day I delivered a copy to Harry Worton of the Liberal Party. A member of our staff residing in Fergus and another member residing in Galt stated they each delivered a copy of the brief to two Progressive-Conservative members. These last two I cannot confirm.

At a later date, after many erroneous statements by the Hon. Mr. Grossman, Minister of Reforms, with regard to the peace and tranquillity of the Ontario reformatory, Guelph, we petitioned Mr. Grossman to meet with us in order to air our grievances and be heard. I sent a covering letter with this petition and was severely reprimanded by the superintendent and had a letter read to me from the deputy Minister reprimanding me further. Although I took the full blame and responsibility for the covering letter, many of the custodial staff who had signed this petition were intimidated by those in authority.

We were, as usual, experiencing difficulty in hiring capable staff. Although we had many officers of high calibre, we were being forced, through inadequate wages and working conditions, to lower the standards required of a good custodial officer.

I might state here that approximately 15 men with from five to 14 years of service resigned in disgust, not to mention those with less service—a number which would astound you—who also have resigned. When one considers a starting wage of \$3,600 per annum with yearly increments to as high as \$4,400 per annum, naturally

the members of groups 1, 2 and 3 are forced to moonlight. Groups 1, 2 and 3 comprise approximately 90 per cent of the custodial staff.

Moonlighting, or having a second job, may be all right in certain types of employment, but not in custodial work. Here, one must be alert at all times due to the danger element. One must be pleasant and co-operative with members of the staff and, above all, a guiding factor to those placed in his charge. The above-mentioned qualities cannot exist when an officer is fatigued by overwork or financial strain. If moonlighting were to be forbidden without a substantial increase in wages, there would undoubtedly be mass resignations. The qualification standards would be lowered and this would not be in keeping with the recent press reports of the great stride forward in reform and rehabilitation.

Now that you gentlemen saw fit to give yourselves an increase equivalent to the full salary per annum of a custodial officer, you should experience little difficulty in convincing the powers-to-be to increase the wages of the custodial staff at least \$1,000 per year.

With reference to the news media in regards to the death of an inmate last year, it is true that all witnesses were not called. I, for one, was involved. I cannot, due to my oath, elaborate further. I did, however, deliver to the Attorney General's secretary on or about November 9, 1964, private and confidential information pertaining to this case and other conditions. There was further correspondence between myself and the Attorney General plus two telephone conversations. This honourable gentleman thanked me for this information and asked my permission to turn it over to the Minister of Reforms. I complied with this request.

Later in November, I had a hearing or interrogation by a member of the prison inspector's branch. None of my allegations were denied. On December 21, 1964, the designee of the deputy Minister said that he was removing me from service. I could not at this time receive any clarification as to why I was being dismissed and I still cannot. I can surmise, however, that my dismissal or enforced resignation was because of my contacting the Attorney General, together with my previous criminal offence of daring to write to the Minister of Reforms, as both the prison inspector and the deputy Minister's designee

repeatedly asked me why I had contacted the Attorney General and the Minister of Reforms.

I explained to both these gentlemen that if I had used the proper channels I would ultimately be brought before the chief prison inspector who, I am led to believe, is the brother-in-law of the one I have the grievance against. The prison inspector admitted to me that he had checked my record and found it without blemish, and as I received my yearly increment I was not dismissed because of my work record. I have a grievance hearing on April 14, 1965.

I may be wasting my time as it was stated twice last week at the Ontario reformatory, Guelph, by two high officials from Toronto, that I was finished; I would not be back grievance or not. However, I shall have my day in court.

There were three serious conditions reported to the Attorney General. Two of these practices have been stopped since November, 1964. The other is the reason I am now writing to you. In my estimation, there is a terrific victory already.

Being ten years over the age acceptable to industry, and being a civil servant for the past eight years, I have been unable to find suitable employment or to collect unemployment insurance. Therefore, I have used up my savings and gone into debt. The reason I am sending this correspondence to you, Mr. Renwick, is because you are a lawyer. If this letter constitutes a breach of my oath of secrecy or the threat of the superintendent at the Ontario reformatory, Guelph, has any validity, please destroy this correspondence. I could not possibly raise the capital to defend myself. As you are an elected member of Parliament I am using you as an Ombudsman.

Yours very truly,
Patrick F. Lindsay.

I would like to know whether or not the hon. Minister would like to comment on that letter.

Hon. Mr. Grossman: Mr. Chairman, the hon. member puts me in a very difficult position. I do not know what he thinks about getting up in the Legislature when there is a case coming up for grievance and prejudicing the case. Actually, the hon. member must appreciate this is what has happened. He is a lawyer and he certainly should know. He should have let this go until this man's grievance was heard.

However, he will have to take the responsibility for having brought this to the floor of the House, and I will give him—

Mr. MacDonald: He has. Go ahead!

Hon. Mr. Grossman: Yes, of course he has. There has been a lot of trouble caused by this man and I think the reason he caused this—in fact, there is no doubt—is because he was encouraged by a couple of hon. members from that party. I will read the report.

I will have the whole file up here and I will read it from now until tomorrow if necessary to give the hon. members all of the facts and the affidavits which would probably have been presented at the grievance committee procedure which he had postponed, for what reason I am not aware. We have a pretty good idea why.

This is the report from the executive assistant to the deputy Minister on the investigation:

On April 20, 1964, the hon. member for Yorkview asked questions about vacancies and salary scales at Guelph reformatory. Immediately afterwards he issued a press release alleging simmering discontent among the staff at Guelph. Mr. Lindsay wrote to the Minister on April 28 enclosing two pages of signatures petitioning him to meet with staff to discuss grievances. The covering letter was not seen or approved by the officers who signed. The Minister declined to meet with them on the ground that it would be highly improper for him to deal directly with the employees over the head of the civil service association when there was proper staff-employer machinery for handling such situations.

The grand jury report on Mercer published on November 5 seems to have spurred Mr. Lindsay to fresh efforts. On November 9, four days later, he wrote to the Attorney General mentioning his previous approach to the Minister, but also, this time, extending his remarks far beyond staff working conditions into a series of charges about procedures and occurrences at the reformatory—to be precise, the Cross death.

Incidentally, in that letter, I should point out, Mr. Lindsay gave the hon. Attorney General the impression that he had been trying to see me about this matter. This was not so at all. His request to me was to come out to Guelph and talk about wages and working conditions as such. It had nothing at all to do with any other matter he brought up subsequent to

that, and that he referred to in the letter to the hon. Attorney General.

Mr. Renwick: Mr. Chairman, may I clarify one point?

Hon. Mr. Grossman: Let me finish, if the hon. member does not mind.

Mr. Renwick: Go ahead!

Hon. Mr. Grossman: The report continues:

The Attorney General forwarded this letter to our Minister—

that is, to me:

—on November 12. An immediate investigation was ordered into the truth, or otherwise, of Mr. Lindsay's charges. Mr. F. J. Matthews—

that is, our inspector:

—conducted the inquiries and investigated every charge made in the letter, with the exception of one concerning the evidence given or withheld at the inquest into the death of an inmate, which he was instructed to lay in the area of concern of the Attorney General.

The inspector's report concludes:

After a point-by-point investigation—

and I am quoting the inspector's report:

—that Lindsay wrote his letter to the Attorney General on November 9, 1964, a few days after the news of the trouble at Mercer reformatory.

And I am quoting word for word, the inspector's words:

His flimsy excuse that he decided to write his letter only when he heard that inmates were being placed again more than one to a cell in detention is ridiculous, especially as the guard from whom he says he obtained this information denies ever speaking to Lindsay, or even knowing him.

I find it hard, therefore, to believe that this letter was not written except to further embarrass the department at a time when the public was being so blatantly misled about another institution.

It is interesting to note that Mr. Lindsay is on record as saying that there were eight good reasons why he could not lose his job—referring to the NDP members of the Legislature—but that if he did, other heads would roll.

The inspector recommended that Mr. Lindsay be dismissed from the service. On December 21, Lindsay was interviewed by Mr. J. K. Lambie, executive assistant to the deputy

Minister. Mr. Lambie reported to the acting deputy:

It is my impression:

1. That he could not substantiate the impressions given in his letter to the Attorney General.

2. His letters to our Minister could not be justified, and

3. That although he stated his reasons were to keep the matters within the government he had brought into disrepute the institution, the superintendent and senior officers of the institution and had other motives for doing so.

I therefore telephoned you—

referring to the acting deputy Minister:

—and received your authority to suspend or release him from employment without pay and with the probability of dismissal.

Because it was near Christmas, Mr. Lindsay was allowed to resign, effective January 21, 1965, with one month's notice and the suspension was withdrawn.

Mr. Lindsay then filed a grievance to the civil service association, claiming, among other things, that his resignation had been demanded from him and it had only been given because of coercion. The hearing of the grievance was scheduled for February 16, but was postponed at the request of the association until further notice.

Further evidence about Mr. Lindsay's involvement in deceitful activities, and the hope of creating sufficient agitation to embarrass the superintendent at Guelph, has come to light in the matter of 1. The ex-patient of the neuro-psychiatric clinic, a very disturbed individual, who appears to have been used by Lindsay; 2. Another officer who has followed Mr. Lindsay patiently, rumour by rumour and lie by lie, to arrive at the attitude whereas he has admitted he has been willing to take almost any action to attack and disturb the superintendent.

Both these cases have now been dealt with by our inspectors and there is no further obstacle to prevent an early hearing of Mr. Lindsay's grievance by the board.

Evidence which has come to light in a subsequent investigation makes it clear that the postponement of the hearing of Mr. Lindsay's grievance was done at his request, and that he thought it would be for his benefit to wait until after the chesterfield incident. He was hoping that he would be able to bring the administration of the

reformatory into disrepute and further his case.

The following is quoted from sworn testimony taken at the institution:

Q. Did Mr. Lindsay tell you that he had postponed his grievance until after the chesterfield incident had been settled?

A. He said: "Until another issue has been settled which is coming up."

There is no doubt that this was the chesterfield incident.

As far as staff morale is concerned, I think it is important to get this into the record because this man—in association with another member of the staff there, another custodial officer—had been creating a lot of disturbance. They have been going out of their way to give the impression that morale was at a terribly low ebb at Guelph.

There are over 400 persons on staff at the Ontario reformatory at Guelph and it is reasonable to expect that some individual or other will be dissatisfied. We know that one or two of our disgruntled officers have been in touch with some hon. members of the Opposition and we hope that they will not take the complaints—which have already been investigated—too seriously.

In one instance, officers complained about the rigidity of the working schedule and days off. A vote was taken among all officers in the institution and the complaining officers were shown to be very much in the minority.

In May, 1964, the local branch of the civil service association passed a vote of thanks to Mr. Sanderson, superintendent of Guelph, for the continuous co-operation he had accorded the branch and I quote:

—far beyond what could normally be expected and a vote of confidence for his constant display of dedication and leadership which has been the inspiration of all those who serve under and for him.

I have that resolution, passed at the last meeting of the civil service association of Ontario, branch 11, dated May 6, 1964, and it is signed by the president of the branch:

Mr. Lindsay quotes staff turnover and mortality rates as evidence of low morale. We cannot expect all new employees to fit into this work or like it, therefore we can expect our heaviest turnover in the first year.

In the last two years, staff turnover was less than 3.5 per cent, and of those who resigned, several applied for re-employment. Vacancies on the staff are rapidly filled and there is usually a waiting list of applicants.

As far as mortality rates are concerned, it is merely coincidental that for a short period there was a heavy rash of deaths among the staff, but there is no connection that could be traced between the cause of death and occupational hazard, particularly as half the staff involved had very little contact with inmates and were employed on such work as truck driving.

Mr. Chairman, as I said, it would have been better to wait until this grievance was heard. There are other reasons why it would have been better; I took the hon. members for Riverdale and Yorkview into my confidence as to why I thought it would be better to wait until this grievance was heard, for other reasons.

They are going to have to take their responsibility if there is any serious trouble at Guelph, because the inmates are going to read what has been going on here. All they need is the kind of encouragement they have been getting from some of the hon. members in the hope that they can get away with all sorts of things that normally they would not even attempt, in the knowledge and the feeling that there are hon. members of this Legislature who will back them up, no matter what kind of trouble they cause. I would like very much at this time to hear the hon. member for Wellington South (Mr. Wornton), whether he wants to engage in this debate or not, as to what his views are about the result of this sort of thing if it is carried to the extremes to which it is being carried, because it is in his constituency.

Mr. Renwick: Mr. Chairman, I would ask the hon. Minister and, if he is unable to understand it, I would ask the hon. members of this Legislature to take into account what he has just stated to this House.

The hon. Minister on March 10, or thereabouts, took it upon himself to castigate the hon. member for Yorkview and myself about a visit to the Ontario reformatory at Guelph. He did so on the basis that the hon. member for Yorkview had gone to the hon. Minister and told him what he knew at that time about an incident at Guelph and had asked the hon. Minister to go to the institution with him. He had refused to go.

As a result of his refusal, the hon. Minister then decided that he would bring before the House matters—not that we were bringing before the House, but that he wanted to bring before—

Hon. Mr. Grossman: Mr. Chairman, I rise on a point of order.

The hon. member is misleading this House

because the tearing up of a chesterfield had nothing to do with the subject that he discussed with me.

The hon. member was discussing with me the matter of the patient of the neuropsychiatric clinic, making some leather goods.

The complaint he had, and the complaint he registered with me when I was in the hon. member's office, was that some of the staff had accepted some of these leather goods and promised to pay him for it and had not paid him. It had nothing to do with going and doing what they did and tearing up a chesterfield, obviously to find contraband; that was not mentioned to me at any time. As a matter of fact it was their bounden duty to do that; they should have told me that because some terrible things might have happened in the interim. If they had felt that there was something being hidden, and I know what they were looking for now, they should have informed me so we could get on the telephone immediately and see that no damage was done. They took an awful chance and they are taking an awful chance now, creating some trouble at Guelph.

Mr. Renwick: Mr. Chairman, so that we will not get diverted by the smoke screen which the hon. Minister has just raised, I will just point out that the hon. Minister was told on the day the hon. member for Yorkview spoke with him that there was further evidence. In the light of that remark and evidence that was put before him in a very short interview—

Hon. Mr. Grossman: Further evidence of what?

Mr. Renwick: That there was further evidence—

Hon. Mr. Grossman: Of what?

Mr. K. Bryden (Woodbine): It would help if you would listen.

Hon. Mr. Grossman: All I was told about was this matter of the exchange of leather goods. What further evidence was involved in that? I did not deny that. I said I would investigate and find out what the policy of the department is in respect of this. What further evidence was required—to dig into a chesterfield, to find a piece of leather goods? There was nothing else told to me.

As a matter of fact the man's name should never have been given to the press. Do you realize the dangers involved in that, when you are dealing with a psychopathic personality? Do you realize the dangers to the members of this department; the dangers to

the Minister? You are fishing in waters that you do not know anything about, and you are going to create a great deal of trouble. You are just trying to—

Mr. Renwick: Mr. Chairman, the hon. member for Yorkview will speak for himself. On March 10, or thereabout, you attributed to us the fact that we were irresponsible in what we were doing. If anyone were to read today the statement of the hon. Minister on that date, he would note that it was completely inappropriate to the occasion that gave rise to the statement. The reason it was completely inappropriate was because there was the deliberate concealment of evidence at the Cross inquest. Again today we had to drag from the hon. Minister the question of a request to him for an investigation.

Hon. Mr. Grossman: Why are you bringing the Cross case into the matter that the hon. member discussed with me about this psychopathic personality and the leather goods? The Cross case was never mentioned to me at that time; it was not even mentioned by the hon. member for Yorkview, nor was it mentioned by the hon. member for Riverdale. You are trying to give the impression that this was discussed with me and I ignored it. All that was discussed with me on that date was the exchange of leather goods—

Mr. Renwick: On a point of order, Mr. Chairman. If the hon. Minister will listen he will recognize that at no time did I say the question of the Cross inquest was discussed with the hon. Minister—

Hon. Mr. Grossman: That is the impression you are giving.

Mr. Renwick: Then I correct the impression. You just listen for a few minutes.

Mr. MacDonald: Exactly!

Mr. Bryden: And get a few things straightened out!

Mr. Renwick: Do you understand that what you have done on each and every occasion in which a question has been raised about the conditions in an institution under your control, and for which you are responsible? Immediately, without a moment's hesitation, you move to attack the person who gave the information.

Hon. Mr. Grossman: I do not realize any such thing.

Mr. Bryden: That is exactly what you do.

Hon. Mr. Grossman: Then prove it to me.

Mr. Renwick: That is what you did the other day.

Hon. Mr. Grossman: What other day?

Mr. Bryden: What you did was completely out of order!

Mr. Chairman: Order!

Hon. Mr. Grossman: Mr. Chairman, let us find out who is trying to bamboozle the public. I wish I had the press clipping here. The hon. member for Yorkview told the press, for example, that when they went to Guelph it was to investigate the Cross case, and the matter of searching into the chesterfield and of tearing the chesterfield apart was something that they decided to do while they were there—while they were there. The hon. member, just a few moments ago, and quite correctly, stated that what they asked me to go out there for and what they went out there for was to check precisely the opposite—was to check about the comments and the charges made by this inmate. It had to do with the exchange of leather goods, so they did not go out, and they did not ask me to go out, to do anything about the Cross case because it was never mentioned.

Mr. Bryden: The hon. member has said a dozen times that he did not ask you about that.

Hon. Mr. Grossman: The hon. member has told the press that he went out that day to investigate the Cross case—

Mr. Bryden: That is right.

Hon. Mr. Grossman: On the other hand, he knows perfectly well that he asked me to go out there for another purpose and that is the purpose for which he did go out.

Mr. Bryden: So there is nothing inconsistent in that.

Hon. Mr. Grossman: Of course there is.

Mr. Bryden: But you got up and made a statement before the orders of the day about the other matter, a most inflammatory statement. If you are concerned about discipline in your own institutions, you would not have dragged that statement, and that weird letter attached to it, into this House, I can tell you that. You made the statement under circumstances where there could be no answer to you. You made an attack on hon. members of this House when they could not answer—

Hon. Mr. Grossman: Oh, you give answers all right; you just go to the press gallery and give the answers to them.

Mr. Bryden: They could not answer what you said and their only opportunity was to go directly to the press because they were debarred by the rules from answering your out-of-order statement. Now, you keep getting up and interrupting while the hon. member for Riverdale tries to get the record straight, constantly trying to—

Hon. Mr. Grossman: You are interrupting.

Mr. Bryden: I would suggest to the hon. Minister that he sit quietly for a while.

Hon. Mr. Grossman: I would suggest that the hon. member sit quietly.

Mr. Bryden: I suggest to you that you sit quietly for a while and listen to the hon. member for Riverdale. Let him get a few statements out in succession without you interfering with your red herrings.

Hon. Mr. Grossman: Well, sit down so I can hear him.

Interjections by hon. members.

Mr. Renwick: Mr. Chairman, I would ask the House to look at the record so far as the incidents from March 10 onward took place and are known to the hon. members of this House.

The first thing is that at the least intrusion by the members of this Legislature into one of his institutions, the hon. Minister immediately stands up and as part of his statement indicates that we were there because of some privilege which he extended to us. We deny that. We deny that we were there because of any privilege coming from the hon. Minister of Reform Institutions. We consider that we had a perfect right to be there. We consider that every member of this Legislature has that right.

Hon. Mr. Grossman: May I answer that? May I answer that particular point?

Mr. Renwick: No, you may not.

Second, we have all listened since the date this House convened, to the matters about Mercer reformatory, and the very same technique has been used throughout. Anything that an inmate has to say, anything that a former member of the staff has to say, is not worth the paper it is written on so far as the hon. Minister is concerned.

I am but a simple lawyer—I do not understand the intricacies of law—but I can tell you

if what we listened to today was the result of an examination by a member of his staff, on the basis of which a member of the custodial staff at Guelph was suspended, then the whole method by which investigations are carried out in the hon. Minister's department must be corrected.

Mr. Bryden: Hear, hear!

Mr. Renwick: There was nothing in that statement that was an attack on the person who made the request for the investigation. There was an attempt to show that he had done wrong by going to the hon. Attorney General, and that his evidence was flimsy. I cannot understand how you would expect a person to do other than to go to the chief law enforcement officer and be prepared to put the information that he has before him. He granted the request of the hon. Attorney General that the matter be turned over to the hon. Minister of Reform Institutions and what is the net result? The hon. Minister just attacks him—whether it is in public or in a private memorandum or in the inspections made by his department—until the man has not one single hope on the day of his grievance to bring this matter forward in a proper and concise way.

Mr. W. D. McKeough (Kent West): Who brought this up?

Mr. Renwick: The reason we brought this matter forward today is perfectly obvious. If this matter had gone forward until April 14, there is no question in anyone's mind in this House, other than the hon. Minister's, that the man would not have succeeded in his grievance. We are not prepared to sit here and listen to another man attacked because he has seen fit to suggest that something is wrong within the framework of the hon. Minister's institutions.

I am not prepared to attack this wrong on a single individual basis. What I am concerned about is the very question which we raised last Thursday evening: What is the method by which either an inmate or a member of the staff of the Ontario reformatory at Guelph, or any other of the institutions under the responsibility of the hon. Minister, can be brought forward, and can be examined dispassionately, intelligently and objectively, so that a reasonable result is arrived at?

All I can say is that if the only recourse that the hon. Minister will allow any such person is to appeal directly to him, and to have the kind of investigation—and the only kind of investigation—plus the kind of attack which is automatically made on his character carried out by the hon. Minister of Reform

Institutions, then I would say no one, but no one, is going to raise a question with the Minister by way of complaint. For the hon. Minister then to proceed to suggest that we here are not entitled to raise it is something which is a serious reflection on the operation of the government. I would suggest that a procedure must be adopted so that reasonable complaints can be assessed and heard, so that a custodial officer who puts forward a complaint is not immediately or within a very short time, suspended and then under the pressure of the time—for practical purposes forced to resign—or immediately fired at Christmas time.

Now, I would ask: Would the hon. Minister not think that there is some room somewhere for a proper investigative procedure to be established by which inmates and custodial officers and others in his department can make reasonable requests?

Hon. Mr. Grossman: In the first place, Mr. Chairman, I would like to get it clear that I never suggested that the visiting of our institutions by members of this Legislature was a privilege granted by me. I never suggested that at all. What I was suggesting was that the invitation I had extended to visit the institutions, under the circumstances I suggested it, was an unusual one. And it was. Because the usual procedure for a member to visit one of the institutions is to either get in touch with the Minister so he can arrange it; or even if he goes to an institution he does it on appointment so that the superintendent can prepare to receive him. Now I invited all the hon. members to go at any time without notice so they would not think we had anything to hide. I would like to get that clear.

Now as far as the grievance is concerned—

Mr. Renwick: Mr. Chairman, on a point of order. The point of order is that the hon. Minister misquoted exactly what he said in his statement on March 10 to this House. I think I will just read, if I may, the two paragraphs involved. As I understand it, what the hon. Minister said was that he did not intimate to this House that we were visiting there at his leave. This is what he stated in his statement that day.

Hon. Mr. Grossman: What day is that?

Mr. Renwick: This is on page 1156 of *Hansard*, on March 10:

Hon. members will recall that last year I extended an invitation to all hon. members of this House to visit any of our institutions at any time without notice. It was my feel-

ing at the time that all hon. members who wished to avail themselves of this invitation would do so in the full sense of the responsibilities which go along with the acceptance of such an invitation. It is obvious that not all hon. members appreciate the responsibilities attached to such a privilege.

I hesitate even to use the word "privilege," because it is my feeling that generally hon. members of this Legislature should feel free to visit provincial institutions, and I only use the term for lack of a more suitable one.

However, in the light of recent circumstances, the whole matter of visiting our institutions will have to be reviewed with the possibility that such invitation may be qualified with certain conditions, to ensure the protection of the staff, the inmates and the public.

Hon. Mr. Grossman: I do not know how I contradicted myself there. That is precisely what I said a moment ago.

Mr. Renwick: It is a direct contradiction of what the hon. Minister stated. The hon. Minister stated that he at no time indicated that our visit was at his leave and I am suggesting that what he has said here is exactly that.

Hon. Mr. Grossman: Is the hon. member really misinterpreting this or just trying to befuddle the House?

Mr. Renwick: I was just reading what you said.

Hon. Mr. Grossman: I said that it was under certain conditions. The invitation I gave was to visit under certain conditions—not just visiting—and I repeated that in the statement which the hon. member read. When I said to review it, I said "to review it" so that the conditions under which they visit would have to be reviewed. This is what I was talking about, not whether they could visit or whether they could not.

This is the point I was making. I said it was not a privilege I was extending to visit, it was the privilege to do it the way I suggested, with a completely free and open hand, without regard to making any previous appointments or even concerning yourself with whether the superintendent was there when you got there; that is all I was saying.

Now, Mr. Chairman, as far as the grievance is concerned, as far as any guard, any member of the staff being able to complain: Is the hon. member referring to complaint about his

working conditions, about what is expected of him as a custodial officer, what is expected of him by way of his duties or extra-curricular duties, or extra duties? If this is what he is talking about, then of course, this is a matter for the civil service association. He has a branch there and presumably he would make his complaints through the branch, which would make them through the proper channels. This is why it is set up.

I am sure that I would be subject to complaint here and to criticism by the Opposition if I went out there and over the heads of their official representatives, the civil service association branch, engaged in discussions with the staff as to working conditions. The hon. members would get up in high dudgeon, I am sure, and quite properly, and say you have no right going over the heads of the association which is in effect the bargaining unit for the employees. I could not put myself in that position.

Again, Mr. Lindsay is trying to make it appear that his attempt to get me there to discuss those matters, which his own association did not want to discuss with me because they knew the proper way to do it, has some connection with the Cross case. He never mentioned at that time and there was no talk of it at all until he wrote a letter to the hon. Attorney General, I suppose months later, and gave the hon. Attorney General the impression that he could not engage in correspondence with me on the matter of the Cross case. He had never mentioned the Cross case to me at all.

Mr. Renwick: Mr. Chairman, the hon. Minister stated himself that the letter from Mr. Lindsay to the hon. Attorney General was written on November 9, which according to the hon. Minister was four or five days after the report of the inquest was published. He immediately intimated that the only reason that Mr. Lindsay wrote that letter was because there was some publicity about the Mercer reformatory.

Hon. Mr. Grossman: That is my view.

Mr. Renwick: That is your view?

Hon. Mr. Grossman: Yes.

Mr. Renwick: That is typical of the attitude which you have—

Hon. Mr. Grossman: That is the attitude I have.

Mr. Bryden: Always attributing it to some other motive.

Mr. Renwick: Mr. Chairman, I would like to ask the hon. Minister whether he would answer the question which I put to him: Is he satisfied with the procedures in his department by which complaints are dealt with, whether they come from inmates or whether they come from the members of his staff? Obviously, on the record he has put before this Legislature, starting on March 10, it is absolutely unsatisfactory.

Hon. Mr. Grossman: To what sort of complaints is the hon. member referring? I asked that. Is it about working conditions?

Mr. Renwick: No, it is not about working conditions. As far as I know, the complaints which were in the letter which went from Mr. Lindsay to the hon. Attorney General were not related to working conditions, because in the letter which I received from Mr. Lindsay he was quite forthright and forthcoming about matters relating to his specific working conditions, such as his salary, the conditions of the staff and the working conditions.

The points at which he did not elaborate were the very points on which he must have complained to the hon. Attorney General, because he specifically states, in two or three places in this letter, that he is bound by his oath of secrecy. The only matters that he could be dealing with are matters related to conditions within the Ontario reformatory at Guelph and his inability to get anyone to listen to his complaints. He is obviously a respected member of that custodial staff and was so until he started to raise some question about conditions, and then immediately he is faced with the sequence of events which leads to his suspension in December.

Hon. Mr. Grossman: Is the hon. member trying to tell this House that Mr. Lindsay was concerned with his oath of secrecy and he was sort of welling up inside with his protest which he could not tell anybody? Is this what you are trying to say? Let us find out what his concern for his oath of secrecy was.

You said that, did you not? Have I got the hon. member right?

Mr. Renwick: Yes, he told us—I read the letter today, was the hon. Minister listening?

Hon. Mr. Grossman: The letter to the hon. Attorney General?

Mr. Renwick: No, he said in this letter that he wrote to the hon. Attorney General.

Hon. Mr. Grossman: Well, let us find out what he told the hon. Attorney General, how he honoured his oath of secrecy. You are putting this gentleman up as a great man of honour, who could not breach his oath of secrecy.

Mr. Bryden: Are you implying that talking to the hon. Attorney General is violating an oath of secrecy?

Hon. Mr. Grossman: Yes.

Mr. Bryden: You meant it would—

Mr. Renwick: Mr. Chairman, just let us lay this point to rest. He wrote to the hon. Attorney General. Surely if there is any officer, any member of this government who is going to raise the question about a breach of the oath of secrecy, it is the hon. Attorney General. The hon. Attorney General did not do anything about it. He wrote a very polite letter, apparently, to Mr. Lindsay and asked him for permission to relay the information to the hon. Minister of Reform Institutions. Certainly the hon. Attorney General did not consider that he was in breach of any oath of secrecy and I certainly do not think that the oath of secrecy—

Hon. Mr. Grossman: Will the hon. member—

Mr. Renwick: One moment, please!

I do not think that the oath of secrecy was designed to protect the hon. Minister of Reform Institutions in this kind of a situation.

Hon. Mr. Grossman: Well, then—now do not interrupt! If the hon. member for Woodbine will be quiet and let me debate this with him, his turn will come—you are telling me not to interrupt him.

Apparently Mr. Lindsay found a way of expressing himself, of laying his complaint. He laid it to the hon. Attorney General and there is no problem. He found some person to protest to. How would the hon. member suggest that we arrange this sort of thing? The man has a complaint—does the hon. member suggest that if any one of 2,500 employees has a complaint, or the thousands of inmates who may have a complaint—and thousands of them do, every day—that the Minister should be in a position—should put himself into the position to have to sit down and listen to those complaints? There would never be enough hours in the day to do it, nor to winnow out the legitimate ones from the charlatans; you never could do it. How would the hon. member suggest we do it?

Mr. Renwick: Mr. Chairman, the hon. Minister again comes back to the very point. I do not expect this and I do not think it is wise. Everything the hon. Minister has said indicates that it is not a proper procedure to give only recourse to the Minister of Reform Institutions. There must be some other procedure adopted. It is not for me to suggest; it is a question for the government to decide whether or not this is an adequate procedure. There will be ample opportunity to make other suggestions as to procedure. The question of ombudsman, the question of parliamentary committee has been raised in this House.

Hon. Mr. Grossman: In the first place, as far as inmates are concerned, they could write you a letter. They do, do they not?

Mr. Renwick: The only letter that I have received from an inmate in the reformatory at Guelph was one which was opened before it arrived at my desk and had nothing whatsoever to do with the matters that I am discussing.

Hon. Mr. Grossman: But the hon. member appreciates that any inmate can write to him. We had inmates write to the hon. Prime Minister. Inmates have written to me.

Mr. Bryden: Somebody reads their letters along the way.

Hon. Mr. Grossman: Pardon. Well, of course, all the letters are censored. Is the hon. member suggesting that letters by inmates should not be censored?

Mr. Bryden: I would suggest that letters to elected members or to the Prime Minister should not be censored.

Hon. Mr. Grossman: I will say this to the hon. member: It is a good thought, and I thought about it, because when I saw these letters censored I wondered about letters being sent to me that were censored. I think I explained this the other day. If they came to me uncensored, I would get thousands of them. I would never be able to deal with them. They have to know that before they put something in a letter there is some substance to it. Of course, the whole problem here is to understand the problems that are inherent in running penal institutions. As far as I can ascertain—there may be some places where this does not apply—this is the way it is handled in every jurisdiction in the world. Every letter in and out of a penal institution is censored—has to be censored for security reasons. I know there are some dangers in-

herent in this, but I have sufficient confidence in the kind of people we have in charge of the institutions in Ontario not to concern myself over-much with the possibility that an inmate may not be allowed to send a message out if this is what he wants. Again, I would point out, as I did the other day, that even if he could not write a letter out, even if he was forbidden—which is, of course, not possible—there are people going in and out of that institution; there are clergymen, 222 of them; in fact, across this whole province probably 300 or 400—when one takes into consideration the reformatories—they are going in and out of these institutions daily, engaging in private conversation and private counselling with these people. Surely the hon. member does not feel that any one of these people, if they had a serious complaint from an inmate, would not bring it to our attention? Of course they would.

Mr. Bryden: I am sure they would, but the point is that to the inmate they may appear to be representatives of the establishment. I would suggest to the hon. Minister—and this is a bit of a diversion from the main point being discussed, but while we are on it let us follow it through—I would suggest to the hon. Minister that there is not going to be a breach of security in relation to a letter that an inmate might send to a member of this House or to the Prime Minister. It would seem to me he should feel that there is a place to which he can appeal without his complaint being first of all looked at by the people against whom he is complaining. This surely is part of our responsibility, even though I have no doubt the hon. Minister is right, that we might get a lot of complaints.

Hon. Mr. Grossman: You will get thousands of them.

Mr. Bryden: We might, but as of right now we get practically none. This must be a pretty severe inhibition that has been put on these men if there would have been thousands of complaints when, in fact, we get none. I do not remember getting a complaint from an inmate in all the time I have been here.

Hon. Mr. Grossman: I get lots of them.

Mr. Bryden: I have no doubt you do.

Hon. Mr. Grossman: In fact, we get them from the local jail.

Mr. Bryden: Do not worry about protecting us. You definitely have to be concerned about the security of your institutions, but I believe

that there should be a channel, and a letter to an elected member, I think, is a proper channel, whereby a person in that institution can feel that he can get word to the outside world, if I can put it that way, without anybody in the institution looking over his shoulder to see what he has said. Surely a man has a right to feel that he has somewhere he can turn without the all-pervasive influence of the institution?

Hon. Mr. Grossman: What about the people who visit? His family and so on? Surely the hon. member—

Mr. Bryden: Some of these fellows have no family.

Hon. Mr. Grossman: I know, but it is very rare that he does not have a family or somebody.

Mr. Bryden: You have not given any good reason why a letter to an MPP has to be censored, but I do not see any point in pushing the matter any further. I can see why letters to unknown parties should be censored, but surely that is not the case with an MPP.

Hon. Mr. Grossman: I have raised this question, and to date I have been advised against it. I cannot think at the moment of reason why a letter to an MPP has to be that, because it appears to me just as logical as it appears to the hon. member. But I can assure you that if we ever decide to allow the inmates to write to the members of the Legislature, the hon. member will be a sorry man.

Mr. MacDonald: They do that now.

Hon. Mr. Grossman: I am talking about uncensored letters. In any case, has any hon. member ever found that any letter sent to him was censored or was tampered with by anyone in the institution?

Mr. MacDonald: By a superintendent?

Hon. Mr. Grossman: The hon. members were in the institution on King Street a few months ago. They talked to the inmates. The point I am trying to make here is that what I would like to do is, as far as possible, destroy this image that is being created that somehow or other we run institutions somewhere out in Devil's Island, where you cannot reach anybody and no one ever sees them. There are hundreds of students from various schools doing social work, doing theses, doing studies, doing research, going in and out of these institutions. There are lawyers by the hundreds

going in and out of them; there are clergymen; there are families. How in the world could anyone who wants to get a message out fail to get it out? This I cannot believe. I cannot understand it.

Mr. Singer: That is what Mr. Sedgwick is trying to find out right now.

Hon. Mr. Grossman: Find out what?

Mr. Singer: How people who have been in the Don jail—

Hon. Mr. Grossman: That is something else. Let us not muddy the waters.

Mr. Singer: Do not give us that nonsense.

Hon. Mr. Grossman: Let us not muddy the waters. He found out that people were there because they spoke to people and told them that they were there.

Mr. Singer: After they had been there weeks and months.

Hon. Mr. Grossman: You do not have to do that, because that information is available. We get a regular count; we find out how long they have been there. Mr. Sedgwick found out something entirely different. They were held there because of actions of The Department of Immigration on hold orders—

Mr. Singer: But they were still there.

Hon. Mr. Grossman: Or by the actions of lawyers, who kept remanding cases.

Mr. Singer: But they were still there.

Hon. Mr. Grossman: They were still there, but they got their message out; they were not being blacked out. Do not confuse the issue.

Mr. Renwick: Mr. Chairman, I would point out to the hon. Minister that certainly to my knowledge any citizen of Sweden who is incarcerated is entitled to write to the ombudsman without any censorship whatsoever. He has a direct line of communication to the ombudsman. I would hope that we have dwelt long enough on this point that the hon. Minister will take it under serious consideration to provide some avenue by which persons who are deprived, quite lawfully, of their freedom, should have some minimum protection so far as complaints are concerned. I think that it is now about time to revert to the initial point which I made; that is that the investigation of the sworn testimony of the superintendent at Guelph falls into the whole of this pattern of the way

in which it is practically impossible to get any information that will be acceptable to the Minister with respect to the functioning of the Ontario reformatory at Guelph. I hope this matter would be taken under consideration.

Mr. Singer: Mr. Chairman, I just want to pursue this point. I was not aware until now that someone on the hon. Minister's behalf, or someone in the department, has apparently taken it upon himself to determine whether or not the members of the Legislature can receive correspondence from inmates of the institutions.

Hon. Mr. Grossman: No, no. Let us get this straight.

Mr. Singer: All right, let us get this straight.

Hon. Mr. Grossman: In every penal institution in Canada, letters going to and from inmates in every penal institution to anyone is censored by the staff at the institution.

Mr. Singer: All right; now that is straight.

Mr. MacDonald: May I interject something in here? Then you can pick up the argument.

The hon. Minister may not be aware of the fact that among the hundreds of letters I have had from inmates, a significant proportion of them reach me through his deputy's office.

Hon. Mr. Grossman: That is all right; it was censored before it got to the deputy.

Mr. MacDonald: If the hon. Minister is talking about censorship, it is censorship with Big Brother looking on to the point that the letter goes from the institutions to the deputy, and then it comes to me with a note from the deputy. If the hon. Minister does not think this is the case, I can go into my files and give him half a dozen examples within a very few minutes—letters that come through the deputy Minister's office.

Hon. Mr. Grossman: I do not know what the hon. member is referring to. I will have to investigate that.

Mr. MacDonald: You do not need to investigate it; you can accept it as a fact.

Mr. Singer: Well, let me tell you. I have had letters from penal institutions in other provinces. The hon. Attorney General and I have exchanged some correspondence with reference to one. There has been no problem. I have corresponded with this individual, he has corresponded with me, all his mail has

been getting to me. I have asked the hon. Attorney General for certain information and he is getting it. I have had one letter from the Don jail.

Hon. Mr. Grossman: You had it from another province, did you say?

Mr. Singer: Yes, from another province, where there is no difficulty—

Hon. Mr. Grossman: I had a letter from Quebec uncensored, but they are supposed to be censored.

Mr. Singer: Now wait a minute. Just be patient here. The censor stamp is on the letters but the letters come out. What is new that is being added here today is this: Apparently the staff of the hon. Minister is taking it upon itself either to destroy the letters or to—

Hon. Mr. Grossman: That is not true and apparently it is not so. We do not censor letters at head office at all. There have been some letters, apparently, which have been addressed to some of the members of the NDP, and the secretary of that party apparently calls at regular intervals about some information and the letters are handed over for consideration. Why this is done, I do not know.

Mr. Bryden: Apparently you have to get a good close look before you send them along, is that it?

Hon. Mr. Grossman: No, no!

Mr. Singer: I think this is very serious. If a letter comes out of one of those institutions addressed to any member of this House, it should be allowed to come out. And I do not want the hon. Minister to save me the trouble of receiving these letters. That is my decision, as to what I am going to do with them. And I think if the hon. Minister takes it upon himself, or any of his people do—

Hon. Mr. Grossman: I did not say that was the reason—

Mr. Singer: If the hon. Minister wants to—

Hon. Mr. Grossman: I did not say that was the reason. Do not put words in my mouth.

Mr. Singer: The hon. Minister should stop interrupting all the time.

Hon. Mr. Grossman: There is a Chairman here, you know.

Mr. Singer: Well, you are out of order. Would you just sit down?

On a point of order, Mr. Chairman. I am getting sick and tired of this hon. Minister interrupting all the time. Surely he can let someone else make a few remarks.

Hon. Mr. Grossman: I said: "On a point of order."

Mr. Singer: You did not stand on a point of order.

Hon. Mr. Grossman: I said: "On a point of order."

Mr. Singer: What is the point of order?

Hon. Mr. Grossman: I will tell the Chairman, if you do not mind.

Mr. Chairman, on a point of order, the hon. member is putting words in my mouth. I did not say that these letters were being sent to save the hon. members the inconvenience of receiving them. I said that if we ever change that, they would probably ask for them to be censored again.

Mr. Singer: Ah, Mr. Chairman, the hon. Minister again is dragging the same old smoke screen across the trail; it is a distinction without a difference. It is obvious now from what he has said that there is somebody in that department, or some group of people in that department, who are taking it upon themselves not to see letters coming out of those institutions addressed to the members.

Hon. Mr. Grossman: That is ridiculous.

Mr. Singer: I think this is wrong and I think this is a sign of a police state and I think it is a covering up. They do not want complaints to come out of the institutions, and I think the hon. Minister should be very seriously criticized for trying to get up and justify this in the House today.

Hon. Mr. Grossman: Mr. Chairman, so that it will be clear in the record, I at no time said that any inmate was forbidden to send a letter out or any letters were stopped. I said all letters in and out of the institutions were censored. The letters go and they are received, but they are censored.

Mr. Singer: Well then, could the hon. Minister explain in the case that has now been admitted—of the letters addressed to the NDP which have to be called for and picked up—why they cannot go through the mail?

Hon. Mr. Grossman: I do not know and I am going to investigate this.

Mr. Singer: It bears out what I have been—

Hon. Mr. Grossman: It does not bear out anything of the kind.

Mr. Singer: It bears out the fact that those letters are sidetracked and they do not get through the way they should.

Mr. MacDonald: Mr. Chairman, the hon. Minister started out by suggesting that I was wrong, as is his usual tactic, and then he backed up and said he was not so certain. Let us put it right on the record. If he goes into his files he will find—and I have picked five or six that run from 1958 until closer to now—on October 23, 1958, over the signature of J. A. Graham, executive assistant to the deputy Minister at that time:

We are forwarding you a letter addressed to you from the above-mentioned, who is an inmate of the Burwash industrial farm.

Hon. Mr. Grossman: Before you go on, can we deal with that one? I am interested in this, too. To whom was it addressed? Was there an address on it?

Mr. MacDonald: The letter was addressed to me.

Hon. Mr. Grossman: Is there an address on it? Maybe the inmate did not know where to address it, and he addressed it to you and expected our people to—

Some hon. members: Oh!

Hon. Mr. Grossman: I am asking that. Do you know that?

Mr. MacDonald: They get a form on which they can write their letter and they cannot write more than one page. On the back of it there are all the specifications and regulations. The only way it can be done, apparently, is through the institution, and it comes right through the deputy's office.

However, just let me put some more on the record and the hon. Minister can look into it. November 27, 1961:

Attached is a letter addressed to you from the above-mentioned in which he complains of the treatment received at the Ontario reformatory in Mimico.

Signed by L. R. Hackl, assistant to the deputy Minister.

November 24, 1961:

Enclosed is a letter addressed to you from the above-mentioned in which he is requesting a personal interview after his release on December 27, 1961.

Signed by L. R. Hackl, assistant to the deputy Minister.

October 12, 1962:

Attached is a letter addressed to you from the above-mentioned who is presently being held in the Metropolitan Toronto jail.

Signed by L. R. Hackl, assistant to the deputy Minister.

January 15, 1962:

Enclosed is a letter addressed to you written from the above-mentioned from the Rideau industrial farm.

Signed by L. R. Hackl—

Hon. Mr. Grossman: The hon. member made his point.

Mr. MacDonald: Good. Do not be so ready to deny it next time.

Hon. Mr. Grossman: Quite frankly, I had no idea that any letters came through head office. It was my understanding that all letters went direct—that they were censored, but they went direct. If some of these are going through head office, it may be because they do not have addresses. You may laugh at this but I am going to find this out. I cannot see any reason at the moment as to why they should be channelled through head office unless they do not have addresses. I will investigate this and find out.

Mr. Singer: Mr. Chairman, as to the business of addresses, for goodness sake, anyone who is a member of this House knows that if the correspondent puts MP or MPP after any one of our names that the letter gets to us and gets to us very quickly. If there is one thing that the post office department does, it is to get those letters to us and I am sure every member in the House has received letters as long as his name has been on them. The impracticality of that suggestion is a bunch of nonsense.

If the hon. Minister does not know about it, as he says he does not, I would like the assurance given to this House now that any letter that is addressed by an inmate of any institution under the hon. Minister's control to any member, gets to that member and gets to him by direct mail. If he gives us anything less than that assurance, then I suggest that he is covering something up.

Mr. MacDonald: In fact, Mr. Chairman, I got a letter today that was sent from Washington, addressed to, "NDP Leader, City Hall," and it arrived in my office.

Hon. Mr. Grossman: Are you sure they did not mean Controller Dennison?

Mr. MacDonald: No, they did not.

Mr. Young: Mr. Chairman, all this is very good and I think this discussion of the availability of the hon. Minister or members of the Legislature to the inmates of institutions is a good discussion, but we started with the problem of the custodial officer and his problem in getting through to the authorities.

I am not going back over this whole problem today, but let us face this fact, that we have asked certain questions in this House about an inquest. The hon. Minister, in the first instance, chose to raise this in the House. In the letter from the superintendent, the whole matter of our investigation regarding the inquest was recorded, and the hon. Minister read this into the record at that time. If he will look back into that letter he will find what we did in looking over the records and in finding the permanent record. All this is here, and this is what the hon. Minister read into the record on March 10 last.

Mr. Chairman, I simply point out to the hon. Minister that his department, in this event, has placed the hon. Attorney General's department on the spot. When he talks about manipulation, there are certain people in his department who well may have manipulated in a certain way by not giving proper notice to the family, and not bringing in the proper witnesses. These are things which the hon. Attorney General must determine and he was put on the spot in this respect.

These are the questions we asked and these are the questions we want answers to.

The other question which occurred to me is that the hon. Minister said to this House that he did not remember this matter of the Cross inquest having been brought to his attention, yet he had all of the material here to answer it when it was raised, and to answer the record of Mr. Lindsay—the whole series of incidents leading up to this. I would like the hon. Minister's answer as to how he was so well prepared when he did not even remember what had happened in this regard.

Hon. Mr. Grossman: The answer is quite simple. It was obvious to me that Mr. Lindsay was out to create a lot of trouble, and from the first time we had this letter from him we accumulated the file on him. When there was an investigation as a result of the complaints which were made about his actions out there, and as a result of his dismissal, we had the file. I presumed it was going to be raised here because he said to some of the other inmates—and this is under testimony

and under oath—that he had the protection of the eight members of the Legislature.

Mr. Young: On a point of order, does he say the eight members of the Legislature?

Hon. Mr. Grossman: Yes.

Mr. Young: Or was he—

Hon. Mr. Grossman: He said he had—well, I had better read it—

Mr. Bryden: He said to somebody who said to somebody who said to somebody. Are you sure he wasn't referring to—

Hon. Mr. Grossman: This was sworn testimony. He said there were eight good reasons why he would never be dismissed.

Mr. Young: Might that be his family?

Hon. Mr. Grossman: No, he said members of the NDP.

Mr. Young: Did he say that?

Hon. Mr. Grossman: Taken down by F. J. Matthews, inspector:

Guard Lindsay told me he is a socialist but objects violently to anyone calling him a communist. He is a troublemaker, I have said that before; he is finished with all this.

I would be ashamed to raise my head in the town of Preston because I am on the staff of the institution. He also said that this applies to the guards who live in Guelph.

He appears to have a grudge against everyone from the rank of sergeant up, with the exception of two or three. He was the driving force behind the movement for higher wages but now that this has taken on—

Mr. Young: Is this a sworn statement of Mr. Lindsay?

Hon. Mr. Grossman: Just a moment, please. This is Mr. Lindsay. This is a statement signed by another custodial officer during the investigation. It was taken down by an inspector when he was out there on the investigation.

Mr. MacDonald: They have all been intimidated.

Hon. Mr. Grossman: I suppose this is a whitewash. Mr. Chairman, may I finish this?

It is quite obvious that he intends to degrade this institution and some of the officers in it. I feel that the guards are all against him with the exception of one or

two. Guard Lindsay is on an extremely friendly basis with the NDP and can refer to many of them by personal names.

I asked Lindsay, about a week ago, why he hadn't been fired and he told me, "I can give you eight good reasons why I have not been fired—eight NDP members of Parliament." And he mentioned these by name to me but I cannot now remember them.

Lindsay also told me that if he is fired over this trouble there will be two or three more heads roll other than his.

Maybe he means mine, I do not know.

Mr. MacDonald: Well, a civil servant is in the clear if he is a friend of the Tories but he gets into trouble if he is a friend of the Opposition.

Interjections by hon. members.

Mr. Troy: Mr. Chairman, I noticed when the hon. member for York South was reading those letters that they are all on forms. I noticed in that very advanced province of New Brunswick, when I had a letter from an inmate of a reform institution there, seeking some help, that it certainly was not on anything like that. They allowed them to write on ordinary paper but that is not the—

Hon. Mr. Grossman: Personal stationery.

Mr. Troy: This has to do with the hon. Minister's statement that he is taking over the full cost of the operation of the training schools that have been operated by members of Catholic orders. Does that mean that he is also paying the cost of the instructors?

Hon. Mr. Grossman: We are taking over the complete cost of the operation and that includes all staff.

Mr. Troy: Fine, I am glad to know that. Therefore, you are paying for the religious education of Catholics in the province of Ontario?

Hon. Mr. Grossman: Well, now—

Mr. Troy: I know it is a very fine point.

Hon. Mr. Grossman: If the hon. member wants to make it difficult—

Mr. Troy: I am not making it difficult—

Hon. Mr. Grossman: He is certainly not helping it any. I would say we are trying to arrange it in such a fashion that the free time which the religious brothers give will

include that time which they give to their religion—shall we put it that way?

Mr. Troy: I just thought it might be the thin edge of the wedge so we could expand that.

Mr. S. Lewis (Scarborough West): Mr. Chairman, yesterday the hon. Minister indicated he might give information regarding staff at the training schools. Has he that information now, as to social workers and psychologists connected with the various schools in the province?

Hon. Mr. Grossman: Individual ones?

Mr. S. Lewis: Individual schools.

Hon. Mr. Grossman: Does the hon. member want me to read this out or will he take it if I hand it to him? It is quite a lengthy list.

Mr. S. Lewis: Just read the complement of psychologists and social workers in the training schools.

Hon. Mr. Grossman: Psychologists: The Ontario training school, Simcoe—Does the hon. member want the number or the names?

Mr. S. Lewis: The number.

Hon. Mr. Grossman: Two.

Mr. S. Lewis: Are these permanent members?

Hon. Mr. Grossman: They are both for one day per week.

Galt: Two of them, two days per week. Guelph: Two, two days per week. Lindsay: Three psychologists, one on half-time and one for one day per week; and one supervisor. Bowmanville: Two, full time. Cobourg: One, one day per week.

Psychiatrists: Simcoe: One, one day per week. Galt: Two, one day per week, one half-time; at the diagnostic centre, one. Guelph: One. Port Bolster: One. Lindsay: One. Bowmanville: One. Cobourg: One.

Social workers: Simcoe: Two. Galt: The diagnostic centre, three. Guelph: Two. Bowmanville: Three.

Mr. Troy: Is Cobourg full or part time?

Hon. Mr. Grossman: Some are full time and some are part-time. Which one is the hon. member asking about?

Mr. Troy: Cobourg.

Hon. Mr. Grossman: Cobourg, one day per week.

Mr. S. Lewis: Am I right in thinking, Mr. Minister, that at the Galt diagnostic and treatment centre you have three full-time social workers for a complement of—I believe it is usually—10 or 15 girls, and at Galt training school with 116 you have none at all?

Hon. Mr. Grossman: Yes. Of course, the hon. member will appreciate that we have to do some intensive work there.

Mr. S. Lewis: I appreciate they have to do intensive work.

Hon. Mr. Grossman: These are available for the balance of Galt as well. I mentioned that yesterday.

Mr. S. Lewis: Is the hon. Minister suggesting that there is an actually formalized tie in staff between the Galt diagnostic centre and the Galt training school? Surely the Galt diagnostic centre serves all the training schools, and there is no more formal tie between it and the Galt training school than between it and any other training school.

Hon. Mr. Grossman: No, but they are available. They are right there, and they would be available if they were needed.

Mr. S. Lewis: But there are none at the moment attached to the training school itself?

Hon. Mr. Grossman: Other than the superintendent.

Mr. S. Lewis: I just wanted some of that. Thank you, Mr. Chairman.

Mr. Young: Mr. Chairman, the hon. Minister, in speaking of the situation in Guelph, mentioned the staff there, and I would like to ask him if he has the records here today of the number of custodial officers in each one of the categories—custodial officer 1, 2, 3, 4, 5, 6, 7. I wonder if that information is available here this afternoon.

Hon. Mr. Grossman: I am sorry, I cannot hear the hon. member.

Mr. Young: I wonder if the information is available as to how many custodial officers there are in the Guelph reformatory in each of the categories—custodial officer 1, 2, 3, 4, 5 and 6—at least that far.

Hon. Mr. Grossman: I do not think I have this information here. I will be very glad to get it for the hon. member.

Mr. Young: Right.

The other question that I had is this, Mr. Chairman. I notice that the inspectors of

prisons have a salary range of \$6,000 to \$7,200, which is a salary range lower, I think, than most of the superintendents. Is this a deliberate kind of range or is there some adjustment pending here which might bring the salary range of inspectors at least up to the place where it might be equal to the—

Hon. Mr. Grossman: All these salaries are now under review by the commission.

Mr. Young: So that those will be—

Hon. Mr. Grossman: Well, I have to leave that to the commission.

Mr. Chairman: Carried?

Mr. E. G. Freeman (Fort William): Mr. Chairman, just before this vote finishes, there are one or two items I would like to deal with—quite briefly, probably. One, Mr. Chairman, is this matter of gratuities to inmates and it is information I am sure which might be of value to many of the hon. members in the House. I do not know how this is based, but I would like some information from the department. Is it based on a daily basis or a monthly basis, or is it a matter of the term to which the inmate has been incarcerated? What is the amount?

Hon. Mr. Grossman: There is a fixed sum of \$2 a month, but this is really being carried on because it was started many years ago. It really bears no relationship to what an inmate gets when he leaves. Any well-motivated inmate—a releasee—who is prepared to accept the assistance and whose record shows that he does not abuse it, gets all sorts of assistance from the rehabilitation officers, including clothing and whatever cash is required for accommodation and food.

I asked, as a matter of fact, the obvious question that occurs today: How long has it been \$2 a month? It has been so for many years, perhaps 20 years. The obvious question is: Why have you not raised it, because the cost of living is going up? The answer was that instead of raising that, they just add money to the rehabilitation fund and use it where it is most suitable. For example, if you have someone who goes out of the institution with \$30 or \$40 in his pocket, in many cases that will be gone before the day is over. We feel it is better to handle it through the rehabilitation officer, and with his co-operation to do what we can to help with accommodation and so on.

Mr. Freeman: Thank you, Mr. Minister, I appreciate that. One other matter, Mr. Chairman, that I think will just take a moment,

concerns the fact that as recently as March 17, I believe, the Ontario provincial council of the united brotherhood of carpenters and joiners of America presented a brief to the Cabinet. I think it would be just as well to read from the brief itself, for purposes of brevity, and I think it will probably serve the purpose:

The feelings of our council in taking issue with The Department of Reform Institutions over the construction at the industrial farm, Fort William, Ontario, where inmate labour was being used exclusively to construct the carpentry portion of the particular project—

I would like to interject briefly, Mr. Chairman, that I, in company with some of the members of the carpenters and joiners union, visited the institution at Fort William. We were greeted in a very friendly manner by Mr. Gauthier, the superintendent, who showed us over the project and the work being done. It was a fact, undoubtedly, and the superintendent agreed, that a good deal of the carpentry work was being done by inmates.

But apropos of the very fact that I was asking about the gratuities, Mr. Chairman, is the question as to whether or not a qualified carpenter, who quite possibly—I do not know what the going rate is, but I would imagine it is well in excess of \$2 an hour in the, shall we call it, free world—might be admitted as an inmate of the institution and stating his occupation no doubt would put down “carpenter.” I would take it for granted almost that the superintendent would naturally assign him to carpentry work within the institution. It would seem like good common sense. But to use a qualified carpenter in a building project, or a number of qualified carpenters or tradesmen of other categories, in an institution such as you control or supervise, it would seem to me that a great deal more than \$2 a month—or up to, say, \$5 or \$8 or \$10 a month—should be coming to that man when he finishes a term of, say, three to six months or a year.

I agree with the hon. Minister that a good deal of common sense must be used in that the circumstances of the inmate upon discharge should be taken into consideration. But it also seems to me to be rather an unfair thing upon a qualified tradesman, who has possibly put in many years in learning his trade, that he should donate his ability and his knowledge to The Department of Reform Institutions or any other department of government on a very low pay basis.

Further to that, just very briefly, one of

the institutions to which the brief refers raised this question with the government in the years 1959 and 1960, when the estimated \$100,000 tailor shop was being constructed with inmate labour at the reform institution some ten miles from the city of Brantford. I would take that to be Burtch from your descriptive booklet. The work in this case was reported to be substandard and a serious safety hazard. I wonder if the hon. Minister, Mr. Chairman, would have anything to say with regard to the present status of that institution from a construction point of view? This goes back to 1959 and 1960.

Hon. Mr. Grossman: The representatives of the union raised that question. As a matter of fact, any time you are going to do any work in that area of Ontario, you usually get complaints about this. I investigated the allegation that the building at Burtch was built in an unsafe condition and so on, and I find no evidence at all on record that there was any such allegation by anyone other than the representatives of the union. Our people tell me that the building is in very good condition, and is very well built.

As to the matter of the carpentry work at Fort William, this is a training centre we are completing and we are going to teach carpentry there, and the best way to teach some of the inmates is on the job.

Mr. Freeman: I agree.

Hon. Mr. Grossman: We are using this. As a matter of fact, the union representatives mentioned that they met one of their members in the institution and it would seem to me that it would be a logical thing to put a qualified carpenter in with the young ones whom you are trying to teach carpentry. So far as paying them is concerned, I am sure the hon. member will appreciate the difficulties in a penal institution, if you are paying some and not others. I was in a U.S. institution where the authorities paid fairly well, and this was one of the problems they were coming up against, a very difficult disciplinary problem. If someone has some work assigned to him and he gets paid a considerable amount of money, and others do not, or if they get paid a lot less, it creates tremendous problems. However, as I told the representatives of the union, this whole matter will be reviewed when this committee that I spoke of earlier is set up—the industry and trades committee.

Mr. Freeman: This is to be under review?

Hon. Mr. Grossman: Yes.

Mr. Troy: Mr. Chairman, just one last question.

Hon. J. P. Robarts (Prime Minister): It is six o'clock.

It being 6 o'clock, p.m., the House took recess.

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Debates

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Evening Session

Speaker: Honourable Donald H. Morrow
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LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, APRIL 6, 1965

The House resumed at 8 o'clock, p.m.

ESTIMATES, DEPARTMENT OF REFORM INSTITUTIONS

(continued)

On vote 1903:

Mr. F. Young (Yorkview): Mr. Chairman, the questions I would like to direct to the hon. Minister (Mr. Grossman) concern, first, a comment I noticed in the Ontario water resources commission report. One of them said this:

The cause of overloading at the Burtch industrial farm sewage treatment plant should be investigated and eliminated.

Continuous chlorination of the Brantford Plaza sewage treatment plant effluents should be maintained and the refuse disposal site should be closed and another one selected.

I presume this has been brought to the knowledge of the authorities and I am wondering if this recommendation has in fact been carried out or if plans are being made.

Hon. A. Grossman (Minister of Reform Institutions): Could the hon. member tell me the date of that report?

Mr. Young: I am afraid I do not have the date of the report here. I will get it though. It is a recent report—within the last couple of months.

Hon. Mr. Grossman: I am told that we put a new sewage disposal plant in there about three years ago. I have not heard about it and my acting deputy Minister knows nothing about it.

Mr. Young: All right. I will get further information.

One other question, Mr. Chairman. Last summer the hon. Minister visited the district jail in Sudbury. The following day I was there and the governor mentioned to me one of the problems he had—

Mr. L. Troy (Nipissing): On a visit or—

Mr. Young: They let me out again, Leo. The governor mentioned to me one of the

problems he had in regard to the yard. It seems a grand jury on a couple of occasions had recommended the yard be enclosed so that the inmates there could get exercise in that yard. Up until last summer, at the time of the hon. Minister's visit, that had not been carried out. I wonder if any steps have been taken in that regard.

Hon. Mr. Grossman: The Department of Public Works has already let the contract for that. They are waiting for spring to proceed with the work.

Mr. Young: Thank you very much, Mr. Chairman.

Mr. E. Sargent (Grey North): Mr. Chairman, on this vote 1903, under "District jails salaries, \$1,039,500," I should like to ask the hon. Minister what percentage of these salaries goes to local level?

I am not making that very clear: What percentage of this \$1 million goes out to local levels?

Hon. Mr. Grossman: If it is salaries for district jails all the money would be going to those people who work in the district jail.

Mr. Sargent: What percentage, Mr. Chairman, do the municipalities get out of, say, a \$10,000 salary per month in a jail? What percentage does the province pay of that?

Hon. Mr. Grossman: I am afraid I do not understand the hon. member's question. Does he appreciate the fact that the district jails are completely owned and operated by The Department of Reform Institutions?

Mr. Sargent: If that is the situation, are these jail employees part of the civil service set-up?

Hon. Mr. Grossman: Yes.

Mr. Sargent: I am talking about county jails.

Hon. Mr. Grossman: Perhaps I should explain that the district jails are jails which have been established, generally in unorganized territories, by The Department of Reform Institutions and are operated solely and completely by the department.

The hon. member is referring to county jails. The county jails are owned and operated by the counties. The Department of Reform Institutions makes a grant of ten per cent of the maintenance costs for all county jails.

Mr. Sargent: Thank you.

Would the hon. Minister go further? The employees, the guards and custodians in county jails, are they under the jurisdiction of the department?

Hon. Mr. Grossman: No, they are employed by and are under the jurisdiction of the county.

Mr. Sargent: Does the hon. Minister agree that their pay schedule should be under the civil service pay schedule?

Hon. Mr. Grossman: I would not agree to anything like that at all. They are negotiated on a local basis, sometimes with the local unions, and I would not want to interfere with that.

Mr. Sargent: I am not trying to harass the hon. Minister, but this is a very sore point. The county jails have the lowest pay schedule of any employees in municipal administration. I think if the hon. Minister has jurisdiction there, which he says he has—

Hon. Mr. Grossman: We have no jurisdiction in respect of the salary of employees of county jails. If the hon. member feels that a particular county is not paying decent wages to its employees, that is the level at which the pressure should be exerted.

Mr. Sargent: A final question, Mr. Chairman. I have been over this before with the hon. Minister and it is a very important point to me that tonight we have people still going to bed in cells that are 36 inches wide by 8 feet long. I do feel that, if this is part of our reform institutions setup, I would like to know what programme the hon. Minister is directing so far as replacing these old jails?

Hon. Mr. Grossman: Mr. Chairman, for the last couple of days we have had some discussions about the plans for regional detention centres which my department and this government are sponsoring. We will pay 50 per cent of the cost of construction for new regional detention centres, in other words new multi-county jails, which are approved by the department. This will solve these problems, which I agree are in existence and which the hon. member has mentioned. Those counties which are prepared to go

ahead with such a plan will get assistance and guidance, and 50 per cent of the cost of construction, from this department.

We are, of course, fully aware of the situation to which the hon. member refers. I have spoken of it publicly and we are trying to attack it in the manner which I have just outlined.

Mr. Sargent: Mr. Minister, I would like to make this point. I have talked to the hon. Minister personally and I know his concept of this, but I do not feel any municipality will voluntarily come forward and say; "We want you to give us a regional jail here, we will pay half the cost."

Hon. Mr. Grossman: Well, they are.

Mr. Sargent: They are not doing it.

Hon. Mr. Grossman: We have, Mr. Chairman, for the hon. member's information, quite a number of counties—I do not know what they are in number, I could total them up, but quite a few of them—and there is a new group of counties coming in to see me in the morning to discuss this.

It is not being left entirely on a voluntary basis. If I have given that impression I would like to dispel that. Our department takes a lot of the initiative in this thing. We attempt to sell the idea to the counties. We have been very successful in many instances and it is beginning to take hold. I do not think it will be too long before it covers this whole province.

Mr. Sargent: Mr. Minister, I would suggest, as a member of this House, that it is the wish of most people in this province that you take a dynamic approach to this and order modern penology methods in this province and do away with this situation. Make it mandatory that these fall in line with your suggestions, and not voluntary! I would plead with the hon. Minister on that point.

Mr. Troy: This is the first time, Mr. Chairman, that we have discussed district jails in the estimates.

Hon. Mr. Grossman: Oh, no, we have discussed it here. We have discussed it right on the floor of this House the last few days. However, it is the hon. member's privilege.

Mr. Troy: Yes, that is right.

One of the amenities that we have in northern Ontario is the fact that you take our gold, you take our pulpwood, you take the products of our streams and you give us back district jails.

Hon. Mr. Grossman: The hon. member should know—I think we might as well get it on the record—that those areas of which he is speaking are getting district jails and getting their responsibility looked after by The Department of Reform Institutions and the government, which other counties do not get.

Mr. Troy: Mr. Chairman, I just pointed this out to the hon. member for Parry Sound (Mr. A. Johnston), it is one of the amenities of living in the northland.

Mr. H. Worton (Wellington South): The hon. Minister does not know praise when he gets it.

Hon. Mr. Grossman: It just sounds different, that is all.

Mr. Troy: I do not know if it is the hon. Minister I should congratulate, but there is one question I want to ask which concerns a late constituent of mine who died in hospital in Peterborough. He had been an inmate of the Millbrook farm. I know he was in hospital at one time when he was in custody. I just wondered if he—shall I give the name? He died recently in hospital in Peterborough. I wonder if he completed his term of incarceration and then was released and died, or was he released because of his physical condition?

Hon. Mr. Grossman: He had completed his sentence before he died.

Mr. Troy: I know, but before his discharge—the hon. member should be on the Pierre Berton show with that psychiatrist.

Hon. Mr. Grossman: Well, I hope the hon. member will make it clear, for the record, that his last remark about being on the Pierre Berton show was directed to his hon. colleague and not to me, because the record would show it otherwise.

My acting deputy tells me that he is familiar with the person to whom the hon. member is referring and he informs me that he was released, his term had expired, and it was subsequent to that that he went in hospital and passed away.

Mr. Troy: Thanks very much. I found out in the army that sometimes they used to release chaps who suffered from TB and then they—

Hon. Mr. Grossman: Well, of course, the hon. member knows we would not have the authority to do that. We cannot release people when we like. Either their term expires or

a parole board, which acts independently of any other official in our department, would have to parole a person if he were eligible for parole.

Mr. Troy: You are more humane then.

Mr. F. R. Oliver (Grey South): Has any agreement been consummated with a number of counties for the erection of a district jail?

Hon. Mr. Grossman: No, Mr. Chairman, not yet.

There are some, as I mentioned the other day, which are fairly imminent. There was at least one group which was prepared to make an arrangement with another municipality, and at our urging is having a discussion with a third municipality, because we think it would be a more viable unit. They have just recently been having discussions with the municipality. There are a number in this particular category, and my hon. friend will also appreciate that it takes quite a while to get these things organized. We started it last year and we feel there are some imminent just now. None have signed.

Mr. Oliver: Has the department laid down rather concrete specifications as to the capacity these jails must have, or the number of counties that must be involved?

Hon. Mr. Grossman: Yes, in each instance we have had some fairly detailed figures to show them the approximate cost, the accommodation, percentage of maximum and minimum security and that sort of thing. As a matter of fact, the hon. member for Wellington South sat in on a meeting of those concerned in his area and he is familiar with all of these details which we have provided.

Mr. Oliver: What would be the capacity that the department insists on? What would be the capacity of a new institution?

Hon. Mr. Grossman: That would depend on a particular location. We would not want them to go over 250, in any instance. Most of them will not, I think, reach this capacity; most will have about 100.

Mr. R. Gisborn (Wentworth East): Mr. Chairman, I expect the hon. Minister is aware that over the past several years the grand jury's report in Hamilton was to the effect that the Barton Street jail facilities were quite antiquated and should be torn down and replaced. I take it from his previous remarks that the hon. Minister knows about the negotiations between Hamilton and, I believe, Halton county, about building a county jail. This has been going on for some time.

What I was concerned with is where the jail may be in Halton county; this, of course, will be some distance from where the present Hamilton city jail is. There will be extra cost to the city of Hamilton for transportation back and forth. I understand that the hon. Minister has said that it is a 50-50 proposition, and the department foots 50 per cent of the bill. Does that mean that the counties will have to negotiate the other 50 per cent share?

Hon. Mr. Grossman: The government has not committed itself to paying any portion of the cost of transportation. This is a matter to be worked out with each particular group, because they do not all have the same problems. As a matter of fact, I doubt very much whether the Hamilton group will have this problem at all.

Mr. Gisborn: My question was not in relation to just the transportation costs. It is the capital cost, I understand, that your department is concerned with. Will it be left then to the other parties to negotiate their share of the other 50 per cent in relation to the circumstances?

Hon. Mr. Grossman: Yes. There is no problem here because there is a basis for the formulae for this. As a matter of fact, Hamilton has such a basis because it has had a working arrangement with the county of Wentworth. They have had this sort of arrangement with them and they know what percentage to charge them. It may be per inmate; I am not too sure at the moment. They were quite prepared to go ahead, incidentally, with the county of Wentworth on such a regional detention centre. It was that group which, we suggested, discuss matters with Halton, because we feel this would be a more viable and more logical unit. The discussions are apparently going on, and are on a very amicable basis. We hope they will come up with an agreement shortly.

As for the percentage, this is easily worked out. It is usually on a per capita basis, based upon the number of inmates coming from that particular municipality in the previous year.

Mr. Sargent: Mr. Chairman, I take it, Mr. Minister, that your allocation of the cost of these district jails will be 50 per cent by the province and 50 per cent by the county? Is that correct?

Hon. Mr. Grossman: We should get our terms straightened out again. District jails are those jails operated by The Department of Reform Institutions and the unorganized territories. The hon. member is probably

referring to the new regional detention centres we are talking about. We will pay 50 per cent of the cost of construction. The other 50 per cent will be shared by those municipalities entering into the agreement on a formula arrived at by them, which will generally be along the lines I suggested to the previous hon. member—on the basis of the number of inmates usually handled or sent in by that particular municipality.

Mr. Sargent: Is this the policy of the government?

Hon. Mr. Grossman: Yes.

Mr. Sargent: Does the hon. Minister of Municipal Affairs (Mr. Spooner) agree on this apportionment? To charge 50 per cent of the cost, which you say has been suggested, against real estate again? In other words, you are going back into the old slot; we are charging the cost.

Several hon. members: Vote carried.

Mr. Sargent: Just a moment. This, I take it, is a new policy of the government to charge 50 per cent of the cost of these regional jails against counties and municipalities.

Hon. Mr. Grossman: It is really not a method of charging. It is a method of picking up 50 per cent of the cost for which they were completely responsible previous to this. A county is responsible for the construction of its own jail; we are now picking up half the cost.

Mr. Sargent: What makes you think this is a just charge against real estate? I think we should establish now that it is the policy of this government to continue to charge the cost of jails against real estate.

Hon. H. L. Rowntree (Minister of Labour): Who said anything about real estate? It has not been mentioned before.

Mr. Sargent: I know it has not. It is time someone did mention it.

Hon. Mr. Grossman: Mr. Chairman, with all due respect to the hon. member, I do not think that this is a matter under this vote.

Mr. Sargent: It certainly is. We are talking about reform institutions.

Hon. Mr. Grossman: If the hon. member thinks that our new plan, in which we have made, I think, a rather generous offer to pick up 50 per cent of the cost of construction of a new unit, is not a good one, and it will

help the local property taxpayer if we do not pick up any of the cost, we will consider it if he cares to put that on the record. We will consider it.

Mr. Sargent: Mr. Chairman, let us not kid ourselves. We do not have a plan. All you are doing is talking.

Mr. W. D. McKeough (Kent West): Listen to who is talking.

Mr. Sargent: Mr. Chairman, the hon. Minister asked his two assistants: "What is the size of these?" How many know the answer? Two hundred, 250, or maybe 100. We do not know. He is just talking.

Hon. Mr. Grossman: Mr. Chairman, I have pointed out that that would depend on the location. There are some locations which would require a larger unit, and other locations would require a smaller unit, depending on the particular location. If the hon. member would like some samples, and while I do not know whether we have any here, we could provide them.

Mr. Troy: Mr. Chairman, for the benefit of the leader of the House, these estimates would get along a lot faster if you gave some advice to some of the people in the cheap seats. It seems to me, too, sir, that there are very definite regulations that you do not call people by their first name. Certainly everybody knows him as "Eddie," but in this House he is the hon. member for Grey North. I think I am correct in saying, too, that you do not call the districts of northern Ontario unorganized districts. I think you call them territorial districts.

Mr. Worton: Lesson number one.

Hon. Mr. Rowntree: Mr. Chairman, I think the remarks of the hon. member for Nipissing are well taken and apply equally to the hon. members of the Opposition as well. Now, let us get on. I was probably interrupting a big point that was being made there.

Mr. McKeough: Not very big.

Mr. Troy: I would say touché, monsieur, we also have sinned.

Mr. R. M. Whicher (Bruce): But not nearly as much.

Interjections by hon. members.

Mr. Troy: I want to ask a question of the hon. Minister, Mr. Chairman. What are the qualifications for employment as a custodial officer in a district jail?

Hon. Mr. Grossman: Mr. Chairman, the same requirements as for the balance of our institutions, that is, the reformatories. I went through this yesterday. Incidentally, I do not want to inhibit the hon. members from asking any questions, but really this matter of district jails and so on come under the first vote.

Mr. Troy: And also, with respect, Mr. Minister, under vote 1903, the vote we are now on.

Hon. Mr. Grossman: And while I am on my feet, I want to apologize to the hon. member if he takes umbrage at the fact that I referred to unorganized territories instead of territorial districts. Being a man from the little village of Forest Hill, near Toronto, I sometimes forget these things.

Mr. Troy: No, I do not take any umbrage. I notice the hon. Minister of Education (Mr. Davis) had apparently given a lesson, according to the press, to my hon. leader (Mr. Thompson).

Mr. Young: Mr. Chairman, before the vote is carried, I would like to call the attention of the House once more to the need for the halfway houses and the facilities for our work among young people.

I want to bring for the information of the hon. members a report which was brought on February 1, 1965, before the social service committee, and then the Toronto Centre Presbytery of the United Church, by Jean Stacey, the youth worker of Bathurst Street United Church. This was in respect to the need for halfway houses for homeless youth in the Metro area; what he says here, of course, applies not only to Toronto but, in lesser ways, to other centres in the provinces.

Hon. Mr. Grossman: Mr. Chairman, it is difficult enough keeping up with the votes. The hon. member, I suppose, is going to develop the philosophy that we should encourage halfway houses with more grants. This comes under the first vote and we discussed this rather thoroughly. It really does not belong in this vote.

Mr. Young: Mr. Chairman, I will leave this and perhaps at some other point bring it before the House.

Mr. S. Lewis (Scarborough West): Mr. Chairman, obviously I do not wish to prolong this vote unduly. Since we are verging on the finale of this lengthy and informed discussion on reform institutions, I would like to

bring part of our discussion yesterday to a close with two or three final observations—on my part at any rate, unless I am otherwise provoked by the hon. Minister—final observations which arise out of some of the discussion yesterday and some of the figures he gave to this House today.

I want to suggest to him and to every hon. member in this House who has any interest in the subject, that the figures he gave some two to three hours ago on the complement of social workers and psychologists in our training schools in the province of Ontario for children under the age of 16, means that we cannot do an effective job in those training schools.

I say to him, with some measure of sorrow, that with the best intentions of the world, the training schools must necessarily fail in their job to some significant degree if they do not have adequate staff. If the hon. Minister says to me, as he is wont to do, that no jurisdiction has adequate staff, then my response is simply that that is not a sufficient rationale. In fact, all that says is that we are operating here at a better sub-standard than other jurisdictions. That obviously cannot satisfy the Opposition, Mr. Chairman.

There were two points made yesterday afternoon which require repetition.

First, the hon. Minister implies that the figures of disturbed children which were raised in this House were unnecessarily extravagant. I want to say to him that the case I read into the record yesterday, although obviously unique of itself, was symptomatic of case histories multiplying into the thousands. Every informed group on this subject—and over the past night I went back and looked at some of the figures—indicates that a three per cent minimum of children in the province fall within this category of needing intensive treatment. That three per cent minimum amounts to something like 80,000, and I for one shall not retreat from that figure.

Second, Mr. Chairman, in a somewhat cavalier way—and I suspect that this transferring of notes from the wings to the hon. Minister is not an efficient way of conducting business—in a somewhat cavalier way it was stated categorically in the House yesterday that there is no treatment for the psychopathic personality. I have also done a little investigation into that particular contention. I have in the interim spoken to some psychiatrists, and indeed to the Warrendale people who were mentioned in this House yesterday.

The facts that emerge are these: the general area of the psychopathic personality is a broad definition of one kind of character

disorder. Indeed, psychopathic personality, I am informed, applies primarily to adult personalities and that the children are beset by what are called character and personality disorders of an exceedingly severe and fundamental kind which could, in fact, if given the opportunity, be adequately treated within an intensive treatment milieu prior to the age of 10, 12 or 16.

In fact, that is exactly what we are doing at Thistle town. The hon. Minister of Health (Mr. Dymond) has spoken of what is happening at Thistle town. These severe character disorders are, in fact, to some degree, adequately treated there.

I want to suggest to the hon. Minister that we should not dismiss this area in sweeping fashion. There are treatment milieux available. They should be developed within his department as well as within other departments. I do not think that we in the Opposition should have the ground cut from under us by the sweeping assertion that there is no treatment.

There is only no treatment when no effort has been made. When the channels are closed and the facilities are not available, obviously there cannot be treatment. I say to him again, in closing, that he should develop these centres within his department.

Mr. Young: Mr. Chairman, there is one further question that I would like to ask the hon. Minister. I agree that perhaps the matter of halfway houses may be out of order in this vote and so I have dropped it, but I do want to take the Minister into the area of the detention cells in the Guelph reformatory.

When we were there some time ago we talked to one of the boys incarcerated in one of those cells and we noticed that he was reading a copy of the Bible at the time he was there and, we hope, profiting thereby. As we came out, and were talking, we noticed a pile of Bibles, fairly well worn, in the area.

I did not ask the question at the time, but I wonder whether this is the only reading which is provided for the inmates in the detention cells. I can understand that they might profit greatly from this kind of reading, and also they might find some rather spicy reading in certain parts of the Old Testament too. It seems to me that if the Bible is going to be associated with detention in this way, then it is questionable as to whether the person who is detained is going to develop a very high regard and a deep love for this great book of books. I wonder if the hon. Minister could enlighten us as to whether this is indeed the sole reading that is provided in this detention area?

Hon. Mr. Grossman: The hon. member will appreciate that Bibles are available to everybody in the institution. There are some institutions where a person who is in detention has other reading privileges taken away from him, as a privilege removed for punishment. This is not standard for everyone in detention, Mr. Chairman.

In respect of detention, privileges removed, and so on, I will repeat again what I said earlier, that there is research being done under Professor John Spencer of the University of Toronto school of social work on this whole matter of discipline. We hope to have a report on all of these aspects: What effect they have, which are good and should be retained, which should be removed, and so on.

Mr. Young: So reading is denied in all cases except for the Bible?

Mr. R. F. Nixon (Brant): Mr. Chairman, in the answers the hon. Minister has given in response to questions concerning jails he has referred to regional detention centres. Are we to assume that it is high policy then to do away with this term "jail"?

An hon. member: You asked this three days ago.

Hon. Mr. Grossman: As far as is possible it is our intention to combine as many of the county jails to provide an effective modern unit.

Mr. Nixon: So the term "jail" would no more be used? Is that so?

Hon. Mr. Grossman: Quite possibly, yes. Vote 1903 agreed to.

Mr. Chairman: This completes the estimates of The Department of Reform Institutions.

ESTIMATES, DEPARTMENT OF LABOUR (continued)

On vote 908:

Mr. S. Lewis (Scarborough West): Mr. Chairman, I was just going to ask one question, and perhaps I can make an observation.

Unlike some of the hon. members in the House, I did not find the hon. Minister's (Mr. Rowntree's) terminating remarks last week too uncharitable. I wish him to know that I did not pretend in my presentation to be opening new ground. I recognize that this has been well covered.

I therefore wondered, in that particular context; is it possible for the hon. Minister at this time to give to this House a sort of systematic outline of areas, proposed areas, for research within the department and how he intends to develop liaison with the federal department?

Hon. H. L. Rowntree (Minister of Labour): Mr. Chairman, with respect to research, this is a very wide subject. There are many aspects of it. In fact, one could assign staff to do nothing but correlate all of the points that are involved and the possibilities. This in itself is a problem, to determine the starting point for an effective research programme in this field.

Now, I would say this, that I think we would all recognize that there are two basic types of research. One category might include the regular accumulation, say, of statistics, and the accumulation of material on certain subjects on a continuing basis to determine trends, and things of that sort. Then there would be special research on an ad hoc basis—a special subject, special areas, that should be tested, looked at in detail and in depth and then a determination made as to whether that subject or area should be dealt with on a continuing basis.

I will be quite frank in saying that at this moment there are many of those areas that are before us which will have to be decided upon.

We have had, in our labour relations board branch, a research operation. That is being brought into the main area of research of the department. We have always had what is called the statistical branch, which has done research work and has had a qualified economist at the head of it until last fall, when she returned to take up some further post-graduate work.

Then I have to correlate. We are talking about available manpower; we are talking about human resources. In the context of the debate the other day with the hon. member, it is in this area that I recognize what he is talking about. The great problem is to try to determine the starting point. In so determining a starting point, I would hope that this is but the beginning of a research in itself. But we must not have this thing—we have to start at some solid point. Let me also say that in dealing with the requirements of The Department of Labour as such, and it is for that department I speak, there are other requirements of a similar nature, but somewhat different, that would apply—I am talking about information—in which The Department of Education would be interested.

We, in the government, would feel that this thing must be analyzed not on the basis of who is going to be responsible for what, because we have very effective and satisfactory liaison and relationships with our colleagues in the senior echelons of the education department. I did not mention economics and development; I should have, because once again there is a third area. There are three main areas that we are talking about and, obviously, there is tremendous overlapping. I would think that the hon. members of this House and I, as the Minister of Labour, would not want to see this duplication, because these studies and this type of work can be an expensive proposition. I think probably an equally important aspect of duplication is that it involves a waste of time, and does not let us get on with the job.

At the moment, I would like to read into the record a statement dealing with my department's programme in relation to automation and technological change. I am sorry if there is repetition in some of this, but probably I should give it to you *in toto* so that the context is there:

Generally I feel that increased productivity must be encouraged to the fullest extent in Ontario if high employment, full production and purchasing power are to be maintained. We have benefited greatly from technological improvement and rising productivity which have been made possible. The government encourages the acceptance of technological change by management and labour alike. However, it is increasingly evident that the private sector of the economy, particularly management, labour and education, cannot successfully cope with all the complex problems stemming from technological change. When they cannot adjust satisfactorily, the government is left to formulate and adopt policies to minimize any disturbing effect of this growing technology on the individual employers and communities.

For individuals, the most serious effect has tended to be unemployment caused by lack of skills and training. Employers unable to adjust cannot produce as efficiently as their competitors because of obsolete and obsolescent technology and administrative processes. Adverse effects on communities are declines in industry and employment, resulting in financial and social problems.

So I am simply stating here that there is an overflowing effect on all segments of the community and the economy.

With respect to changes in technology, they are resulting in (a) some shortages of skilled

workers—for example, in metal working, highly skilled construction, forest and wood products operation, automobile repair and clothing manufacturing; and (b) some automation but little displacement of workers—for example, clerical work, handled by automated electronic data-processing equipment. Up to July of 1962, only 2.4 per cent of the work force in organizations using computers for commercial or business data processing were at all affected—meaning forced to undergo training, transfer to other jobs or lost their jobs. Now for the third category, the results from technology, changes in education and skills demanded of our labour force. Generally, these changes are of a gradual nature and can be combated by a combination of increased broad level education and specialized training, but automation and technological change have created new industries, industries which are wholly based on automation. Thousands of new jobs have greatly increased industrial productivity.

It is our view that we need to expand our knowledge of these items which I have noticed. We need to expand our knowledge on present and future manpower requirements of industry. We have discussed that. We need more information and knowledge on developing trends in production technology. Next, we need changes in skill requirements. Knowledge of the extent and effectiveness of private industry's education and training programmes is required, because in many areas of private industry the technological change is discussed and advanced in co-operation with labour. There are areas where it does not and, of course, they become the exception and much attention is drawn to them. Sometimes there are instances of industries employing large numbers of people—I simply point out that this move forward is part of social or economic change. In many instances it is done on a co-operative basis at the moment.

We need more information on training programmes which private industry has; we need more information on what additional education, training and retraining programmes are going to be suitable. And, of course, as I said earlier this evening—we were talking about that total reservoir of human resources, a phrase which may be lofty in one sense—probably it is the humanitarian description of what we are talking about.

In The Department of Labour's programme with respect to research, I would say that we need greatly expanded research conducted by our own department, expanding our own research department, and its staff, outlining research projects, co-ordinating research with that of others working in this field, and are

currently attempting to forecast skill requirements for industries to determine employer attitudes toward and responsibility for industrial training and to evaluate existing incentives for industrial training.

With respect to industrial training itself, we are helping to meet our changing skill requirements in these ways:

1. By greatly increasing the capacity of existing apprenticeship training, restructuring existing apprenticeship programmes and setting up new apprenticeship programmes.

I put it in this fashion because on the one hand we have what may be described as the pure theory of the thing. It has to be brought down to the individual on a practical basis, and that would be exemplified and reflected in the case of our own department by what we make available to an individual who needs this type of either basic training or retraining as the case may be.

2. I think we must provide guidance and funds to aid industry in developing in-plant occupational training and retraining programmes.

It is under this heading that the response from the announcement of the department's reorganization and the revamped apprenticeship branch has brought forth a very substantial number of inquiries. By that I mean something in the order of, as I tried to indicate the other day—and this is my own estimate—something in the order of 100 of what I regard as legitimate inquiries from industry saying that they are in the business of manufacturing this, are located at so and so, have so many employees, our equipment is wearing out. On the one hand where, they ask, do they go from here; and on the other hand they are short of help. In other words, putting the kind of practical problem which I think, in an operative sense, we all have in mind when we think of The Department of Labour.

3. We will work in concert with both labour and management outside the crisis atmosphere. I am covering several factors when I put it in those words, because where the crisis atmosphere exists I think that this is something that just has to be set aside until the climate is more favourable to a calm approach to certain subjects.

Mr. S. Lewis: Or compulsory arbitration.

Hon. Mr. Rowntree: I had not thought of that in this connection.

Mr. K. Bryden (Woodbine): The hon. Minister is liable to start thinking about it.

Hon. Mr. Rowntree: I do not know about that. We are talking about the co-operation that is required between labour and management in an effort to find solutions to problems which cannot be resolved entirely by the collective bargaining process. There will have to be variations probably—as against those that we currently accept as normal or as the vogue, as the case may be. Changes in the approach to collective bargaining, and probably the philosophy of it, so that labour and management will recognize the need for this type of solution to the problem.

4. We will co-ordinate research and expenditure with our provincial and federal agencies in this field.

Now, if I might just stop there for a second I will just complete this. With respect to collective bargaining I would point out that I see in the future increased demands being placed on the conciliation branch, on this very subject alone, which should involve, frankly, retraining of some of the members of our conciliation branch.

We have already commenced and are moving in that direction, one member of our staff having been assigned for a period of weeks last year to instruction with respect to computers. I would think that we would require that type of training within our branch, if for no other reason than to be able to discuss intelligently with the two parties the problems that face them.

Some of the parties—meaning labour and management—are able to bring to the bargaining table men from their own ranks, or their own side, who are trained and who are experts in these fields. But I think even there the middle party—the conciliation branch—must be qualified so that it, as a branch, may keep pace with that particular set of negotiations.

We must improve the functions of the conciliation branch by undertaking research to define issues in dispute and to bring collective experience to bear with respect to the matter. I think we must be able to make available unbiased information to both parties in this whole area to assist them in reaching agreement.

Under a separate heading entirely, I have noted this: I think we must give very careful consideration to the protection of employees against potential economic hazards stemming from technological change, or even changes in any employment pattern which may arise.

I have mentioned the conciliation branch with reference to this general subject of research because within our own staff in the department this is one area that we must look

at very closely to see that they are abreast of the current position in these matters and able to take their proper role in the conciliation process.

Now, I would like to make some reference to the federal situation and federal liaison with the provincial Department of Labour. You will understand that from the federal point of view it is the federal Department of Labour which is the administrative branch and assumes responsibility for grants under all the educational programmes, whether they should be original education grants or matters which are operated by our Department of Labour, such as programme 4. Now, when we have interprovincial meetings to discuss these matters, sometimes we are talking with a Department of Education official, but most frequently with Department of Labour representatives.

At the moment, Mr. Chairman, there is pretty much a consensus that the areas we are covering are the areas for which a department of labour in the provincial field in Canada should be responsible.

This, of course, restates what I already said. It simply means that the federal Department of Labour is dealing with education in matters purely relating to the work force.

Our liaison with the federal Department of Labour is excellent. I say that quite frankly. It has been a matter of interest to me to see that this relationship not only is established on a proper communicative basis, but that it is a working liaison. I would think that a period of two to three weeks would not go by without a senior official of our department visiting with the federal Department of Labour at Ottawa. In other words, it is on a regular continuing basis, and in many instances on a most personal and confidential basis.

I must say that there is an overlapping—we were not talking about legislation, we were talking about programmes and getting at this subject of automation—there is an overlapping within the federal government, as I have indicated there could be in our provincial field, but there is also an overlapping between the federal jurisdiction and ours. My view again on this, as with dollars, is that there is so much work to be done that we should steer a careful course so that we are not again duplicating what the federal people are doing. This can be worked out with the federal people. They recognize this principle and we are agreed that the areas to which we will apply ourselves should be areas that are not being covered by them. Then there should be a mutual exchange of information.

On certain studies that have already taken place, they have involved The Department of Economics together with The Department of Labour, working in conjunction with the federal groups, to put forth a joint team. At least two, I think it is three, major surveys are area surveys. Quite frankly, they are but the beginning of an approach. There is enough nucleus out of these three surveys at the moment to tell us something already in this early stage. But this was a joint effort by the federal and the provincial government, and I think it is a good thing. Frankly, I say to the House that this co-operation—and I have no reason to think it will not continue, it will in their interests as much as ours—is going to enable us to open up some new fields faster than one might ordinarily have expected.

To get at all of this, the organization of the blueprint, as we call it, involved complements for our own research branch. There is no point in getting complements and just have bodies; you are better to start to get the thing going on a solid basis under a confident director of research. The total staff of the research branch of The Department of Labour, as authorized at the moment, is 23, and I think that this will give us the basis—more than the basis; it will give us the operation to really move. I say to the House, quite frankly, that there is no time or place in this fast-moving world of change for any guesses as to these matters. They cannot even be calculated risks or guesses at all. They must be based on solid information. If they are not, I think we will be largely wasting our own time, and it is against that kind of approach that I lay strong emphasis on this research bureau.

We were able to select a director this last fall. It takes some weeks to get a new branch going, and get into your estimates. We were encouraged, although I had been informed that a good economist would shy away from our area and might not be interested; but experience has proven that that was not the fact. We have a very fine group of men with great qualifications who applied for this position. The man who was selected was Mr. John R. Kinley. I would like to tell the House a little bit about Mr. Kinley; against what I have said this evening and earlier in the debate, I hope you will agree that he has the qualifications and the practical experience to make a constructive contribution in this field.

I made some reference earlier, which I did not pursue, to the question of pure theory. Pure economics, of course, is a very essential thing. Pure economics has to do with industry,

the work force or population, or whatever it may be. Pure theory is a basic requirement, of course. But the kind of economics that we need in our department is practical economics—economics that mean something, that are workable, mean something to an individual, to an employer, to a group of employees, to a labour union, to anybody from the public who may seek advice. It is against that position of practical economics, and the desire to supply and be able to supply and be a source of unbiased information, that I have approached this subject.

Mr. Kinley is with us tonight. Many of you will be dealing with Mr. Kinley. He was born in Port Hillford, Nova Scotia. He obtained his primary and secondary school education in that province and graduated from the Nova Scotia normal school with a teacher's diploma in 1940. He joined the air force in 1941, took a number of courses in radar and navigation, and was actively engaged in maintaining radar equipment and teaching air navigation until 1945.

He then returned to Dalhousie University, where he obtained a BA degree in economics and history, and then pursued his post-graduate studies at the University of Toronto, where he received his MA degree in economics.

From 1949 until the present, he has been actively dealing with labour problems, mainly in the research area, but including planning and carrying out of specific assignments; acting as conciliator in labour-management disputes, administering labour legislation and preparing policy and action recommendations for the national conference board and Canadian National Railways.

But hear this. He has served four years as an industrial officer with The Department of Labour at Ottawa, three years as a survey officer with the central Ontario industrial relations institute and seven years as a research specialist and liaison officer with the national conference board in both Montreal and New York. For the past two years, before joining our staff in January of this year, Mr. Kinley was the research economist of the industrial relations research branch of Canadian National Railways in Montreal.

I do not think I will add any more to what I have said. We are very happy with this appointment. With this kind of appointment and with these kind of qualifications, we should set the pattern for the kind of people we want in The Department of Labour if we are going to make the progress which the people of this province not only expect, but are entitled to have.

Mr. J. P. Spence (Kent East): Mr. Chairman, the hon. Minister has outlined the programme that he is carrying out to qualify labour for industry, or to educate labour in the industry branch. I wonder if the hon. Minister is quite well aware that there is a shortage of a skilled farm labour force in the province. I believe on December 9, 1964, he said that there would be a continued decline in the farm labour force of the province of Ontario.

I might say to the hon. Minister that the national employment service, along with the hon. Minister of Agriculture (Mr. Stewart) and his officials, made a great effort in 1964. I understand they are now to overcome the shortage in the farm labour force in this province. I wondered if there was any programme carried out by the hon. Minister's department in regard to training some of the labour force along the lines of the agricultural industry in the province of Ontario?

Hon. Mr. Rowntree: In one sense this might well be regarded as an agricultural problem or a problem for The Department of Agriculture, but we do not look at it that way. For some time, we have been exploring and looking into the question of shortage of agricultural workers.

I spoke to a convention of, I think it was, the vegetable growers association, in Toronto early this spring or last December at which time I spoke on this subject of farm labour shortage. I pointed out to them the results of our investigations up to that point and I would say this, that the percentage of the population engaged in agriculture will continue a steady decline. Whatever the situation is at the moment, there will be a continued and a greater shortage of agricultural labour if the trend to move from the farm, the rural area, is continued.

This has been researched against the known figures in the United States and the percentage of the work force in the agricultural field there is much smaller than ours and the obvious conclusion is that we are only beginning to see the outside of the problem which the hon. member so properly raised.

The mobility of labour is involved—this vote is really research—and I think the subject the hon. member raised is so important that if the House will forgive me I would like to speak to it for a moment or two.

The mobility of labour factor, how labour becomes mobile as it is in the United States, for instance, is important. Certain people like to be on the move. A couple of months here, six months there, and so on. But they

can move within climatic areas in the United States and make the mobility factor of labour an advantage in the supply of seasonal workers. When it is cold in one area, of course, it is not a crop-picking time or a reaping time, so they go to another part of the United States where it is. In addition to that, they were able to use labour, some years ago, of course, from Cuba; but certainly now from Puerto Rico.

When we look at the conditions which exist in our province, and indeed in the whole of Canada due to the climate, this mobility situation is one which we just do not have the opportunity to make as effective.

Our studies have gone into the question of health, housing accommodation, supervision, wages. It has gone into the thing, I would not say in total depth, but in a great deal of depth. At one of the meetings at which I spoke I said that I did not see any objections from our point of view if they opened the doors of our borders and broadened our national immigration policy to enable some of the seasonally mobile workers from the United States to come in where we have seasonal needs.

Then we had a meeting with some of the agricultural federations. It was a Cabinet meeting at which we received them, and a large part of the time at Cabinet that day was spent on the very subject that the hon. member is discussing. Sometimes we never know the power of our words. Maybe all of us should be very careful about these things; but we were talking about extending our horizons and trying to seek our own solutions, and it was following these meetings that a representative from Ontario went to Jamaica and to the Caribbean to see what arrangements he could make for trying to solve the problem that you and I know is so important. I have not talked to him since his return, but this will be followed up.

I do not know that there is anything I could add to this. There is a great awareness of the problem the hon. member mentioned and quite possibly I think one of the things that will help agriculture is a total—I want to be careful how I describe this—a businessman's approach to agriculture. It is applied to many areas of agriculture today, and there is no question that the extension of compensation to agricultural workers is one of those things that will help put it on a solid basis.

It does not make the cost of farming any cheaper, I will tell you that. In relation to the decreasing number of people available, the solution may well be found in improved and new types of machinery. Some of these new types of machinery, such as potato

pickers, which will dig the ground and sort the potatoes, tomato pickers which put them into some kind of package arrangement for marketing all in one step—these machines are available.

Of course, I know only too well that farming generally is not profitable in this province. I think a person with a 100-acre farm is probably knocking his head against a wall and is working for wages, but what kind of wages? They are not even good enough wages to work for. I say that quite frankly. It may be that one of the first questions of automation and technological change with respect to farming equipment is already upon us. The immediate problem is how they are going to finance that equipment so they can get into the modern type of operation.

Of course when I approach this field I am getting a little bit beyond The Department of Labour; but they are all related to this basic problem and it is something in which this government is very much interested.

Mr. Spence: Mr. Chairman, I appreciate the remarks of the hon. Minister. Those of us who are engaged in the agriculture industry do know ourselves that the agriculture industry, with what they get for their product, cannot afford to pay any more than \$1.50 an hour. Industry can pay \$2.62 and higher than that, and that is one of the reasons why there is a shortage in the farm labour force in the province.

But there is a need for a skilled labour force along certain lines in the agriculture industry. I do appreciate the remarks of the hon. Minister, and I do appreciate the efforts put forth by the hon. Minister of Agriculture in an effort to do something in regard to the labour force that is available in the province for 1965. But I must say that the inexperienced labour force that we had in 1964 has meant a tremendous loss to the agriculture industry, and this is a concern. If there is not something done a good many of those who are in the agricultural field along certain lines, in the cash crops or vegetables, are not going to grow them; that is all there is to it. They will go into some other line.

I was just wondering—

Hon. Mr. Rowntree: Is not the real problem there that we cannot wait until we lose our agricultural production and indeed our agricultural land? The time to put the research programme that we are talking about to work in conjunction with The Department of Agriculture is now, to try—and I think again the first thing is to correlate all the available studies on this continent that have been made

on it and then let us try to get somewhere with it.

Mr. Spence: I appreciate the remarks of the hon. Minister. He is quite aware of the situation and I appreciate his remarks.

Mr. B. Newman (Windsor-Walkerville): Mr. Chairman, under this vote, may I suggest several areas of study to the department? One I would suggest is the effects of the location of government and institutional facilities on a municipality. As it is today, most government institutions are centred in the Toronto area; possibly the decentralization of the department—

Hon. Mr. Rowntree: I think this is a little beyond our research item.

Mr. Newman: If it is, then I will suggest it to the hon. Minister of Economics and Development (Mr. Randall).

May I suggest another, and that is the effects of tariff and custom regulations and the administrative practices between Canada and the U.S.?

Hon. Mr. Rowntree: Mr. Chairman, this is federal; we have no control. We do not control the tariffs of this country.

Mr. Newman: Mr. Chairman, this may be quite true; it may be federal, and I did not realize the hon. Minister would look upon this in such a light. I thought that he possibly would be interested in seeing the effects the tariff has had on the communities that—

Hon. Mr. Rowntree: But that would be The Department of Agriculture.

Mr. Newman: Then may I suggest to the hon. Minister that he follow up some of the studies that have already been begun in the community of Windsor? We have had the first study that was instituted by the government, and that was the report of the Windsor economic committee of the Ontario economic council on the Windsor community. This was a study that we had requested as a result of the adverse employment conditions in the local community. I know the hon. Minister is aware of the contents of the report, and I would like to point out only two items in the report—one of them has already been suggested, and the other, possibly, the hon. Minister could look into with the hope of implementing it.

The one is an audit of the community manpower resources. Naturally, this might go into the ambit of the federal department rather than the provincial Department of Labour.

Second is the possibility of establishing an industrial relations research centre at the University of Windsor. We are suggesting that because economic conditions back in our community have been adverse in the past. Today, the pendulum seems to have swung the other way, but even though it may have swung, the number of unemployed in the community is still about the same as it was one year ago. The difference is that the influx of people from various parts of the province has meant a greater overall labour force, but still the same number of people are unemployed. When it comes to the—

Hon. Mr. Rowntree: On that point I would like to remind the hon. member that I know about the report to which he makes reference, a study of the difficulties alleged to exist or seem to exist in the Windsor area. But he must be aware of the special newspaper supplement which was distributed in many of the newspapers of this province last weekend, entitled "Windsor." It was about a 24-page supplement saying that everything is all right, we are back in the jobs; we are in business; good local government, good provincial government; good relations everywhere. It was a pretty happy story of existing prosperity.

Mr. Newman: Mr. Chairman, I do not deny the report; we concurred in the report. But I still would like to make the hon. Minister aware that the numbers of unemployed are still the same. There is a reason why these people are unemployed; possibly this study that has been conducted by the community, or actually by the Greater Windsor industrial commission in distribution in late 1964, does contain some information that would be most valuable, not only to the department here, but also to all hon. members of the House. The last report was conducted by the federal department, and that was a survey of labour market conditions in Windsor, 1964. This is a case study prepared by the economic council of Canada and undertaken by three professors from the University of Windsor—Professors Horne, Gillen and Helling.

This report is probably the one that is the most valuable of the three from the conclusion it draws.

Mr. Chairman, I will not go into any detail concerning it, but I would bring up the seven points, the summary of the major findings of that report. These are very important.

Hon. Mr. Rowntree: The study of Windsor is already in progress.

Mr. Newman: I beg your pardon?

Hon. Mr. Rowntree: The study of Windsor and employment and so on is presently under way.

Mr. Newman: The hon. Minister has another study in addition?

Hon. Mr. Rowntree: No, on our own basis.

Mr. Newman: On your own basis. May I ask the hon. Minister how long will it be before he expects a report?

Hon. Mr. Rowntree: Well, I referred earlier to the fact that some three areas have been studied and researched. Windsor, I think, will be the next one; it is presently underway. We have got to draw conclusions from it in two fashions. Firstly, conclusions specifically directed to the area. We will use information and studies such as the hon. member has mentioned, but then we must draw total provincial conclusions, as well.

Mr. Newman: Thank you, Mr. Minister. I would like to put in these seven recommendations because I think they are of value not only to the Windsor area, but to any area in the province that may suffer from adverse employment conditions.

One is a greater effort to persuade students not to drop out of school until they have exhausted their capacity to learn. That is general knowledge.

The second is better use of the Canadian vocational training programme to improve the employability of persons unemployed temporarily or for longer periods.

Third is more concentrated use by both employers and unemployed of the centralized services of the national employment service.

Fourth, improved efforts to alert unemployed persons to job opportunities outside of the community.

The fifth is the need for revision of the tax incentive programme to attract new industries to the area, so that the programme is better designed to meet both the labour conditions, wage structures and available skills.

Sixth, increased use of in-plant programmes to assist employees to prepare for reclassification of jobs.

The last point is the need for local seminars for employers, trade union leaders, national employment service officials, and Canadian vocational training officers to improve the use and effectiveness of the CBT programmes.

Mr. Chairman, the community has been very favourably affected, to date, by the recent auto trade pact. However, a good

study could be conducted at this time concerning the effect of the auto trade pact, not necessarily on the community, but on industry in the area because, as the hon. member for Essex North (Mr. Reaume) mentioned several days ago, there is concern among certain parts manufacturers that the—

Hon. Mr. Rowntree: That is presently being researched by The Department of Economics and Development.

Mr. Newman: Thank you for the information, Mr. Chairman.

Some of these parts manufacturers today have sold their businesses. The big three are purchasing some of these smaller suppliers and, as a result, will concentrate their manufacturing endeavours. A lot of other smaller suppliers will find themselves pushed completely out of the picture.

Hon. Mr. Rowntree: I shall be very glad to look into those matters that the hon. member has mentioned.

Mr. R. Gisborn (Wentworth East): Mr. Chairman, I was quite interested in the remarks of the hon. Minister in regard to the research programme. I think that it is needed and will contribute to some solving of the misunderstandings that we may have in regard to several problems.

I noticed in his prepared text in introducing his estimates that he mentioned one specific area of research, and that is having Professor Curtis, of the industrial relations centre of Queen's University, carry out a complete analysis and study of labour grievances and arbitration procedures in Ontario. Would the hon. Minister elaborate somewhat on the terms of reference and the problem that they are going to attempt to clean up with this study? The reason that it is mentioned in the hon. Minister's text is that it might have some particular application to the problem.

Hon. Mr. Rowntree: Queen's University—I assume the department of political economy of the department of economics—have for many years had a fairly highly developed branch dealing with labour relations. I had been talking with the principal of Queen's, Dr. Corry, and I understood that Professor Curtis, working under Professor Woods, was interested and intended to do some research work in this area at Queen's. Having in mind the fact that there are a number of other subjects and areas that I think require equally immediate attention, it seemed like an opportunity for us to assist them in their research

work by this grant of \$5,000 to accelerate the studies and see their recommendations with respect to arbitration procedures.

I think their interest lies largely in arbitration procedures and problems, in the complaints of delays and unavailability of named arbitrators and the question of techniques in handling arbitrations. It seemed to me that this was a desirable area for us to assist and we are going to assign this particular project to them.

Mr. Gisborn: Mr. Chairman, it will be a worthy project because this area is one that vexes those that are involved in it. But what strikes me is the pittance of \$5,000 to carry out a complete analysis and study of labour grievances and arbitration procedures in Ontario. Now, what in the world—

Hon. Mr. Rowntree: The hon. member has misread the statement. I pointed out that Queen's University was already going to do this research and in some discussion with them they said that \$5,000 by way of a grant from us, together with what they are putting into it, would make a worthwhile study. This is their figure; it is not the total figure involved in the study by any means.

Mr. Gisborn: How much will the whole study cost then?

Hon. Mr. Rowntree: Of course, I do not think I would want to comment, for obvious reasons, but I will certainly be watching to see how quickly they proceed along with the study.

Mr. Gisborn: I do notice that it says to assist, but I would think that the problem is one that would justify the department and the research branch giving them their heads and saying: Now, whatever the cost is going to be, it is there; and do a real job in this field because it is one that deserves the attention of a man with the ability of Professor Curtis and whatever staff he has to make a real particular project out of an investigation of the arbitration and grievance problem.

Hon. Mr. Rowntree: I expect to be seeing them in a matter of a couple of weeks to discuss the status of their work and I would be glad to keep that in mind, because I cannot disagree with what the hon. member says.

Mr. Gisborn: Mr. Chairman, before we get off on another part of this subject, I wonder if the hon. Minister would answer one part of the question I put before him previously in

his estimates in regard to the human rights code. He was going to get the answers and give them to me before we finished. The specific question was: How many prosecutions had been initiated under section 1; and if subsection 2 had in any way interfered with the procedure of prosecutions under section 1?

Hon. Mr. Rowntree: No prosecutions; six cases have been settled; two conciliations.

Mr. Gisborn: The question I am trying to get answered is: Did subsection 2 of section 1, in any way interfere, has it anything to do with making void a prosecution under section 1?

Hon. Mr. Rowntree: The answer is no; it did not interfere.

Mr. J. Renwick (Riverdale): Mr. Chairman, I would like to make a few comments on the questions relating to the research department. I read with considerable interest the blueprint that the hon. Minister issued some time ago about this departure in his department. I was concerned with the hon. Minister's remarks when he presented his estimates and indicated that we were interjecting an element of crisis into the discussion of this problem and I tried to find the best way in which—

Hon. Mr. Rowntree: Mr. Chairman, I would like to say that my comments—the hon. member is speaking of crisis in automation?

Mr. Renwick: Yes.

Hon. Mr. Rowntree: My remarks were intended to be directed to the whole world, not to any person in the House nor to any group. As a matter of principle, what I said I really believe in. I am aware that some people in this House might take another approach to the matter. I just wanted to make that clear.

As to the urgency of research, I believe in that too because I think if we are going to have a competent, modern department it must be based and supported by the best research operation we can get.

Mr. Renwick: Mr. Chairman, I appreciate the hon. Minister's remarks. I realize that there is an aura of crisis interjected on many occasions into the discussion of automation in any society, but in looking at it and trying to place it in its historic perspective in relation to this particular century I tried my best to phrase it myself and found myself unable to do so. I have a great admiration for a particular author in this field, Georges Friedmann, who has written a remarkable trilogy

on the whole problem. I assume that the hon. Minister is aware of it. There are some portions of it which are well worth quoting for the record in order to place this problem into its perspective.

In the preface to his first edition, he states the problem as follows:

Since the beginning of the century the human mind has been increasingly conscience-stricken in the face of its own activity and its own creations and with good reason. The destiny of machine civilization borne of the application of science to society everywhere provokes uneasy speculation exacerbated by the material and moral chaos into which humanity has been plunged by two world wars. Philosophers, writers, journalists and poets express and disseminate this uneasiness. Such subjects of discussion as the following are boldly announced on the walls of all our city buildings: What are we to think of mechanization? Is the machine for man or against him?

The work is in three parts and I again quote from the preface of his first edition to show the intense study which he made of this specific problem of our society over the last many years:

This work constitutes the second part of a trilogy to which I have given the general title of *The Machine and Humanism*. The subject of the first part, *The Crisis of Progress* was a study of the crisis in the ideologies of progress in western thought from the end of the 19th century to the eve of World War II. It was therefore concerned primarily with the history of ideas and studied the intellectual and moral repercussions of the adventure in mechanization into which humanity has plunged and in which it risks disaster. The second volume attacks the problems of mechanization themselves, restricting itself to the industrial aspect which, in itself, is a vast and varied field. The investigation and analysis are restricted to the workshops of large-scale industry; that is, to the mutual relations between man and the machines of production, leaving to a third volume, the task of studying as a whole the milieu of development of technical civilization, which also includes the technology of transportation, communication and leisure.

In completing his comments in his preface to the American edition, he states that:

The events of recent years, and above all the atomic arms race, have only increased the doubts and fears to which I drew atten-

tion in the first edition of this book. It is evident that amongst the ills from which humanity suffers in the 20th century, one of the most serious is the lack of understanding of the structure and effects of the new environment into which men have been plunged during the last century and a half by the rapid development of a technical civilization. I am well aware of the many imperfections in an individual attempt at an overall view of such complex issues and I hope, therefore, that these problems will gain wide attention and will attract teams of young research workers.

I assume it is within that context that the hon. Minister envisages his research plans for The Department of Labour. He spoke, in introducing his estimates, of the labour force standing, as I understand it at the present time in Ontario, at about 2.5 million people, and that unemployment at the moment is about 3.3 per cent, or some 80,000 persons unemployed within the province of Ontario.

Hon. Mr. Rowntree: Somewhat less than that at the moment.

Mr. Renwick: But it is still a substantial number of people who are unemployed in the province. The Deutsch report, as everyone must now know, indicates the total job opportunity requirement for Canada of 1.5 million jobs. I assume that this roughly approximates the projection of the labour force for Ontario which the hon. Minister presented to this House some time ago, which indicates that by, I think, 1971 there will be about three million people in the labour force in Ontario and, if the unemployment rate is approximately the same, we are speaking of a number of unemployed in the neighbourhood of 100,000 people, in addition to the need to create a further 500,000 opportunities for people to be gainfully employed.

The hon. Minister also stated in his introductory remarks that the creation of jobs must proceed at a rate about twice the actual rate which existed between 1956 and 1963. I comment on the perspective of the problem and about the magnitude of the problem, in terms of the hon. Minister's own figures to this House, to make certain that we do not underestimate in any way its complexity and do not reduce it simply to the problem of matching labour force skills to requirements.

I would like to comment somewhat more deeply on the study to which the hon. member for Windsor-Walkerville referred; the study of the labour market conditions in Windsor, not for the purpose of speaking specifically about Windsor, but for the purpose of indi-

cating to the House the kind of problems which are involved simply in the area in which the hon. Minister has cast the problem of matching skills to requirements.

The hon. Minister spoke of geographical mobility. In this study, which was a random one of about 1,000 unemployed persons in the Windsor area, the conclusion of the report is that resources spent in improving geographical mobility will be most effectively used if directed to increasing workers' knowledge of job opportunities outside their own communities.

In terms of the problems presented by the skills of the labour force in Ontario, the conclusion of the report is that this supports a general conclusion that the labour market has performed satisfactorily in moving workers within occupational categories into job openings, but has not performed its expected function of movement from excess supply categories into those with excess demand. There seem to be a number of factors inhibiting such movement. The training and education required to move into the more skilled occupations are extensive, and it is questionable whether the traditional programmes for apprenticeship training in some occupations are not unduly restrictive.

The report then makes its conclusion with respect to the Canadian vocational training programme by stating that even if those persons unemployed for six months are considered alone, enrolment is still not impressive. Within this group, only 15 per cent have enrolled in the courses.

The report goes on to state that of those who did enrol and did take the courses, there was a noticeable improvement in their ability to gain employment following completion of their courses.

Hon. Mr. Rowntree: I think that refers to programme 5 of The Department of Education.

Mr. Renwick: It is reiterated, therefore, that although the effectiveness of these courses could be improved, no person unemployed for any but seasonal or cyclical reasons can justifiably argue that the course would not be helpful.

It goes on to state:

We suggest, however, that the results of the survey in this regard placement might be brought to the attention of those in charge of the programme, and that they in turn should attempt to obtain the aid of employers and trade union officials in improving this record.

The other area which the report deals with

and draws a conclusion about is the number of older unemployed persons in the group which was studied, and indicates that of the group within which long-run unemployment is most serious, it would have been expected that this group would have had the highest proportion of enrolment in the programme; the advantages of specialized training would help to offset their age disadvantage. In fact, however, the proportion of those persons in any age group who took courses, especially for the unemployed, declines as the age level increases. It goes on:

This, in turn, together with the prevalence of long-run unemployment among older workers, suggests that one of the most effective policies in reducing unemployment would be a programme designed to persuade the older unemployed of the value of these particular courses.

The final conclusion, which I think is of very great importance at this time—and that has been noted, of course, in the newspaper recently—is the relative ineffectiveness of the national employment service. My concern, of course, is that ever since about 1940, when unemployment became, through the amendment to the Constitution providing for unemployment insurance, entirely a federal responsibility the provincial unemployment services were at that time discontinued.

The result of the study in Windsor is quite startling in that of some 832 persons who were looking for jobs and who were asked how they found their jobs:

Two hundred and ninety-eight persons heard of the job opening through friends or close relatives, being 37 per cent; 296 persons applied directly at the plants, for 37 per cent; 160 persons were informed of the job opening by the national employment service, which is a mere 13 per cent; and 78 persons saw an advertisement in the newspaper, accounting for the remaining ten per cent.

The conclusion of the study, which I think deserves to be recorded, is that:

The most efficient method in terms of time, costs and suitability of employee selected for the particular job opening is surely that of a central labour exchange. The knock on any door and the use of personal contacts approaches are haphazard methods of fitting job applicants to existing jobs compared to the method of selecting applicant and openings by a comparison of the qualifications and requirements of each. It is fairly clear, however, that the attitudes of employers are impeding the employment service in carrying out its proper function.

Now, undoubtedly the hon. Minister is well aware of those particular conclusions. But they do illustrate the extreme complexity of providing for the kind of in-plant training in which the hon. Minister is interested, so that a person may not just move from one job with the same skill to another job, but so that the person will be able to have the kind of training which will permit him to transfer his skill into a different occupation.

My understanding is that rather than have a simple regrading of persons performing semi-skilled functions over a period of time, it is going to be essential that this in-plant training programme provide a basic education in an occupational, vocational sense so that a person having that basic training and being employed in one particular task will find that he can transfer his skills into a different field. I think the studies have indicated that a person who has a sound basic training and a basic skill qualification is much more able to transfer that skill, even into a relatively unrelated field and carry on with his continuing employment in our society.

I would also assume that the time has long gone by when it is taken for granted that there is an occupational aptitude that an individual person has with which he must stick for the rest of his life. The purpose that this research branch will serve in guiding the form which in-plant training will take will be to provide occupational guidance for persons in the labour force so that they will be able to transfer their skills into openings into our society successively, not just once in the course of a working lifetime but a number of times during their lives. It would seem to me there is going to have to be almost continual occupational guidance for persons engaged in our particular complex society.

Again, because it accords with the viewpoint which we have here and which I am sure the hon. Minister has, I would quote from the book to which I referred originally, in which Georges Friedmann states:

The organization of transfers in a truly rational economy should be the object of permanent action by public authorities, constantly renewed and perfected according to the changes in occupation and the nation's needs.

I assume that we are not speaking of different things. I am attempting to state simply my reactions to what I believe to be the hon. Minister's programme for this particular branch of his department.

Vote 908 agreed to.

On vote 909:

Hon. Mr. Rowntree: Mr. Chairman, I had undertaken to have a debate on compensation at the end of the estimates.

Mr. Bryden: Before we go into compensation, Mr. Chairman, may I ask a question with regard to vote 909?

Hon. Mr. Rowntree: Oh, I am sorry, yes.

Mr. Bryden: This is quite a small question, but I was wondering what the department does with money that is no doubt accumulated in the fund on account of books never being cashed?

Hon. Mr. Rowntree: The answer is at the moment it is held in trust and I presume that at an appropriate time it will go into the consolidated revenue fund.

Mr. Bryden: None of it has been confiscated as yet, as far as you know, or escheated to the Crown, or whatever the term is?

Hon. Mr. Rowntree: No, not to my knowledge.

Vote 909, the amount is \$6.5 million, is authorization to pay out against the presentation of the books. The hon. member has raised an interesting point. I would be happy to look into that and I will speak to the hon. member about it.

Mr. Bryden: While the hon. Minister is looking into it, perhaps he might also find out how much money has accumulated which appears will never be claimed.

Hon. Mr. Rowntree: Yes, I will be glad to.

Mr. Gisborn: Mr. Chairman, before we go into workmen's compensation, the hon. Minister might be good enough to just give me a moment and perhaps answer a question.

During the estimates and dealing with pieces of legislation in regard to The Department of Labour, hon. members have often referred to the select committee's report and pointed out what it said and what it did not say. I would like to ask the hon. Minister with regard to the one recommendation, No. 49, which recommended that a select committee be appointed and sit every five years to review and examine the operations of the Act and its administration: I wonder if the hon. Minister has in the past seven years since the last committee reported given any consideration to perhaps having a committee sit again to look into some of the problems that have been dealt with in the past couple of years?

Hon. Mr. Rowntree: We are referring now to labour relations. I remember the recommendation quite well. It is not my present intention to call for that review. As the hon. leader of the NDP (Mr. MacDonald) so well and ably said the other day, there were times even in his career when one may have agreed to something at one time but at a later time, on further reflection, was not prepared to go along with it. I think that applies to all of us.

Now I do not say I am against reviewing The Labour Relations Act, but frankly the last two and a half years we have been engaged in trying to smooth out and go over the legislation which applies. This is currently still being done by me, as the Minister, and my efforts in that respect have not ended.

Vote 909 agreed to.

Mr. D. C. MacDonald (York South): Mr. Chairman, before we go to workmen's compensation, may I ask the hon. Minister whether he is in a position to reply to a series of questions that I raised on the second vote on apprenticeship?

Hon. Mr. Rowntree: Yes, I am and I am of two minds whether it is desirable to answer them here in the House. I have an analysis of five pages which I could read in. All of the allegations are not supported. There is an explanation for most of them.

I would say this, though, that you will remember the reference to—I think it was a blue card—Mr. Wolfe himself was the recipient of a blue card and then got his certificate via that method. It appears that it is against this system that he complains.

Mr. MacDonald: On that point, as I understand it, originally it was clearly understood that a blue card was an intermediate stage until you wrote your examinations; now, apparently, some people have had them for a long time.

Hon. Mr. Rowntree: It is still basically an intermediate factor.

Mr. MacDonald: Even for five years?

Hon. Mr. Rowntree: There are situations and allowances that have to be made. I do not think that rigidity factors should be established in this field; I think that some tolerance and understanding must be applied to take care of individual needs; we spend a good deal of time in the Legislature trying to establish individual rights.

But on this point, there was a question of

an advertisement. Let me give you an example. Remember the ad which said: "For work in a garage. No mechanic's certificate needed"? The explanation for that is that the man was wanted to work in the parts department, and to wash trucks. And it was a legitimate advertisement. The man was not to work on, I am instructed, the repair of motor vehicles. He was to work in the stock room and/or the wash rack.

There is an explanation. I had intended to send a copy of this to the hon. member, and I would be glad to do it. Frankly, it is in the tenor of the remarks I have just made.

Mr. MacDonald: I assume it is a reply to that lengthy letter that I quoted?

Hon. Mr. Rowntree: That is part of the investigation.

Mr. MacDonald: I will make one brief comment on this. While I was sharply critical of what I think has been a tendency on the part of the government not to enforce its regulations, I am not unmindful of the difficulties of moving into this field. Ever since I raised this last week I have had a fair flow of mail on the issue. I remember speaking to somebody who said they had had considerable difficulty with some make of imported car. They could not get it serviced at most garages they had formerly dealt with, but they found one garage. One day, they happened to be in this garage having their car attended to, when suddenly somebody appeared at the door and they said half of the staff just vanished, almost into the wood. All those who were talking English immediately started to talk another language. I am not going to identify it, but they went into their shell, so to speak. Then, when the inspector disappeared, these people came back.

This kind of situation exists and what worries me, on this and in so many other fields, is that if you have a law, I think it has to be lived up to, generally speaking. There may be the odd exception, but it has to be lived up to, and I still submit to the hon. Minister, without any further argument, that I am persuaded that there is considerable violation of the law in the auto mechanics field—more than can be justified.

Mr. Gisborn: Mr. Chairman, I take it you are going to let us deal with workmen's compensation at this point?

Mr. Chairman, I am not going to spend much time in regard to workmen's compensation. But certainly there are some changes that would be desirable in regard to people

that are hurt in the plants. I think two of the most vexing problems are the need to upgrade pensions—we have talked about this at some length from some 10, 20, 30 years ago—and the big gap, the big vexing problem that has been raised lately—that the employed person's rate is reduced when he is declared fit for light work by the doctor and the employer will not find work for him. When that happens, the rate he is getting, 75 per cent is the usual, is then cut by 50 per cent. This is the biggest gap. I read a little piece in the paper—I was not able to get to the commission hearing. I understand that the compensation board was before the committee on commissions, and I believe this subject was covered. But I did see a piece in the paper by the present chairman—I believe it is Mr. Legge—that he was giving consideration to this vexing problem of what happens to the injured person when he is reported for light work and there is no light work for him. This is the biggest gap, and I hope there will be a lot of consideration given to this point. I think it is realistic to say that until he goes back to work, he should be maintained at the 75 per cent of his earnings.

There will likely be other hon. members who will raise some criticism of the contents of the Act, and maybe of its administration as well.

But before I sit down, I want to congratulate some of the people in the compensation department with whom I have found it necessary to deal. They have been most courteous and prompt in their answering and looking after the problems to the best of their ability, in keeping with the provisions of the Act. I mention Mr. Farquharson, Mr. McLeod, Mr. Simpson and Mr. Stan Crisp, who I understand is not in the particular claims department now; he may have been promoted. When we criticize the department, it is in good faith; we are trying to do our best to bring the Act up to date and do a better job for the injured workmen. I do feel that credit should be given to a department of this nature, where I have found, and I know that other members of my party have found, that in processing claims and trying to get a little more speed on a claim from the department, we have had the most prompt and courteous attention.

Hon. Mr. Rowntree: May I express a word of thanks for the words of commendation from the hon. member? The workmen's compensation board is a very valuable and very important operation, dealing as it does with trust moneys which are not government funds, as such, but for which the board is

a trustee. We are very proud of the operation, but we are continually interested in improving its operation wherever possible.

There are two gentlemen sitting at the table here, and I would think hon. members of the House might be interested in seeing them and knowing who they are, if they do not already. The gentleman on my right is Mr. George Poole, the secretary of the compensation board itself, and who is an experienced and well-informed man in connection with these matters. On my left is Mr. Allan MacDonald, who was formerly the comptroller and is now the treasurer responsible for the financial side of the board. These two gentlemen are representative of the type of senior official who may be found at the board.

This would be, I think, an appropriate time for me to make reference to Mr. Eugene Sparrow, who was chairman of the compensation board from 1948 until the end of 1964, some 16 years. That is a fairly long period of time. Mr. Sparrow retired from business to take on the chairmanship of the board and has served with distinction ever since. As a matter of fact, Mr. Sparrow has been known and recognized throughout the continent as an authority with respect to these matters; I think I have already indicated the interest of other jurisdictions in the type of operation that we have in Ontario.

This arises from the fact that where this type of legislation does not exist, the courts are used to bring cases against fellow employees or against employers at considerable cost, delay and frequently without achieving the kind of social result that society requires in this day and age. Accordingly, people from these other areas which do not have this type of legislation are frequent visitors to the board's head office and Mr. Sparrow is constantly in demand in connection with advising these other jurisdictions. It is a matter of some interest that this should exist and I think it is a matter of which we should be proud.

Mr. Sparrow suffered a serious heart attack last fall and after some consideration determined that it was desirable in his own interests to retire from the position to less onerous responsibilities. But I would like on behalf of the government, and indeed this Legislature, to extend and to record a word of appreciation for the very fine contribution that Mr. Sparrow has given to this province.

Mr. Newman: Mr. Chairman, I would like to bring up two items under workmen's compensation.

The first is: Back in 1953 the widow's allowance, I think, was raised from \$50 to

\$75. When any individual on pension requires additional assistance, municipalities provide supplementary assistance. When it comes to workmen's compensation, a widow receiving only \$75 a month gets no additional assistance whatsoever. Has the compensation board ever considered following the policy of The Department of Public Welfare in giving another \$20 supplementary in case of need?

Hon. Mr. Rowntree: In trying to answer that question I do not want to appear to be picayune about it, but I say this: An award by the board to a claimant, whether it be a widow or an injured workman, is compensation for lost income based on a claim which is compensable under the Act. It has to do with wages. It does not take into consideration and is not determined by welfare grants from any other government, municipality or whatever it may be. I suggest that the withdrawal—I think the hon. member mentioned a municipal award or allowance—of other payments because compensation was being received is a matter that is to be entirely determined by that municipality.

In other words they have said if you are going to get compensation and the amount reaches a certain level, or depending on the number of dependants or children in the family, then there is no eligibility for the certain welfare allowance. I think the determination of the welfare allowance must stand on its own feet as it is outside the board's jurisdiction. It is a matter of interest to that person, I do not think it is the board's matter.

Mr. Newman: Well, Mr. Chairman, it is 1953 since these allowances were raised to \$75. That is 12 years ago, Mr. Chairman. The cost of living in the meantime has risen substantially. Is not the workmen's compensation considering an upward revision at this time of the \$75, to possibly \$100?

Hon. Mr. Rowntree: I think it is within my own period as Minister that the present levels were reached. Frankly, I have not considered increasing that base at this session of the Legislature. Certain other major adjustments were advanced in other areas, but I do not think there is any proposal or amendment with respect to the matter the hon. member mentions.

Mr. Newman: May I suggest to the hon. Minister then for the ensuing year that he consider this, seriously consider increasing the allowance from \$75 to some other figure?

The next point I would like to bring up is: Frequently an individual injured during his

employment suffers from total disability. He receives an award from the department, and let us assume for the want of a figure it is \$75 a month. While he was employed the industry paid for his hospitalization, paid for his medical, paid for other fringe benefits. He is now on a total disability pension. The award, as I mentioned previously, is \$75. From that he now must pay his medical, his hospitalization and this leaves him without the \$75, because when he was employed the fringe benefits were considered part of his wages.

Now, when it comes to receiving compensation, he must pay for medical services, he must pay for hospitalization, he is no longer being paid on that same basis. It is a real hardship to him to have to take from his meagre \$75 the moneys required to pay medical and hospitalization services.

Is the board considering including medical and hospitalization payments to persons on total disability?

Hon. Mr. Rowntree: The answer to the question is no, the board is not going to contribute under that name. But under the amendments to the Act, which are presently before this Legislature, the minimum pension for a total disability is increased from \$75 to \$100 and in determining that increase the fact that fringe benefits to cover the area we are talking about are not covered as such, was taken into account in determining the hospital or fringe benefits to cover the area we are talking about, and are not covered as such, that fact was taken into account in determining the 33.3 per cent increase which was provided.

Mr. Newman: May I tell the hon. Minister, then, that an individual on a pension allowance, receiving \$75 a month, generally also received from The Department of Public Welfare, a medical card and a hospital treatment card. There is one policy when it comes to a pension received from one department of government, but now when it comes to an individual who is totally incapacitated, no longer can work, there is no consideration shown him concerning medical and hospitalization. I think that both medical and hospital—

Hon. Mr. Rowntree: This has been taken into account in the \$25 a month increase from \$75 to \$100.

Mr. Newman: Well, Mr. Minister, surely you do not consider \$100 a month sufficient to allow an individual to survive on today's high cost of living.

Mr. A. V. Walker (Oshawa): Mr. Chairman, under this vote of the workmen's compensation board, I would like to say a few words and also express my appreciation to the board for the fine co-operation which I have received, coming as I do from a highly industrialized area in which we do have quite a large number of claims.

I would say to you, Mr. Chairman, and through you to the hon. Minister, that the workmen's compensation board, as has already been mentioned, appeared before the government commission and I would say that a very thorough discussion of the workmen's compensation problems were gone into in that commission. I think that I might well say in the absence of the chairman, that the new board chairman, Mr. Legge, certainly proved to the government commission on that occasion that he is very genuinely interested in the problems that beset the workmen's compensation board. I feel that we can be assured that he will do a very good job in his new position.

One of the problems, of course, that was discussed at some length, and I think the major problem which has already been mentioned by the hon. member for Wentworth East, is that of injured workmen being returned to this light work category of job. The chairman himself admitted that this is one of the major problems with which the board is faced, and it is a problem which they are going to attempt to attack to the very best of their ability. But it does continue to be a very difficult problem to solve because there are many ramifications in regard to this particular item.

One point that I brought up in the government commission, which I would like to reiterate here because it is a problem, is that of multiplicity of forms as far as the workmen's compensation board is concerned. I have run into this problem several times; there are quite a large number of forms which must be made out when a man is making a claim. One of the big difficulties I have found has been the delay of payments to the claimant because, in some cases, the physician is too busy to make out the rather extensive forms that are necessary before the payments are forwarded to the claimant.

This matter, I would point out, was dealt with at the commission meeting. I was assured again by Mr. Legge that the matter was being looked into and that a streamlining of these forms would be carried out. I would certainly request, through you to the hon. Minister, Mr. Chairman, that this matter be continued with and that every effort be made to streamline the forms.

Mr. Spence: Mr. Chairman, if I understand it correctly, now that it is compulsory to have workmen's compensation for the farm labour force in the province of Ontario, will benefits be the same and the payments the same as any other industry in the province of Ontario to the agriculture industry?

Hon. Mr. Rowntree: I am sorry; the effective date, did you say?

Mr. Spence: No, will the payments and the benefits be the same as in any other industry in the province of Ontario?

Hon. Mr. Rowntree: Yes, they will.

Mr. R. F. Nixon (Brant): Mr. Chairman, along that line—

Hon. Mr. Rowntree: And may I say this, that the flue-cured tobacco growers association have been contacted to enable them to make their views known.

Mr. Nixon: I am delighted to hear that, Mr. Chairman. I would like to ask the hon. Minister, through you, sir, if it is possible that the agriculture industry, like some other industries, be divided into categories when the premium is set with respect to it. Is that possible?

Hon. Mr. Rowntree: It is theoretically possible, but it may be undesirable in a practical way.

Mr. Nixon: That is your considered opinion, is it?

Hon. Mr. Rowntree: No, that is the fact.

Mr. Nixon: I would like, then, to say to the hon. Minister that it appears to me, and perhaps in consultation with the hon. Minister of Agriculture, he might be convinced of this, that certain endeavours in agriculture are more risky, physically, not financially, than others. Speaking on behalf of my friends in the Ontario flue-cured tobacco marketing board, they feel that their supporters, and those who contribute to their organization, are carrying on an aspect of the agriculture industry that is somewhat less risky than those who might be working with heavy power machines. I would ask the hon. Minister if his officials might consider the categorizing of the industry; that it might, in fact, not be as bad as he would predict?

Hon. Mr. Rowntree: I do not think the hon. member understood my answer to his first question.

Mr. Nixon: That may be.

Hon. Mr. Rowntree: I said it is theoretically possible to have more than one category in an industry, but may not be practically desirable. Those are the facts. That applies to any situation.

In this case, I am quite aware that picking apples at the top of the ladder takes you into the same category as a man who operates dangerous machinery, as against a person picking a crop from the ground. There are two categories which are available to us with respect to agriculture, and a decision has not yet been made as to the form of approach, whether it will be a single all-inclusive industry at one rate, or whether there would be two rates. I am aware of what you advance; quite frankly, I must say that I am impressed by the argument which you advance. I will certainly have it in mind when this matter comes back to me for a decision.

Mr. Nixon: Mr. Chairman, I would like to ask the hon. Minister, in the case of the commutation of a pension, if the final decision is in his hands, or does it rest with the compensation board?

Hon. Mr. Rowntree: It rest with the board. As a matter of experience, the board has found that it is an undesirable practice, in the broad sense, to commute. The person seeking the commutation, which means to secure a lump sum, frequently, and in the large preponderance of the cases, lives to regret it in later years and to complain about it, and regret that he took that step. However, probably in two categories does the board consider such requests. Firstly, in the category of small pensions, running in the area of \$10 or \$15 a month or something in that area, which obviously indicates a minor incapacity on the part of the workman.

Secondly, in special circumstances, through the remainder. Those circumstances are investigated in depth and in detail in order that the bona fides of the request, having in mind such vital and pertinent questions as: "What are you going to do with this lump sum?" say of \$4,000, \$5,000 or \$6,000, or something of that order. During my period as Minister there have been a number of the smaller items that have been automatically commuted and two or three, to my knowledge, of the larger ones. There were special circumstances existing—I think in one case there was a large family involved and the mother was ill and they required a house of their own to meet the domestic situation that existed there. I give the hon. member that as a type of situation.

Mr. Nixon: Yes. I do not want to labour this, but at the committee meeting the chairman pointed out to me that the Act does give the board a paternalistic responsibility in commutation. I am interested to hear from the hon. Minister, Mr. Chairman, that it is not often that commutation takes place. It seems to me, however, that in a case of dealing with adults, surely the responsibility should be left to them, that is to the workmen applying, to some extent. After all, if the commutation is made they will have no recourse as far as—

Hon. Mr. Rowntree: I cannot accept the hon. member's proposition on that point, because the whole fund operates on an investment basis. If everybody was commuted out we would be in great difficulty on the financial side of the fund, and the stability.

It requires investment of the moneys which it has to its credit to earn. The hon. member will understand the capitalization and investment factor of the money there. This is a major side to it. However, on the point of the man's rights, I can see it in some cases, but in general I think it is desirable to have the protective—the workman is being best protected on that payment basis.

Mr. Newman: Mr. Chairman, I would like to ask the hon. Minister if the department has ever taken into consideration, in arriving at the amount of money the individual is to be paid as compensation, the matter of fringe benefits, because fringe benefits are practically one-third of an individual's salary in certain types of employment.

Hon. Mr. Rowntree: Fringe benefits were dealt with.

Mr. Newman: I did not hear the hon. Minister.

Hon. Mr. Rowntree: We dealt with fringe benefits a few moments ago. I explained that fringe benefits as such, and under that name, are not items taken into account.

Mr. Newman: Mr. Chairman, the income tax department requires the individual to report moneys paid on his behalf for certain fringe benefits, so they are considered as part of his remuneration.

Hon. Mr. Rowntree: I am instructed that the income tax—I am talking now about something about which I have no immediate knowledge—I am instructed that the income tax department only requires the information which the hon. member has mentioned to be declared on an income tax return in the event

of a shared contribution involving the Ontario hospital services commission.

Mr. Bryden: Mr. Chairman, there are two matters that I would like to raise with the hon. Minister regarding The Workmen's Compensation Act. They are in the nature of anomalies I would say. They are matters that can be quite important to specific individuals, although fortunately they do not affect a large number of claimants under the Act.

The first relates to the possibility of taking third party action when an automobile accident is involved. I believe it is the normal procedure that a workman driving a truck or a car in the course of his employment who is involved in an accident in which some person not connected in any way with The Workmen's Compensation Act is considered to be at fault, can choose an option of suing that person. The anomaly arises if the other person involved in the accident, who may be entirely at fault, happens to be also an employee under The Workmen's Compensation Act. In that case the first workman cannot opt, as I understand it. I have run into two or three cases recently where he cannot opt to sue that person rather than claim under the Act. Of course, he can sue or take other appropriate action with regard to the damage that might happen to his car, but as far as personal injury is concerned he does not have this option.

What is happening, as far as I can see, is that insurance companies are getting out from under what might very well be significant claims for damages and gaily bucking them off to the workmen's compensation board. I would suggest that the hon. Minister might consider an amendment to apply third party liability in this particular case too.

As a general rule I do not believe in any option to sue where it is a matter of an employee of another employer covered by the compensation Act, but here consideration might be taken to amending the law to make this particular exception.

I do not know if the hon. Minister wants to make any comments before I go on to my other point—

Hon. Mr. Rowntree: I would look forward to a discussion with the hon. member for Woodbine on this point, but for the moment I would simply say that the inability to sue the other party in an accident only exists under these circumstances. Obviously the first qualification is whether the accident occurred when both men were employed and whether the accident involved claims under the compensation board; and second, the inability to sue exists only where both parties come under schedule 1.

If one party comes under schedule 1 and the other under schedule 2, then there is no prohibition against the action being brought; but where both individuals are under schedule 1, it is prohibited and this has to do with avoiding a multiplicity of lawsuits, incurring costs and getting the matter straightened up as quickly as possible.

Mr. Bryden: It may be coincidence, but I have had three cases of this come to my attention in the past few months.

The other point that I want to raise, in a preliminary way, relates to industrial deafness. I believe trade unions have been discussing this with the board recently. I do not know if the board is in a position to indicate what progress had been made in considering the matter.

I realize that this departs from the basic principle of the Act that compensation is payable on the basis of loss of earnings. I think cases of industrial deafness can occur with no loss of earnings at all, but a man—I believe that papermills are particularly bad for this, the noise level is very high in them and men can spend most of their lives in them and come out at retirement age stone deaf, not able to hear anything.

I realize their deafness has not really affected their earning capacity. On the other hand, it is quite a severe disability and it seems to me that this might be a case where an exception to the underlying principle of the Act might be considered.

Hon. Mr. Rowntree: I can understand that problem and I think I can see where deafness as such, when you consider it, just does not seem to fit into some of the other considerations which normally apply.

Representations have been made to the board on this subject. I think I can say this, that there are opposing viewpoints on the subject, even in the employee groups. Why, I do not know. In any event as a result of these representations, this matter is presently under review.

I might at this point make reference, in answer to the question raised by the hon. member for Oshawa about return to work and light work, and the declaration that a man, as far as the board is concerned, is fit to return to work and when he goes back to the plant they say, No, you are not fit to work. You have a conflict of views and all plants do not have light work to which they can assign the man for a period of two or three weeks pending his complete return to eligibility for heavy duty. This is a very important matter and I think the first thing that I asked

the new chairman, Mr. Legge, to take under advisement was the study of this particular situation. Both the hon. member for Wentworth East and the hon. member for Wentworth (Mr. Ewen) are interested in this particular problem, as is the hon. member for Oshawa.

I have had some recent discussions with the hon. member for Oshawa and I hope that we will have a report on this factor in the not-too-distant future.

As to too many forms, I would say that I do not think any of us in business today, or in government, want to see business or the operation of life complicated by too much paper. I would be glad to have a look at the point that the hon. member for Oshawa raised to see what paper work is involved.

However, I would say this as well: These are trust moneys and I would think that we would want at all times to protect the moneys and see that the claims are compensable and therefore under the Act before marking them for payment. But I will speak to the hon. member for Oshawa after I have had a look at that matter.

Mr. Walker: I would just like to say, Mr. Chairman, that in the commission meeting, we did practically get a commitment from Mr. Legge that he was in agreement with the idea I was presenting, and he gave us his assurance that he would deal with it and try to streamline it, if possible.

I was wondering, Mr. Minister, if I might be so bold as to suggest this. One hon. member has already asked me this question—I see Mr. Legge is now here. I wonder if the hon. Minister would like to introduce Mr. Legge to the House?

Hon. Mr. Rowntree: On the question of paper work, you have succeeded in nailing the chairman down at the committee. Unbeknown to me that had taken place; you now have my commitment as well.

Mr. Walker: That is what I was trying to get, Mr. Minister.

Hon. Mr. Rowntree: Having made reference to Mr. Sparrow following his retirement, the question of a chairman for the compensation board was taken into consideration. We looked for a man with certain qualifications that we felt were required in this position. At the time an appointment was being made, we determined upon Mr. Bruce Legge, who is here sitting at the legislative counsel's desk this evening. He took office effective January 1 of this year. Mr. Legge brings to

this office some experience at length and in detail with respect to claim work.

He is a barrister and solicitor by profession, but for some years has been the senior pension advocate for the federal government in the armed forces of this country and, accordingly, understands many of the problems and procedures which face people when coming before boards having to do with claims and pensions.

He is applying himself at the moment, of course, to an understanding of detailed operations of the board, and we look forward to a happy and a successful chairmanship under his direction.

Mr. Newman: Mr. Chairman, I have two short questions to the hon. Minister, the first is one for information.

Would an individual taking retraining under schedule 4, if he gets hurt in industry, be covered by workmen's compensation?

Hon. Mr. Rowntree: Yes. There had to be some guide lines established with respect to the training programmes, and the requirement for workmen's compensation is that the apprentice or trainee be on the payroll of an employer to be eligible for compensation. If he were injured during the course of his on-the-job training, if he is on the payroll of the firm, then compensation would be payable. If an injury took place during the course of a lecture or during weeks when classroom training was being enjoyed, then he would not be eligible.

Mr. Newman: Mr. Minister, let us take an actual case—an individual retraining for machine-shop practice. He is being paid by the federal authorities on the basis that they have established, is injured while working at plant X. Would that individual receive compensation?

Hon. Mr. Rowntree: I am instructed that the answer is, no.

Mr. Newman: No. May I then recommend to the hon. Minister that various points brought up by the members here would lead only to a need for some type of study committee to look into the workmen's compensation board, with the eventual idea of either bringing it up to date or modifying it to cover the new problems that have arisen here? This will arise as a result of the automated future in which we are going to live.

I would like to ask one other question of the hon. Minister; that is, does the workmen's compensation board allocate funds to the construction safety association?

Hon. Mr. Rowntree: Yes. Not only the construction safety association, but all seven safety associations receive their budget from board funds.

Mr. Newman: I would like to bring this to the hon. Minister's attention and ask for his comments, then this will complete any remarks I have to make.

In the past several days in the city of Windsor, the Ontario provincial conference of bricklayers, masons and plasterers met and one of the resolutions they have passed was that the workmen's compensation board should stop allocating money to the construction safety association, because the association has no enforcement powers. Would the hon. Minister care to comment on that?

Hon. Mr. Rowntree: I am amazed that is even raised, I tell you frankly. The Department of Labour has enforcement powers; we have an enforcement branch. The municipal inspectors all have enforcement powers and the construction safety association as a group—all of the safety associations, not just construction safety—have inspectors in the field. Their efforts are directed to education, and if you remember the report from the labour safety council, it had to do with safety education on the job. This is the area that was under study.

In this group, these people work closely; they communicate with each other, and work hand in hand. Where charges are indicated, I know of no occasion where any delay has been involved.

Mr. Newman: And would they themselves lay charges, were they to find some infringement?

Hon. Mr. Rowntree: I think that they must be laid through the enforcement branch. That is one reason why, when certain types of accidents take place, immediate notification to the department is required.

Mr. L. Troy (Nipissing): On that point, there are seven safety associations; but they are all employer associations, are they not?

Hon. Mr. Rowntree: I do not know. I suppose in the context which you are using you could call them employer associations. They are incorporated, non-profit organizations and historically have been employer-oriented.

Mr. Troy: As far as the workmen's compensation board is concerned, this money is provided to these associations to carry on this safety work? I do not know just how it

could be done, but it seems to me it would be much better if the board had more control, so that there would be some representation as far as labour is concerned. I have heard, not too often, that that is one complaint—that the employee has nothing to say about these associations.

I must say that we have already had compliments for members of the board. The one with whom I have been dealing is the vice-chairman, Mr. Cauley. It happened that he knew me when I was much younger and was a star at—the hon. member for Essex North is not here; he sort of ridicules this—but when I was a star football player a number of years ago and—

Some hon. members: Hear, hear.

Mr. Troy: He happened to know me in those days, so that was an entrée into the box office of the vice-chairman. I must say that in most cases I have had before the board, I have had good relations and a fair amount of success. Of course, one cannot blame the one who is injured and is getting compensation for thinking sometimes that he is getting a deal that is not too good. I say again that as far as these associations are concerned, I think it would be better if there was some employee representation somehow—but, of course, that would change the whole concept.

I am very much interested in—

Hon. Mr. Rowntree: Just a minute. We are talking about two or three things all at once; the hon. member is talking about the board and he is talking about a construction safety association—let us deal with them one at a time.

The board itself has a labour member on it as the vice-chairman, Mr. Cauley.

Mr. Troy: On the board, yes.

Hon. Mr. Rowntree: On the board, and the board directs the whole operation, including the safety association. And over and above that, there is an Ontario labour safety council, which is made up of some seven or nine members. Apart from the chairman, Mr. T. A. Rice, the rest of the membership is equally divided between labour and management. On that important committee is Mr. Douglas Hamilton, the secretary-treasurer of the Ontario federation of labour who is very active with respect to it.

The question that is before us, and I am sure that this is the area about which the hon. member is talking, has to do with the report of the labour safety council about this area of supervision by the board and the

relationship between the board and the association. It is that subject, the report of that board, that is before me at the moment and in short order I hope that I will be in a position to announce the policy with respect to the area about which the hon. member is talking and the future of the Ontario labour safety council.

Mr. Troy: Thank you.

Hon. Mr. Rowntree: I hope I never lose the benefit of it.

Mr. Troy: I am concerned with just what this amendment will do for cases. I know one in which I have been interested, and others have written me about their problems when they heard I was interested in that one.

Those who lost, say, a limb, in the depression days, in the 'thirties—I just wonder what effect this amendment will have on them. I know one chap in my own riding who worked for a lumber company in the bush in the Soo area early in 1930. He lost a leg and his compensation at the present time is, I think, \$12 or \$13 or \$13.50 a month. How would he benefit?

Hon. Mr. Rowntree: This is really a matter for legislation under the readings of the bill. However, the point is, I would assume from what the hon. member said to me, that this accident took place some considerable time ago. It may have been at a time when the basis of an award was 55 per cent of the salary. It might have been, although I do not think so, when the basis was 66.6 per cent.

The present basis is 75 per cent and under the legislation Bill No. 31, which has had third reading now, on compensation all those 55 per cent people who are pensioners on that basis and all those who are 66.6 per cent, are lifted up and will be 75 per cent. This is an \$11 million package.

If the hon. member will give me the file number I will get the details and tell him what increase will be applicable in the case of his friend.

Mr. Troy: Of course, the tragic part about it is that in those depression years, there were very low wages. This is a problem, too, and because of his disability he is unable to take full advantage of this burgeoning economy.

Thank you, Mr. Chairman.

Mr. Chairman: This concludes the estimates of The Department of Labour.

Some hon. members: Hear, hear!

Hon. J. P. Robarts (Prime Minister) moves that the committee rise and report that it has come to certain resolutions and ask for leave to sit again.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of supply begs to report that it has come to certain resolutions and asks for leave to sit again.

Report agreed to.

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, on Thursday when we reconvene I would like to deal with second readings of the government bills on the order paper and then we will go to the estimates of The Department of Energy and Resources Management.

Mr. F. R. Oliver (Grey South): Following The Department of Energy and Resources Management, what comes next?

Hon. Mr. Robarts: I announced this last Friday; The Department of Economics and Development.

Mr. D. C. MacDonald (York South): Mr. Speaker, I wonder if the hon. Prime Minister would indicate whether it is his intention to return to the Budget debate again before Easter.

Hon. Mr. Robarts: I will check with the whips and find out how many debaters we have. If there are many who want to speak, I will find time for them.

Mr. L. Troy (Nipissing): Some are waiting in the wings.

Hon. Mr. Robarts: That is not the information I have had, but I will be delighted to bring them on.

Hon. Mr. Robarts moves the adjournment of the House.

Motion agreed to.

The House adjourned at 10.55 o'clock p.m.

No. 70



Legislature of Ontario

Debates

OFFICIAL REPORT—DAILY EDITION

Third Session of the Twenty-Seventh Legislature

Thursday, April 8, 1965

Afternoon Session

Speaker: Honourable Donald H. Morrow

Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, APRIL 8, 1965

The House met at 3 o'clock, p.m.

Prayers.

Mr. Speaker: We are always pleased to have visitors to the Legislature and today we welcome as guests, students from the following schools: In the west gallery, Norman Ingram public school, Don Mills; and in the east gallery, J. M. Denyes public school, Milton, and Lincoln county secondary school.

Petitions.

Presenting reports by committees.

Mr. C. T. Rollins (Hastings East), from the standing committee on natural resources, wildlife and mining, presented the committee's report, which was read as follows and adopted:

Your committee begs to report the following bill without amendment:

Bill No. 42, An Act to amend The Mining Act.

Mr. Speaker: Motions.

Introduction of bills.

THE LOAN AND TRUST CORPORATIONS ACT

Hon. A. A. Wishart (Attorney General) moves first reading of bill intituled, An Act to amend The Loan and Trust Corporations Act.

Motion agreed to; first reading of the bill.

Hon. A. A. Wishart (Attorney General): Mr. Speaker, by way of a brief explanation to the House, I might say that a bill has been passed by the Parliament at Ottawa respecting loan and trust corporations. The bill was No. C-123, as I recall, and was passed very recently. Generally, it extended the limits of borrowing by loan and trust companies on mortgages and on debentures and in other manners. This bill now introduced in this House would match or parallel the provisions in the federal Act.

THE RULE AGAINST PERPETUITIES

Hon. Mr. Wishart moves first reading of bill intituled, An Act to modify The Rule against Perpetuities.

Motion agreed to; first reading of the bill.

Hon. Mr. Wishart: Mr. Speaker, I have three companion bills which I hope to introduce, and then speak to the four.

THE ACCUMULATIONS ACT

Hon. Mr. Wishart moves first reading of bill intituled, An Act to amend The Accumulations Act.

Motion agreed to; first reading of the bill.

THE TRUSTEE ACT

Hon. Mr. Wishart moves first reading of bill intituled, An Act to amend The Trustee Act.

Motion agreed to; first reading of the bill.

THE CONVEYANCING AND LAW OF PROPERTY ACT

Hon. Mr. Wishart moves first reading of bill intituled, An Act to amend The Conveyancing and Law of Property Act.

Motion agreed to; first reading of the bill.

Hon. Mr. Wishart: Mr. Speaker, The Perpetuities Act and the three associated bills which I have just introduced are brought before this House as the result of the first report of the Ontario law reform commission.

I am sure the hon. members will recall that the then Attorney General (Mr. Cass), at the last session of the Legislature, introduced a bill which established this commission. The chairman, Hon. J. C. McRuer, has been actively engaged in the work of the commission since his appointment. This report of the commission on the law relating to

perpetuities and accumulations represents extensive research and deliberations of the members of the commission and its advisers.

I am tabling, with these bills, the report of the commission. Since the matter is quite involved, and I am sure lawyer members of the House will appreciate that statement, I would suggest that a careful study of the report would materially assist in understanding the bills.

In introducing these bills, Mr. Speaker, I wish to state that it is not my intention to ask this House to proceed with the passage of the bills at the present session. The principles involved are very important in the disposition of both real and personal properties within our province. I would hope that all persons interested in this area of our law would consider this proposed legislation and the report of the commission in order that their views may be made known to the Ontario law reform commission, prior to the next session of this Legislature. In this way, we may be assured that the important principles involved will be thoroughly considered by all persons who have knowledge of the subject; ultimately, any constructive suggestions may be engrossed in the legislation.

The rule against perpetuities is very briefly stated, thus:

No interest is good unless it must vest, if at all, not later than 21 years after some life in being at the time of the creation of the interest.

The purpose of the rule at the time of its inception many years ago was to ensure that real property would not be rendered completely inalienable by various restrictions upon alienation. Courts of the day considered that it was not in the public interest to completely fetter the title to property for generations to come. The changing needs of our society have indicated that, while there is still a necessity for some rule against perpetuities, there is, at the same time, a need for a modification of the rule so that practical applications may not be thwarted.

The bills which I have introduced are designed to continue the present authority of the rule, namely, the authority of a life in being plus 21 years, since this gives a balance between the desires and intentions of the present generation and the desires of some future generations who might wish to have the free alienation of the property.

The bills, however, will revise and modify the rule so as to simplify the drafting of the instruments which deal with the alienation of property, and to protect, as far as possible, the intentions of the testator.

Many phases and applications of the rule are considered in the commission's report and, in turn, are reflected in the bills which I have introduced. I believe, Mr. Speaker, that these brief comments may serve to introduce the subject matter to those persons who may wish to consider the proposals and perhaps submit constructive comments to the Ontario law reform commission. Additional copies of the report may be obtained upon request of the secretary of the commission.

Mr. J. B. Trotter (Parkdale): Mr. Speaker, before the orders of the day, I have a question for the hon. Minister of Labour (Mr. Rowntree), of which he has had notice and it is as follows:

Is the hon. Minister satisfied that there were adequate safety precautions at the Canadian national exhibition grounds in the attempt to raise a flag yesterday? And does the hon. Minister feel these precautions were observed?

Hon. H. L. Rowntree (Minister of Labour): Mr. Speaker, this accident is under investigation at the moment and I am therefore not in a position to venture the opinions that the hon. member is seeking. I would say, however, that it is my understanding that an inquest is to be held to inquire into the entire circumstances of the matter.

Mr. Trotter: Mr. Speaker, I was wondering if the hon. Minister would permit a supplementary question and it is this: Does he have regulations that cover the safety belts that are worn?

Hon. Mr. Rowntree: Yes, this is part of the information about which I have asked for details from my own department.

Mr. R. M. Whicher (Bruce): Mr. Speaker, before the orders of the day, I have a question to ask the hon. Minister of Public Works (Mr. Connell), which is as follows:

Why did the government not call for tenders on the sale of the Sigmund Samuel house? The second part is: What was the net amount obtained by the government after paying all real estate commissions?

Hon. T. R. Connell (Minister of Public Works): Mr. Speaker, the question as I have it here is not quite as the hon. member asked. The question I have is: "Did the government not call for tenders on the sale of the Sigmund Samuel residence?" The answer is "no." And: "What was the net amount obtained by the government after paying all real estate commissions?" The answer is \$112,224. In reply to his question as he did word it today, I

think the answer is in last week's *Hansard* quite plainly.

Mr. D. A. Paterson (Essex South): Mr. Speaker, I have a question of the hon. Minister of Land and Forests (Mr. Roberts).

Is it the government's intention to proceed with the use of the chemical Bidrin to control Dutch elm disease in light of the fact it is so highly toxic to wildlife and humans?

Hon. A. K. Roberts (Minister of Lands and Forests): Mr. Speaker, in answer to the question of the hon. member for Essex South, as recently as yesterday a conference and demonstration took place within the precincts of the University of Toronto, just a few hundred yards from this House. At that conference were a large number of skilled and knowledgeable professional tree experts, including two senior professional staff members of The Department of Lands and Forests, who have been closely associated with the studies on the Dutch elm disease.

It is only a year or so since some hon. members opposite were berating the government and my department in particular for not having an immediate cure. Now that this new chemical Bidrin has appeared, the hon. gentleman asking this question has so framed the question that it would pretty well indicate he does not have very much desire for its use.

However, I think the House will be interested in a short description of the position as it is in relation to a very difficult problem. To the extent that the competent personnel of The Department of Lands and Forests have examined this chemical and seen its use demonstrated, I can say that they are very favourably impressed. It is the intention of the department to initiate at once, certain field studies on elms on Crown land, which work will be under very close scrutiny and with such security measures taken as may be desirable. This would mean that experts, by means of the special device known as the applicator, would then inject the chemical into the tree, which would be watched for the prescribed period thereafter to assure that the chemical has been properly absorbed into the tree.

The applicator is really the feature that has brought this along. The actual chemical itself has been known for some years, but the method of handling it and getting it into the tree has been the real problem. This invention of recent months has made it now possible to use a series of metal tubes around the circumference of the tree, about five feet from the ground, and about five inches apart, and to use plastic capsules containing

small quantities of the chemical. The perforation takes place against the metal of the series of tubes and the chemical flows into the tree in that manner.

I am told that the elm bark beetle, which is the carrier of this disease, when attacking a tree not previously infested or diseased, will not penetrate the bark sufficiently to infect the tree with the Dutch elm disease before being itself killed, if this chemical is used. On the evidence so far available to our department experts, the hazard to birds is negligible. However, this feature will of course be watched very carefully during the trials.

The important point that I want to stress, from the information given to me, is that the chemical, once properly injected into the tree, is carried into the sap stream throughout the tree and remains there until it becomes ineffective, in about a 30-day period. Moreover, in our climate there is only one month in the year in which this chemical could be used, or would be used, for all practical purposes and that is the month of May. Let me emphasize that the view of this department is that this chemical should be handled only by experts. I further understand that the Shell Oil Company, which I believe has the sole selling rights on this chemical and this mechanical equipment which goes with it, will certainly be taking these precautions as, of course, this department will be taking them.

I would like to point out that there is a limited supply of this chemical available at the present time, sufficient for field trials but not yet in quantities for what might be termed general use.

Mr. Paterson: Might I ask a supplementary question of the hon. Minister? Recently, I was at a meeting concerning Trees Unlimited and some of the gentlemen there were indicating that certain municipalities had been offered the use of this chemical in fighting this disease. I would like to ask, is the hon. Minister's department going to lend assistance in this matter or prohibit the use in any manner, or just leave it to the discretion of the individual municipalities?

Hon. Mr. Roberts: As I say, there is a limited quantity available. This, of course, has been cleared under The Pesticides Act with The Department of Health, I understand, and there will be a sort of licensing arrangement with the people who use it. It may be that at the municipal level there may be some licensing in that sense to handle it, but our department is, as I say, making these

field tests and we do so with a fair amount of confidence that this is going to be something really worthwhile.

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, before the orders of the day, I would like to table a further 14 answers to questions appearing on the order paper, Nos. 36, 54, 55, 70, 71, 73, 74, 75, 76, 78, 79, 80, 82 and 105.

The hon. Prime Minister tabled answers to questions on the order paper as follows:

36. *Mr. Singer*: Inquiry of the Ministry: (a) What studies have been done as to the operations of crime laboratories in other jurisdictions? (b) If any such have been done, what improvements have been made to Ontario's crime laboratory as a result of such studies?

Answer by the hon. Attorney General:

(a) 1954, Indiana state laboratory—study of the breathalyzer. (b) Breathalyzer developed in Indiana state laboratory adopted in Ontario.

(a) 1954, State laboratory, Atlanta—study of the operation of a spectrograph to compare with our own operations. (b) It has been found that our operation is much more superior and was based on the experience of the FBI.

(a) 1954, RCMP laboratory, Ottawa—study of the firearms section. (b) The establishment of our own firearms section was based on this study.

(a) 1956, New York state laboratory, Albany, N.Y.—study of the use of laundry marks for the detection of crime. (b) Laundry marks files were instituted as a result of this study. These files were turned over by the laboratory to the Ontario provincial police, which is now reorganizing this file for use throughout the province.

(a) 1956, FBI laboratory, Washington, D.C.—study of the methods of the identification of soils and infrared analysis, especially as applied to paint. (b) Both of these techniques have been adopted in the provincial laboratory and further studies are being continued in the identification of soil, which should expand this work to give greater detail.

(a) 1958, RCMP laboratory, Regina, Sask.—Review of toxicological methods used by this laboratory and study of organization of that laboratory. (b) This study did not offer anything to the improvement of our methods and our organization.

(a) 1958, FBI laboratory, Washington—General study of organization and methods

of the work of this laboratory. (b) The study indicated that our methods and organization coincides with that used in Washington.

(a) 1958, FBI laboratory, Washington—Study of techniques in infrared spectroscopy. (b) The techniques have been introduced in our laboratory and since have become routine.

(a) 1958, Quebec provincial laboratory, Montreal—Study of toxicological methods, organization of the laboratory and the question of criminal vs. civil activities regarding laboratory personnel. (b) Most of the information was found very useful and has been adopted.

(a) 1959, FBI laboratory, Washington—Study of methods used in the toxicology section. (b) A large library was developed from preliminary information obtained on this visit and has since been used here.

(a) 1959, FBI laboratory, Washington—Study and discussion regarding the development of a method of production of tool marks similar to that used in the West Berlin laboratory. (b) Results of this study adopted in our laboratory.

(a) 1959, New York city police laboratory—Additional studies on bomb disposal equipment. (b) Some of this equipment has been adopted for use in our laboratory.

(a) 1960, Quebec provincial laboratory, Montreal—Study of bomb disposal methods. (b) The study indicated that we have developed much more efficient methods, techniques and training in this field in our own laboratory.

(a) 1960, New York city laboratory—Study of bomb disposal technique. (b) No new or better developments have been observed than those used in our laboratory.

(a) 1960, New York medical examiner's office—Discussions of the organization of pathology and toxicology. (b) We have been unable to implement the methods used in New York; however, our toxicological methods have many advantages over those found in New York.

(a) 1962, Home Office laboratory, Nottingham—Study of the techniques of the identification of fibres. (b) We have adopted the results of these studies in part. Full implementation of this technique depends on the purchase of rather expensive equipment and the availability of competent staff.

(a) 1962, Home Office laboratory, Harrogate—Study of the files of infrared data on compounds of interest to toxicology. (b)

As a result of this study, we have extended our files to include these and many other materials and have purchased a complete set of reference data in this general area.

(a) 1962, Home Office laboratory, Preston—Organization of the laboratory. (b) As a result of this study, we have established a proper relationship between the experts and technicians on the laboratory staff.

(a) 1962, Home Office laboratory, Bristol—Exchange of information on gas chromatography. (b) No new information obtained.

(a) 1962, Scotland Yard laboratory, London—Study of the methods of identification of bloodstains. (b) As a result of this study, Mr. H. J. Funk was sent to Scotland Yard laboratory to continue studies in this field (see below).

(a) 1962, Laboratory of the French Sûreté, Paris—Study of the organization of the laboratory and the position of the experts in court, including a demonstration of case material. (b) This study confirmed our working arrangements.

(a) 1962, Paris municipal laboratory—Study of techniques of bomb disposal. (b) The study was useful for improvement of our methods.

(a) 1962, Forensic laboratory, Marseilles—Organization study of laboratory with special emphasis on work in pathology. (b) This study led to improvements in our approach to the organization of our pathology section.

(a) 1962, Forensic laboratory, Geneva, Switzerland—Review of toxicological services. (b) No new techniques were observed in the operation of this laboratory.

(a) 1962, City laboratory, Basle—Further study of the identification of fibres and the technique of the collection of surface fibres. (b) Up to the present, we have been unable to adopt this technique mainly because of lack of appropriate expensive equipment.

(a) 1962, Laboratory of the criminal police department, Federal Ministry of the Interior, Vienna—Study of the organization methods used by this laboratory. (b) It has been found that this is one of the most developed criminal laboratories. It will take a number of years to reach the level obtained in this laboratory. The extensive use of X-ray fluorescent analysis is being introduced in our laboratory during the current year.

(a) 1962, Forensic laboratory, Munich—Study of the organization of the laboratory in the methods of identification of bones and

other remains. (b) As a result of this study, we found that our staff is much more advanced in this field.

(a) 1962, State police laboratory, Wiesbaden, Germany—Study of the techniques for determining metal residues in shooting cases. (b) We have been unable as yet to develop this study further in our laboratory.

(a) 1962, US army laboratory, Frankfurt—General review of the organization and operation of this laboratory. (b) This study has shown that we have nothing new to find in the way of techniques.

(a) 1962, Forensic laboratory, Le Hague—Study of techniques of identification of forgeries in paintings and works of art. (b) Obtained data and techniques have been used in a recent case of forgery of works of a Canadian artist.

(a) 1962, medical examiner's laboratory, New York—Study of the polagraphic analysis of drugs. (b) The results of this study have been adopted and developed further in our laboratory.

(a) 1963, San Francisco laboratory—Study of the method of identification of tool marks with a new device called "striagraph." (b) This method appears to us to be impractical in some respects but we are continuing basic research in this area.

(a) 1963, Scotland Yard laboratory, London—Continuation of study for identification through bloodstains. (b) We have adopted a sensitive method for the detection of semen and a micro method for identifying a fraction in bloodstains, and both of these methods are now in use.

(a) 1963, Home Office laboratory, Nottingham—Seeking information on techniques of sectioning wood samples. (b) This method is now in use at our laboratory.

(a) 1963, State laboratory, Baton Rouge, La.—Investigation of advanced techniques of gas chromatographic analysis of drugs. (b) This method has been adopted by us and has improved the analytical work in the toxicology section.

(a) 1963, Los Angeles crime detection laboratory—Investigation of an electromagnetic arrangement for restoring serial numbers. (b) This method is in the process of investigation at our laboratory.

(a) 1963, Dade county public safety department, Miami—Study of bomb disposal techniques. (b) The result of the study has been incorporated in our techniques.

(a) 1963, FBI laboratory, Washington—Investigation of methods in the examination

of soils and other crystalline materials. (b) As a result of this study, we have been able to develop techniques for soil examination and are currently surveying this whole problem.

(a) 1963, Scotland Yard laboratory, London—General study in the field of organic chemistry. (b) Nothing was learned that would add to the work already being done in our organic chemistry section of the laboratory.

(a) 1964, FBI laboratory in Washington—Study of internal security methods and continuity of exhibits within the laboratory. (b) The methods applied in Washington are being currently introduced in our laboratory.

(a) 1964, Detroit police laboratory—Study of improved techniques for the restoration of serial numbers. (b) The new techniques used by the Detroit laboratory have been introduced in our work.

(a) 1964, FBI laboratory, Washington—Study of visualization of alterations in documents and techniques of sterilization of glassware, and also of display techniques for public visits to the laboratory. (b) The results of this study have been partly adopted.

(a) 1964, San Francisco laboratory—Survey of personnel, equipment, techniques and population serviced. (b) The resultant material of this survey is now under study in our laboratory.

(a) 1964, Oakland police department laboratory—Review of the organization of this laboratory. (b) The material obtained from this study will be further reviewed as to its usefulness in the organization of our laboratory.

(a) 1964, Santa Clara county police laboratory and Los Angeles police department laboratory—Study of the organization of the laboratory in relation to the population serviced. (b) The results of these studies are now under review.

(a) 1964, Orange county sheriff's office laboratory, Santa Ana, Calif.—Study of organization and techniques employed, and the relationship of total laboratory staff to case load and population. (b) The information obtained from this study provides valuable assistance in laboratory planning.

54. *Mr. Singer*: Inquiry of the Ministry: What amalgamations, if any, of police forces have taken place in Ontario in the years 1963 and 1964, and what are the names of the municipalities affected?

Answer by the hon. Attorney General:

1963: None. 1964: None.

55. *Mr. Singer*: Inquiry of the Ministry: How many new police forces have been created in Ontario in each of the years 1963 and 1964, and in which municipalities have they been created?

Answer by the hon. Attorney General:

1963: None.

1964: Four—the township of Schreiber in the district of Thunder Bay; the township of Gloucester in the county of Carleton; the township of King in the county of York; the township of Whitchurch in the county of York.

70. *Mr. Singer*: Inquiry of the Ministry: (a) Have any complaints been received from any registrar of deeds or master of titles in Ontario about the difficulty of staffing registry offices or land titles offices in Ontario? (b) If so, from which registry and land titles offices did they originate? (c) If so, how many of such complaints related to salary levels? (d) Have any steps been taken in 1963 or 1964 to review such salary levels? (e) What changes have been made in such salary levels in each of the years 1963 and 1964?

Answer by the hon. Attorney General:

(a) Yes.

(b) Registry office of East and West York in Toronto; registry and land titles office in Sault Ste. Marie; registry and land titles office in Kenora; land titles office for the county of York in Toronto; registry and land titles office in Sudbury; registry and land titles office in North Bay.

(c) Four.

(d) Yes—both in 1963 and 1964.

The staff of the land titles branch in Toronto and of the local registry and land titles offices in northern provisional districts are appointed under The Public Service Act, 1961-62, and were subject to the re-classification and salary revision programme conducted by the civil service commission. All salaries and classifications of clerical staff in the above-mentioned offices have been revised upward, effective September 1, 1962, during the years 1963 and 1964.

The salaries of local registry offices and land titles offices in counties are paid out of office fees and are subject to an annual review prior to April 1 each year. Irrespective of this, a general review of classification and salaries in these offices is now under way.

(e) Land titles branch in Toronto and local registry and land titles offices in northern provisional districts—In accordance with the civil service commission classification and salary revisions, the clerical staff of these offices received an average of six to ten per cent increase in salary levels in 1963, effective from September 1, 1962. The executive staff of the land titles branch in Toronto received, in 1964, a salary revision which amounted to approximately five per cent increase in salary levels, effective April 1, 1964. The salary ranges of local masters of titles and registrars of deeds (northern provisional districts) are now under review by the civil service commission.

Local land titles and registry offices in counties—The salaries of local masters of titles and registrars of deeds, including the salaries of staff employed in such offices, were adjusted by annual increments amounting from three to five per cent, effective April 1, 1963, and again on April 1, 1964. All salary ranges of the above-mentioned staff are now under review by The Department of the Attorney General and the civil service commission.

71. *Mr. Singer*: Inquiry of the Ministry: 1. What is the average length of time required to issue a certificate of title from the date of application until the land is registered in the land titles office: (a) in all land titles offices in Ontario, (b) in the land titles office, Toronto? 2. Have any complaints been received about the length of time so required? 3. What are the reasons for such a length of time? 4. What steps have been taken to remedy this situation?

Answer by the hon. Attorney General:

1. (a) One to two months, depending on completeness of the submission and complexity of application. (b) One to five months, depending on completeness of the submission and type of application.

2. Yes—in the form of written, telephone and personal inquiries at the land titles office.

3. (i) A marked increase in volume between the years 1963 and 1964, of: registration of documents under The Land Titles Act, 15.8 per cent; "first applications," 14 per cent; request for approval of plans under The Boundaries Act, The Certification of Titles Act and The Land Titles Act, 31 per cent; number of applications under The Certification of Titles Act, 15 per cent; number of certificates issued under The Certification of Titles Act, 53 per cent; number of units contained in municipal

applications for "first registration," 1000 per cent.

(ii) Extension of The Land Titles Act to the county of Welland, the city of Welland and the city of Niagara Falls, effective January 1, 1964; to the county of Essex, the city of Windsor and the town of Riverside, effective September 1, 1964.

(iii) Submission of faulty surveys, which require amending to meet with code of standards.

(iv) Failure by some lawyers to file applications together or immediately following the filing of plans for approval.

(v) Change in the nature of first applications. Prior to the years 1963-1964, the majority of applications had been related to land divisions which could be searched fairly quickly, whereas land titles offices are now receiving a greater number of land assemblies often involving as many as 50 or more separate properties. In the case of old city properties where there has been a considerable number of dealings with them, the search of a single application may take as long as four weeks or more to complete.

(vi) Applications generally are becoming more complex in connection with the increasing number of development and re-development programmes.

4. The land titles branch in Toronto: In July, 1964, the Attorney General authorized the employment of additional staff of 20 and paid overtime work for existing staff of this branch in order to liquidate the backlog of applications.

In September, 1964, a detailed audit of the branch was made by the audit and methods and procedures staff of the department. As a result of this audit, the procedures of the branch were streamlined and the Treasury board approved the addition of 21 members to the complement of the branch. The recruitment of this additional staff is now under way and the casual staff, temporarily engaged on the authority of the Attorney General, is either replaced by more competent staff or transferred to the regular staff if qualified and competent.

Land titles offices outside of Metropolitan Toronto: During 1964, the director of the land titles branch, who supervises all land titles offices, ordered the senior members of his staff to visit local land titles offices to advise and train the staff of the local offices in the administration of The Land Titles Act and the establishment of efficient procedures.

The following offices were visited for

this purpose: Fort William, Gore Bay, L'Original, Milton, North Bay, Ottawa, Parry Sound, Port Arthur, St. Catharines, St. Thomas, Sault Ste. Marie, Sudbury, Welland, Whitby, Windsor.

During 1964, the director of the land titles branch issued several procedural guides in order to assist local masters, e.g., "The Procedural Guide under The Expropriation Procedures Act."

The director of the land titles branch held, in 1964, one meeting of all local masters of titles at Fort William. The purpose of this meeting was the review of overall policies and local office administration.

73. *Mr. Singer*: Inquiry of the Ministry: 1. (a) Does the province of Ontario exercise any supervisory jurisdiction over expenditures made by municipal emergency measures organizations in Ontario? (b) If so, how is such supervisory jurisdiction exercised? 2. (a) Has the Attorney General questioned any expenditures of municipal emergency measures organizations during each of the years 1963 and 1964? (b) If so, how many such expenditures and of which organizations were such questions asked? 3. How many original decisions made by municipal emergency measures organizations have been changed as a result of inquiry or suggestion by this department?

Answer by the hon. Attorney General:

1. (a) Yes. (b) Review and approval of estimates with regard to individual projects under the federal provincial assistance programme; internal audit carried on by the emergency measures branch; post-expenditure audit carried on by the provincial auditor and the federal audit service.

2. (a) Yes. (b) In 1963: 147; in 1964: 130.

The questions were asked of the following municipal emergency measures organizations: Atikokan, Brant county, Bruce county, Carleton county, Dufferin county, Elgin county, Essex county, Fort Frances, Fort William, Frontenac county, Grey county, Halton county, Hamilton, Huron county, Kapuskasing area, Kenora area, Kent, Kirkland Lake area, Lambton county, united counties of Leeds and Grenville, united counties of Lincoln and Haldimand, Middlesex county, Norfolk county, North Bay; united counties of Northumberland and Durham, Ontario county, Peel county, Perth county, Peterborough county, Porcupine area, Port Arthur-Shuniah-Oliver, united counties of Prescott and Russell, Quinte area, Renfrew county, Sault Ste.

Marie area, Simcoe county, united counties of Stormont, Dundas and Glengarry, Metropolitan Toronto, Waterloo county, Welland county, Wellington county, Wentworth county, Woodstock, York county.

3. Seventy-seven.

74. *Mr. Singer*: Inquiry of the Ministry: (a) Will the Attorney General advise the purpose of the emergency measures organization's multi-coloured billboards displayed in Metropolitan Toronto in recent months? (b) Were these billboards approved by his department either as to the amount to be spent or to the text that appears thereon? (c) What was the total cost of these billboards? (d) How many such billboards were used?

Answer by the hon. Attorney General:

(a) The displaying of billboards forms a part of the national programme with the purpose of maintaining a public awareness of emergency services, its aims and activities.

(b) The expenditure for the billboards was approved within the financial assistance programme by the provincial and federal governments. The design of the billboards was approved by the Metropolitan Toronto emergency measures committee.

(c) \$6,000 (The cost of art work only).

(d) 1962: 4; 1963: 8; 1964: 20.

75. *Mr. Singer*: Inquiry of the Ministry: Was there any metropolitan-wide emergency measures organization exercise in the municipality of Metropolitan Toronto in 1964? (a) If so, what did it involve? (b) If so, how many persons took part in such exercise? (c) If so, what did they do?

Answer by the hon. Attorney General:

No. (a) Not applicable. (b) Not applicable. (c) Not applicable.

76. *Mr. Singer*: Inquiry of the Ministry: (a) Were the alarm systems set up by any emergency measures organizations tested in Ontario in 1964? (b) If so, how many such alarm systems were tested? (c) If so, how many such tests indicated that the alarm system was in satisfactory working order? (d) Where such tests indicated that the alarm systems were not in satisfactory working order, what steps have been taken to remedy the defects? (e) Is there any regular inspection of such alarm systems, and how is it organized?

Answer by the hon. Attorney General:

(a) The alarm systems in all provinces in Canada were set up by the federal

Department of National Defence, which is solely responsible for the installation, maintenance, control and use of such systems. This responsibility is not shared with provincial and municipal emergency measures organizations.

(b) (c) (d) and (e) The federal Department of National Defence does not furnish the provincial emergency measures organizations with the information requested in the above questions.

78. *Mr. Singer:* Inquiry of the Ministry: (a) What has happened to the signs prepared by Metropolitan Toronto emergency measures organization designating evacuation routes? (b) Is it intended that the signs be posted on the highways in or around the municipality of Metropolitan Toronto? (c) What was the total cost of these signs? (d) What has been the total cost paid for storage of these signs to January 20, 1965?

Answer by the hon. Attorney General:

(a) Voluntary dispersal route signs are located at the Metropolitan Toronto traffic police station No. 5. The police dispersal plan envisages these signs only as part of the dispersal programme. Plans are in being to man these routes, if required, with regular and auxiliary police.

(b) Under present planning, these signs are to be erected, in the event of deterioration in the international situation, on posts already installed.

(c) \$4,884.45.

(d) None.

79. *Mr. Singer:* Inquiry of the Ministry: (a) Does the Attorney General still recommend the construction of shelters for protection either from bombs or blast in the event of a national emergency such as war? (b) If so, what is being done to encourage the building of more shelters, (i) by private citizens, (ii) by government or government agencies? (c) Will any of the new buildings in the Queen's Park complex, which are planned or now under construction, have built into them either bomb shelters or blast shelters? (d) If so, how many persons would be accommodated in such shelters?

Answer by the hon. Attorney General:

(a) No programme for the construction of shelters for protection either from "bombs or blasts" has ever been developed or encouraged in Canada, including Ontario.

(b) Not applicable.

(c) Not applicable.

(d) Not applicable.

Note: The federal government had initiated and carries out a programme of construction of "fallout shelters" to provide protection against radiation. This programme is strongly recommended and encouraged by the Attorney General.

The Ontario emergency measures organization conducts an extensive public information programme encouraging the building of fallout shelters by private citizens, industry, government and government agencies.

The new buildings in the Queen's Park complex, which are planned and are now under construction, will have built into them appropriate "fallout shelters" as a protection against radiation from radioactive fallout. It has not yet been determined how many persons would be accommodated in shelters provided in this complex.

80. *Mr. Singer:* Inquiry of the Ministry: How many shelters have been built in Ontario since the emergency measures organization began to function?

Answer by the hon. Attorney General:

There are no records available as to the number of private fallout shelters already constructed in family homes.

However, a shielding analysis survey of all large buildings in the province is progressing. Thus far, these surveys indicate that communal shelter space now exists which is capable of accommodating 1,855,400 people. Records pertaining to these surveys are being maintained as to the location of the building, its protection factor and space capacity. These records are in the possession of the local municipal authority concerned, and the emergency measures branch of The Department of the Attorney General maintains an up-to-date record of all surveys made in the province.

82. *Mr. Singer:* Inquiry of the Ministry: (a) How many federal-provincial meetings on emergency measures planning have been held in the year 1964; (b) What were the results of such meetings; (c) What plans are there for similar meetings in 1965?

Answer by the hon. Attorney General:

(a) 87.

(b) The municipal and federal responsibilities in emergency supply planning were clarified.

The allocation of responsibility of the

control of engineering and construction resources was resolved.

Fifty-five (55) provincial government officials took part in a series of meetings designed to train them in emergency planning, methods of organization and techniques of operation.

Responsibility for provision of emergency housing was allocated to the Ontario housing corporation.

Training methods and standards were examined and updated.

Provincial and federal staff members were assigned their duties at the (Ontario) regional emergency government headquarters (REGHQ).

Regulations and procedures in connection with the emergency measures financial assistance programme were reviewed, updated, and approved for publication.

A planning committee was established to study and recommend policy and procedures for the operation of emergency broadcasting system.

A survey was made of existing buildings to determine suitable accommodation for the establishment of seven zone emergency government headquarters (ZEGHQs).

The radiological defence programme was reviewed and updated.

The method of handling and controlling radioactive sources (for training) was determined, as was that for the control, maintenance, and repair of operational radiation detection equipment.

A review was made of the programme which is underway regarding the survey and assessment of publicly owned buildings (federal-provincial-municipal) to determine radiation protection factors in order to establish the number of shelter spaces available in the province.

The emergency welfare services programme was reviewed and updated.

The emergency health services programme was reviewed and updated.

The federal and provincial departments of agriculture studied methods and procedures relating to the safeguarding of livestock and farm produce.

The emergency communications system was reviewed and the system extended.

Engineers and architects were given instruction in advanced shielding analysis.

"Government in an Emergency"—Federal, provincial and municipal was studied to determine common procedures and policy for presentation to the forthcoming Dominion-provincial ministers' conference on emergency measures' matters, which is scheduled for May, 1965.

An exercise was held in No. 2 zone emergency government headquarters to test the effectiveness of plans for operational control by federal and provincial officials; and,

An emergency planning guide for government departments, boards and commissions was developed, published and distributed to all senior officials who would have responsibilities in either a natural or national emergency.

(c) Educating provincial and municipal officials in the techniques and procedures necessary for the development of emergency plans.

Continuing the training of government officials in their responsibilities at region and zone emergency government headquarters.

Exercising the municipal emergency government headquarters within a zone.

Studying a communal fallout shelter programme.

Developing and publishing a "Municipal Guide for Emergency Planning."

Studying all of the aspects of natural emergency to determine methods whereby natural emergencies can be dealt with effectively.

Developing a standard procedure for the operation of the regional emergency government headquarters.

Educating Ontario mayors, reeves and wardens as to their responsibilities in emergency government, and,

To continue the development of the basic emergency services, namely, fire, police, health, welfare, engineering, utilities, radiological defence and rescue.

-
105. *Mr. Young*: Inquiry of the Ministry: 1. How many grants have been made to municipalities under the emergency measures financial assistance programme with respect to the purchase of additional self-propelled motorized fire pumpers for the training of auxiliary firefighters and for use in the event of an emergency? 2. (a) What was the amount of each tender for each fire pumper, and (b) what were the names of the companies making such tenders? 3. What are the names of the companies awarded the contracts and at what price? 4. What was the amount of the emergency measures grant in each case?

Answer by the hon. Attorney General:

1. Eighteen.
2. (a) Municipal authorities are responsible for calling tenders in accordance with local tender policy and procedure. (b) Not applicable.

3. Amount of approved tender

<u>Amount of approved tender</u>	<u>Company</u>	<u>Municipality</u>
\$ 23,900	King Seagrave	City of Brantford
22,254	King Seagrave	Twp. of Brantford
18,400	American Marsh	Town of Port Elgin
18,000	LaFrance Foamite	City of Belleville
18,261	King Seagrave	Town of Carleton Place
11,655	American Marsh	Twp. of Caledon
16,240	King Seagrave	Twp. of Bromley
28,600	King Seagrave	City of Kitchener
14,664	American Marsh	Village of New Dundee
18,000	Mack	City of Cornwall
18,778	C. E. Hickey & Sons	Town of Chelmsford
18,000	Mack	City of Hamilton
18,000	American Marsh	Twp. of Osnabruck
21,737	King Seagrave	Town of Tecumseh
19,566	King Seagrave	Twp. of Whitney
18,000	American Marsh	Town of Palmerston
15,820	C. E. Hickey & Sons	Town of Almonte
18,000	King Seagrave	Town of Port Hope

Grants

4.	<u>Federal (30%)</u>	<u>Provincial (15%)</u>
City of Brantford	\$ 5,400.00	\$ 2,700.00
Twp. of Brantford	5,400.00	2,700.00
Town of Port Elgin	5,400.00	2,700.00
City of Belleville	5,400.00	2,700.00
Town of Carleton Place	5,400.00	2,700.00
Twp. of Caledon	3,496.50	1,748.25
Twp. of Bromley	4,872.00	2,436.00
City of Kitchener	5,400.00	2,700.00
Village of New Dundee	4,399.20	2,199.60
City of Cornwall	5,400.00	2,700.00
Town of Chelmsford	5,400.00	2,700.00
City of Hamilton	5,400.00	2,700.00
Twp. of Osnabruck	5,400.00	2,700.00
Town of Tecumseh	5,400.00	2,700.00
Twp. of Whitney	5,400.00	2,700.00
Town of Palmerston	5,400.00	2,700.00
Town of Almonte	4,746.00	2,373.00
Town of Port Hope	5,400.00	2,700.00
	<u>\$93,113.70</u>	<u>\$46,556.85</u>

Note: The amounts indicated are subject to minor adjustments following the receipt of final claims.

Mr. Speaker: Orders of the day.

THE TRUSTEE ACT

Hon. A. A. Wishart (Attorney General) moves second reading of Bill No. 70, An Act to amend The Trustee Act.

Motion agreed to; second reading of the bill.

THE PROCEEDINGS AGAINST THE CROWN ACT, 1962-1963

Hon. Mr. Wishart moves second reading of Bill No. 71, An Act to amend The Proceedings Against the Crown Act, 1962-1963.

Motion agreed to; second reading of the bill.

THE CORONERS ACT

Hon. Mr. Wishart moves second reading of Bill No. 72, An Act to amend The Coroners Act.

Mr. V. M. Singer (Downsview): Mr. Speaker, with all of the discussion that we have had in recent weeks in the province about coroners and their functions, I would have hoped that by the time the hon. Attorney General (Mr. Wishart) was prepared to bring before this House a bill with some amendments, and some of these are quite substantial, insofar as coroners are concerned, that we would have had a real opportunity to examine the whole problem concerning coroners and their methods of carrying on in the province of Ontario.

There are serious questions that have arisen. The discussions concerning Dr. Shulman are matters of very grave public importance. I do not think anyone can doubt, sir, that perhaps most of the things Dr. Shulman has done are for the great good of the province of Ontario; they have added substantially to the protection of its citizens. They have helped to establish new procedures which will prevent, to some extent, it is hoped, death by accident, and that sort of thing. They have brought a clean light and a new broom to many of our institutions. They have tidied up procedures that in the past have been sloppy; and, by and large, they have brought a brand-new approach to this whole office.

However, it must be obvious to anyone who can read the newspapers that there has been substantial conflict between the approach that the chief coroner—

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, on a point of order. What has this to do with the principle of this bill?

Mr. Singer: I think it has a great deal to do with the principle.

Hon. Mr. Robarts: I asked the Speaker for his ruling.

Mr. Singer: I will explain to the Speaker, then. I think this has a great deal to do with the principle of the bill, Mr. Speaker, because if The Coroners Act is going to have substantial amendments, I would have thought, and I am very disappointed, in the fact that there is not a real method of wrestling with the problems that are presented to this office.

Here is a bill of major importance amending The Coroners Act, which has not been amended in a major way in recent years. With all this discussion, I would have thought that the government would have seen fit to bring forward the sort of legislation that would have resolved in the public mind the type of discussion going on.

For those reasons, Mr. Speaker, I think my remarks are absolutely in order. With your permission, I will proceed, sir.

Mr. Speaker: You may proceed until I say otherwise.

Mr. Singer: I would have hoped—

Hon. A. A. Wishart (Attorney General): Mr. Speaker, on a point of order.

Mr. Speaker, I submit that the hon. member is not speaking to the principle of the bill. I would remind him, and I think it is very pertinent to this discussion, that when I introduced this bill to amend The Coroners Act on first reading I pointed out that the whole subject had been referred to the law reform commission, and that it was being studied and that these amendments were, in a sense, minor in that they cleared up some areas of doubt as to jurisdiction. I think, surely, it should have satisfied the hon. member that we have what I consider as our continuing research facility in the laws of this province dealing with the matter; that the proper thing to do is to allow that research to be completed. It should not take too long for that to be done and the report to come forward.

Mr. Singer: Mr. Speaker, my colleague from Sudbury (Mr. Sopha), speaking on another matter and referring to a couple of the commissions that are sitting, said that we seem to have a state of suspension arising in the affairs of the province of Ontario because we cannot act in relation to Metro Toronto until the Goldenberg report comes in. We cannot act in relation to financial relations

until the Smith report comes in about tax relations, and now it seems the government has discovered a new way of carrying on the state of suspension. Whenever anything comes up that seems to be controversial in the legal sense, we have a brand-new body called the law reform commission, which is duly investigating and so we are not supposed to discuss it.

Mr. Speaker, with great respect to my friend, the hon. Attorney General, and to my friend, the hon. Prime Minister, I think that if we are going to have what I believe to be the first series of serious amendments to The Coroners Act, the government should be prepared at this stage to explain to us some of the reasons behind the apparent conflict that exists—

Hon. Mr. Robarts: Mr. Speaker, I want again to rise on a point of order. This is completely out of order. There are many areas of debate in this House where the hon. member can express his opinion on this matter, but on second reading of any bill, I submit, he must stay to the principle of the bill and the principle of the sections of the bill. Certainly this is not one of them.

Mr. Speaker: After looking at the bill, I would like to inform the member that it consists of some 16 sections, each of which carries a principle with it. I think, in all fairness, on second reading, he should stick to the principles involved in these various sections and that there will be plenty of opportunity for him to discuss the other matter which he has embarked upon during the estimates of The Department of the Attorney General.

Mr. Singer: Mr. Speaker, I will, of course, accept your ruling, but I am disappointed that the government at this time does not see fit to get into this sort of method.

Mr. R. F. Nixon (Brant): It is embarrassing.

Mr. Singer: It is very embarrassing. Here is a matter that is current. There is a bill before the House, and I thought that this would have been an opportunity the government would have welcomed. However, as I say, sir, I will accept your ruling and we will not argue any more on that.

Insofar as the various sections are concerned here, I would hope that the hon. Attorney General will explain to us, at some length, the new duties and responsibilities, if there are any in this Act—I am rather inclined to think they are extended to the chief coroner of the province of Ontario—and how,

in context, that affects other people who perform similar duties across the province. I think that is within the general principle of the bill.

I notice it is made abundantly clear in this bill what is supposed to happen to the recommendations that come forward. Perhaps, from this bill, or from some of the explanation that can be given to us, the procedure that is used—

Hon. Mr. Robarts: Have you read this bill?

Mr. Singer: Yes, I have; indeed I have.

Hon. Mr. Robarts: I would not think so, but I will take your word for it.

Mr. Singer: —the procedure that is followed or going to be followed in connection with such recommendations. Then there is a section that deals with the intervention in an investigation and the right of the Crown attorney and the hon. Attorney General to order intervention being retained. The supervising coroner is given authority to intervene. What is going to be the role of the local coroner, and to what extent, once the supervising coroner does intervene? I think this is something that should be made abundantly clear.

Interjections by hon. members.

Mr. Singer: Sir, trying to live within the four walls of your ruling, I am wondering why it is deemed necessary that the supervising coroner should have all of these additional powers that were not deemed necessary before.

This, I suppose, is as close as I can get to a real examination of the whole performance of the coroner's office and the whole system of conducting coroner's inquests.

As I say, sir, I do not want to run foul of your ruling; perhaps the hon. Attorney General can throw some light on it.

Hon. Mr. Wishart: Mr. Speaker—I think I said this when I introduced the bill on first reading—this bill does not bring about any major changes or amendments to The Coroners Act. As I said then, and repeat here today, our policy was to make use of the excellent service we have in the law reform commission to give us some advice and some study on this field of coroners' inquests.

While I cannot put my hand on it at the moment, because it is in last year's *Hansard*, which I do not have here today, the hon. member for Downsview was then saying: "Why does the Attorney General not use the research facilities which we could provide"

in the law field, from the universities and so on." I think he said it again and again. This is what I am doing; this is what the government is doing. We are using those research facilities.

Earlier today I tabled the first report from the law reform commission, which was set up less than a year ago. It is now undertaking a study in the coroners' field. I think the field is not so large nor so extended that it will take a long time; therefore, in doing what might almost be called housekeeping amendments, this is all we undertook in this bill this year.

The principle of the bill, and I must speak to that, is set out—if the hon. members have the bill before them—in the explanatory notes for the sections, which say all that should need to be said about the intent, the purpose and the principle of this bill.

I do not know just what it is that puzzles the hon. member for Downsview, but I can perhaps answer him in general terms. There are some areas in the Act where there is not a clarification of the jurisdiction or authority of the supervising coroner, and occasions arose where coroners throughout the province were acting, while it was not clear who should give them direction, who should intervene, and who should provide them with advice and—

Mr. Singer: There have been conflicts—misunderstandings.

Hon. Mr. Wishart: No, I do not stress the conflict, because actually, as I said in this House about a week ago, the conflict, which seems to have been a great field of play for some newspapers, arose out of pure speculation on their part and not from anything said by the Attorney General or, as far as I know, by any member of the government.

However, this bill was designed before there was any such publicity—

Mr. A. E. Thompson (Leader of the Opposition): Misinterpretation.

Hon. Mr. Wishart:—such publicity as we have had in the last few days. This bill was designed some weeks ago and was designed simply to smooth the road and to clarify the procedures that coroners should follow throughout the province in carrying out inquests. That is the principle of the bill.

Mr. D. C. MacDonald (York South): Mr. Speaker, there is one small point that I would like to draw attention to in dealing with the principle of this bill, which has many principles in view of the various clauses.

I am rather intrigued by the underlying principle involved in the amendment in section 10.

I am wondering out loud, sir, whether this does not acknowledge that the supervising coroner recognized that he lacked necessary powers and that he did not realize that as a result of the inquest which has raised so many question marks in the Guelph reformatory—because it states here in the explanatory note—"the supervising coroner is added as one who is authorized to require the attendance of witnesses at an inquest, in addition to the Crown attorney and counsel for the Attorney General as at present."

In other words, presumably even after Dr. Cotnam's office had been informed that it was felt some key witnesses would not be called for that particular inquest, I judge that he did not have the power to do anything about it, other than to pass word on. Now he does have the power and in the future he will be so warned that he can conceivably move into the picture and make certain that witnesses are called if he does not feel that the authorities at the local scene are going to do so. Am I correct?

Hon. Mr. Wishart: This, Mr. Speaker, serves very well to clarify what I have been saying and I appreciate the hon. member referring particularly to section 10.

Here was one situation which we found to be existing: Coroners in various districts of the province, some of them being new to the work or being recent appointments, and some of them being inexperienced, in more than one instance were failing to conduct their inquests to the thorough extent that we felt they should be conducted. They were failing, perhaps, to summon a witness, and after the inquest had been concluded, these things would come to the attention of The Department of the Attorney General and I may say to the House that in several instances I have found myself signing instructions for a further inquest to be conducted.

As I say, the whole tenor of the Act was to get the supervising coroner in there; one experienced, capable official who has a serious responsibility to see that these things are done. As a consequence, we have added him in section 10 to see that he has authority to call the proper number of witnesses if he feels that the proper number have not been summoned. This is in addition to the residual authority which we have left there and which the counsel for the Attorney General and the Crown attorney in the district have.

Motion agreed to; second reading of the bill.

THE PRIVATE INVESTIGATORS AND
SECURITY GUARDS ACT, 1965

Hon. Mr. Wishart moves second reading of Bill No. 73, The Private Investigators and Security Guards Act, 1965.

Mr. Singer: Mr. Speaker, in principle I think this is a good bill and I believe that private investigators and security guards should be kept under government regulations and government licensing and should abide by certain government standards.

I hope that I am not going to embarrass my friend, the hon. Attorney General on this, but there was a thought at one time, let me put it this way, that perhaps some control over armament, means of identification, uniforms and so on, of these guards, might well be undertaken in this sort of bill. There are powers to pass regulations here. There is no direct reference to this, but I think there are powers—am I correct in that?

Hon. Mr. Wishart: I believe so.

Mr. Singer: I do not see anything specifically in the bill dealing with these particular subjects and I would have thought that they could have formed a valid section of the bill. Is it within the contemplation of the department that this matter is going to be reviewed? I know that there was discussion about it and at one time some people, in any event, thought that this could be a good part of such a bill. I would think that it is a very important thing that this type of control should in fact be exercised.

What I have in mind, Mr. Speaker, is this: I have noticed in the municipality of Metropolitan Toronto that we have some investigating agencies which have very fancily painted cars, revolving lights on their roofs, and fancy uniforms. You see them in the movies, you see them among the Texas Rangers, you see men walking around with leather holsters open at the side with revolvers sticking out and wearing belts and tri-cornered hats. They look very impressive, and one begins to wonder just what army they belong to and if they are a part and parcel of our law enforcement authority. I think this sort of thing is bound to cause confusion in the mind of the average citizen who is familiar with these things, if he sees a person proceeding apparently in a business-like way dressed in this manner. The average citizen might tend to think that this person is clothed with some governmental authority, perhaps as a policeman or that sort of thing. I think this has caused some considerable concern in the minds of many

people and I would have hoped to see some method of bringing this practice, which I do not think is a proper one, under proper control.

We have police forces and they have certain rights and duties and responsibilities; they are uniformed, they can be armed, and the use of their arms and so on is controlled in definite ways. But I do object very strongly to having private investigative agencies, or protection agencies, or security agencies, giving the appearance at least that they are part of an established law enforcement arm of government, and I would have hoped to have seen this sort of thing brought under some review and control in this Act.

Hon. Mr. Wishart: Mr. Speaker, the only thing I might say on this particular point would be that there is nothing in this Act as here before the House on the question of defining and describing and limiting the uniform which may be worn by someone who would be licensed under this Act. Possibly that might be worthy of consideration. I would say that if it were found wise and necessary, there would be authority in the regulation section, which is 35, item (j), so that it could be covered in that manner.

I am quite prepared to admit that possibly a better way to regulate is by legislation. I am prepared to admit that general principle, but I think perhaps that one would enter with great temerity on the business of trying to define in an Act the uniforms of certain organizations which have been worn and established and to which people have become accustomed, or to legislate them out of existence or delimit them in legislation. Since this is a new Act insofar as the security guards or the private investigators are concerned, I think we might perhaps try out our regulatory powers that the Act will provide and see how they work. Then if we find they are not sufficient, or if they are too broad, or if they are ill-used in the opinion of the House, the Act could be amended.

Mr. Singer: Mr. Speaker, I think the hon. Attorney General shares with me the concern I have expressed. I am not particularly concerned about the uniforms—we have Boy Scouts, Girl Guides, lodge brothers and Lions and so on, all with their own uniforms—but when one adds to a military-appearing uniform, a revolver carried in an open holster, this perhaps adds something sinister in its implications.

Hon. Mr. Robarts: Mr. Speaker, on a point of order, the hon. member has already spoken once in this debate.

Mr. Singer: All right.

Mr. Thompson: Mr. Speaker, if I could follow up on this, it would seem to me that the point my hon. colleague was stressing is the fact of the sinister influence which a uniform could provide, particularly if you have a firearm carried with it. I think the thing we would be interested in, is whether there is any way by legislation whereby one could ask for the exclusion of firearms from these uniforms.

Mr. MacDonald: The hon. Attorney General can only speak once in concluding the debate. I was going to throw in a question before he rose.

Mr. Speaker: Sometimes, if I think there is a contribution to the debate, the chair allows a bit of flexibility. In this case I thought there was some contribution to the question-and-answer discussion of the two members, and that is why I was allowing some flexibility.

Mr. Thompson: I asked the hon. Attorney General, but perhaps the hon. Prime Minister would answer it.

Hon. Mr. Wishart: I wonder, Mr. Speaker, if the hon. member for York South might be permitted to ask his question and then perhaps I could answer both.

Mr. MacDonald: It is very brief. Will this bill in its broader context now include railway police?

Hon. Mr. Wishart: I would say yes—without looking at the bill, but from my memory of it. I think it has certain regulatory powers over railway police.

Mr. R. Gisborn (Wentworth East): Mr. Speaker, might I just inquire if this bill will go to the committee before final reading?

Hon. Mr. Wishart: I think perhaps this is a bill which should go to the committee on legal and municipal bills.

Motion agreed to; second reading of the bill.

THE COMMUNITY CENTRES ACT

Hon. W. A. Stewart (Minister of Agriculture) moves second reading of Bill No. 78, An Act to amend The Community Centres Act.

Motion agreed to; second reading of the bill.

THE JUNIOR FARMER ESTABLISHMENT ACT

Hon. Mr. Stewart moves second reading of Bill No. 82, An Act to amend The Junior Farmer Establishment Act.

Motion agreed to; second reading of the bill.

THE MOTOR VEHICLE ACCIDENT CLAIMS ACT, 1961-1962

Hon. I. Haskett (Minister of Transport) moves second reading of Bill No. 86, An Act to amend The Motor Vehicle Accident Claims Act, 1961-1962.

Motion agreed to; second reading of the bill.

THE BRUCELLOSIS ACT, 1965

Hon. Mr. Stewart moves second reading of Bill No. 91, An Act to amend The Brucellosis Act, 1965.

Mr. M. Gaunt (Huron-Bruce): Mr. Speaker, I just have a few comments on Bill No. 91.

The import of this bill, as I understand it, is to remove from the present Act the compulsory aspect of making farmers vaccinate their female calves. This is a vaccination, of course, against brucellosis, Bang's disease, as we have known it for some time. This disease has certainly caused the livestock industry, and in particular the cattle industry, a great deal of money and it has been concerned with it for many years, as has The Department of Agriculture.

The Brucellosis Act was brought in, as I recall, in 1956, and it made the vaccination of female calves mandatory or compulsory. We progressed for some while up to the point that the brucellosis eradication programme was brought in, I believe, in 1958. This programme was instituted by the federal Department of Agriculture and it was designed to confine this disease even further to small areas.

Under this programme, testing is done in a brucellosis control area and once it is established, as I understand it, the percentage of the cattle infected does not exceed one per cent of the total cattle population, and the percentage of herds infected does not exceed five per cent of the total herds. The area is certified for a period of three years.

I believe that the testing has been completed in all of the province. I believe the northern areas were the last parts of the province where testing was done and to my knowledge this was completed a few months

ago. So we have the entire province certified for a period of three years.

It seems to me, however, that we no sooner accomplish this, than the hon. Minister of Agriculture brings into being a bill to remove the compulsory aspect from calf-hood vaccination, making it a completely voluntary thing. I have serious doubts about the timing. I do not have serious doubts about the bill being brought in, let us say, two or three years hence, but I do have serious doubts about it being brought in at this particular time and perhaps I would just elaborate on them.

I would have thought that a waiting period would have been desirable—call it waiting period, incubation period, or whatever you like. I think it would have been desirable, to have this waiting period after the certification, to see if any serious outbreaks would occur, and if they did occur, of course, to clean them up, and also to have extra time in which the eradication of the disease would be completed to a greater extent, or very close to it.

The import requirements of several of the states in the US demand that all female cattle for breeding purposes be officially vaccinated. The cattle export business has made a real contribution to the industry in this province, and has certainly enhanced the economic atmosphere of the industry in the province of Ontario, because it has meant more money.

It seems to me that unless something has been cleared with our friends to the south, I am wondering if we will run into problems in exporting cattle to some of these states in the United States if this bill is brought into being, passed and implemented.

It is my understanding that in Sweden the livestock industry has reached the point where it is not mandatory to vaccinate female calves. That country is now in a position to say to the importers of their cattle that it is free from brucellosis to the extent that it does not even have to vaccinate for it. I would think that in the minds of the importers of Swedish cattle, this would certainly enhance Sweden's position because it implies the health standards of animals are very high, and that the importers would subsequently be safe in buying cattle from them, from a health standpoint.

If this is so, I think it is desirable for the cattle industry in the province, and eventually in the whole country. However, I come back to the point that I made near the beginning of my remarks, when I said that I am not sure about the timing. I think that we should have waited perhaps two or three years

before we removed the compulsory aspect of the calfhood vaccination.

For instance, if an outbreak were to occur, the health of animals branch in Ottawa of The Department of Agriculture would quarantine the affected area and would subsequently order the cleaning of the buildings and the slaughtering of the affected animals. If this happens, and we hope it will not, with increasing frequency, I think that perhaps in the minds of some of our cattle importers we might be placed in a position where they would doubt our health standards and be inclined to reject our cattle, as opposed to Swedish cattle or cattle from another country where they felt the health standards were perhaps a little higher than here. I hope that would not happen, but I mention it as a possibility. Up until this point, livestock producers in the province of Ontario have been noted for the exceptionally high quality of their livestock, in terms both of quality and health. I would not want to see those two things decline insofar as this bill is concerned.

So as far as our party is concerned, we will vote for this bill, but I reiterate the point, that I would like to see a delay. I would like to ask my hon. friend if he would consider a delay of even a year, until we see what happens so far as our certified brucellosis areas are concerned. We will vote for the bill, but I ask my hon. friend if he would give consideration to that particular aspect of it.

Hon. W. A. Stewart (Minister of Agriculture): Mr. Speaker, first of all I appreciate the comments that have been made by my hon. friend. As a livestock breeder myself, these are matters that have come to my attention and have been of concern to me; I think they would be of concern to all livestock people in Ontario.

The progress that has been made in the eradication of brucellosis has been, as my hon. friend suggests, remarkable in the three years it has really been in operation. As he says, Ontario has been declared a bucellosis-free area. With this thought in mind, the federal government made the suggestion to us that we should put this on a voluntary, rather than a compulsory, basis.

In the face of this, it might seem peculiar why the suggestion was made; frankly, I asked why it was their proposal. The simple fact is that many livestock farmers are not too particular about the date of vaccination. In many instances, these calves are vaccinated at a period beyond the time when they will clean up to clear them for a blood test that

may be required for export; in fact, we have had cases of female stock that has been sold for export, but when it came to blood-test them, they showed doubtful or even positive results, because of the vaccination. Yet you would know there was no trace of brucellosis in that herd whatever. So some cattle have not gone to export sales that might have.

Now, you may well ask: How will making this voluntary correct the situation? We have stipulated in this Act, and in the regulations that will be prescribed in the Act—if you will notice in sections 4, 5 and 6, the age limits that can be prescribed in the regulations—that no veterinarian can vaccinate the animal, other than between the ages of four and ten months, I believe. I am not exactly sure of that, but I think that is the time we said. So this would mean, then, that the animals should clear up before the time of blood test for export purposes.

Along with this, I think my hon. friend will agree that literally thousands of female feeder cattle come into the province from western Canada as feeder calves every year; it has been required that they all be vaccinated and, indeed, all female stock under the Act was required, by law, to be vaccinated.

Actually, this has been quite a waste because inevitably a lot of these calves are never let out of the feed lot; they are sent right to the slaughterhouse. It seems quite an encumbrance on those farmers who are required to vaccinate these cattle and for the government to pay a veterinarian to do it.

I think that while this may be of concern to my hon. friends, and rightly so, we have looked into all these aspects of the matter and it has been thoroughly discussed with the federal health of animals branch of the government of Canada. There is complete unanimity that since Canada has approached the stage of being brucellosis-free, there should be no reason why we should maintain a compulsory aspect toward brucellosis vaccination; that is why the bill is being introduced.

We could, of course, as my hon. friend suggested, delay the implementation of the bill for a year, but, frankly, I do not think that we would be any more certain in a year's time that there would not be an outbreak than we are today. There has not been any outbreak. It has been a remarkably successful campaign, so I would think that we should proceed with this as it is. I feel that the livestock industry is well protected by the clause which is in this new bill.

Motion agreed to; second reading of the bill.

THE LIVE STOCK COMMUNITY SALES ACT

Hon. Mr. Stewart moves second reading of Bill No. 92, An Act to amend The Live Stock Community Sales Act.

Motion agreed to; second reading of the bill.

THE CORPORATIONS ACT

Hon. J. Yaremko (Provincial Secretary) moves second reading of Bill No. 93, An Act to amend The Corporations Act.

Motion agreed to; second reading of the bill.

Clerk of the House: The 52nd order. House in committee of supply. Mr. W. E. Sandercock in the chair.

ESTIMATES, DEPARTMENT OF ENERGY AND RESOURCES MANAGEMENT

Hon. J. R. Simonett (Minister of Energy and Resources Management): Mr. Chairman, The Department of Energy and Resources Management was established by this Legislature one year ago. It brings together those programmes of the government dealing with energy, water and conservation. It administers The Energy Act, The Ontario Energy Board Act, The Conservation Authorities Act and The Parks Assistance Act. Three government commissions and one board—the Ontario northland transportation commission, the Hydro-Electric Power Commission of Ontario, the Ontario water resources commission and the Ontario energy board—are responsible to the Minister of this department. In January, 1965, The Gasoline Handling Act was transferred from the Treasury to this department for administration.

The rapid expansion of Ontario's industry continues to demand increasing amounts of energy. As a result, sales of natural gas in Ontario recorded new peaks last year. Several oil refineries constructed additions to their plants to satisfy demands for refinery products. The propane industry expanded at an unprecedented rate, and new and larger thermal generating stations for the production of electricity were required.

While oil maintains its lead as a supplier of energy for our needs, competition from other fuels is continuing to increase. The market divides itself as follows: oil, 50.3 per cent; coal, 27.4 per cent; natural gas, 14.9 per cent; and electricity, 7.4 per cent.

It is of great importance that Ontario be

assured of a secure and abundant energy supply to maintain its economic health.

It is interesting to note that last year, industrial gas customers, who represent about one per cent of the total of 640,000 gas customers, consumed approximately 50 per cent of all the natural gas distributed in the province.

Trans Canada Pipelines, our supplier of western natural gas, installed several new compressor stations in Ontario to help meet the increased demand. Much of our winter gas is brought to Ontario in the summer and stored in our underground natural gas reservoirs in southern and southwestern Ontario. During the past 12 months the storage capacity in Lambton county was increased by approximately 42 billion cubic feet by the Tecumseh Gas Company's storage pools. The designation of an additional gas storage area has been recommended by the Ontario energy board in Humberstone township, in Welland county. This will provide additional storage close to a market in the Niagara peninsula.

The national energy board at Ottawa and the federal power commission in Washington approved the application by the Union Gas Company of Canada to import from the United States 15.5 billion cubic feet of gas per year for 12 years, commencing in 1964. This quantity includes 5.5 billion cubic feet approved under previous import contracts.

The biggest single development in the propane industry was a contract signed between the British American Oil Company and Caland Ore. Under this contract, 20 million gallons of propane per year will be supplied to Caland's pelletizing plant at Atikokan. The propane will be transported from BA's Alberta plants by rail in jumbo tank cars; each will be capable of carrying 27,000 gallons, and storage on site will be in 50,000-gallon storage tanks. This makes Caland Ore the largest user of propane for non-petrochemical use in Canada, and indicates the future possibilities for this type of energy for some of Ontario's industry.

In keeping with the rapid expansion in the use of fuels, this department, through The Energy Act, has played a leading part in assuring Ontario citizens that these fuels are being handled and used in a safe manner. In this regard, we are very pleased to note that accidents with natural gas, which were of concern a few years ago, decreased last year. I would like to compliment the gas distributors and contractors, as well as the gas fitters employed in the industry, on this achievement.

Last year, inspectors of the energy branch

inspected the property and plant of every propane distributor and, where necessary, advised the owners of changes required to conform with regulations. Follow-up inspections were made to offer further assistance.

Last year I promised the Legislature that we would start examining and registering fuel-oil fitters in the province. Since that time we have worked closely with various organizations to develop a workable and feasible programme in this regard. I am glad to report that the first examinations were held in the last week of March. We are being assisted in this programme by the oil heating association, the provincial institute of trades, and the industry itself.

In our programme of regulation and inspection respecting these three fuels, we are following identical approaches. We are offering a programme of help and education to both the distributor and the fitters to make them aware of the necessary standards, the regulations to be followed and the codes for installation. Our staff has also been engaged in a continuing programme to develop better standards and improved codes. The whole programme, taken together, has contributed to a high degree of understanding of the safety demands.

The hon. member for Muskoka (Mr. Boyer), vice-chairman, Hydro-Electric Power Commission of Ontario, will report later on the activities of the commission in the past year. However, I would like to say a few words about nuclear power. Ontario has taken the lead in the development of nuclear power in Canada. This was not our choice, but was forced on us by nature; while other provinces still have abundant hydraulic power available, Ontario is fast coming to the end of its hydraulic resources. In order to be able to keep supplying the electric power to our growing industry, we have to turn to other resources. The major one for future development is nuclear energy. Demand for uranium is increasing all over the world and, if the forecasts are right, we expect to see uranium mining in Ontario working with increasing capacity by 1970, if not earlier.

Canada's heavy-water moderated reactor concept is studied with great interest by many nations in the world. Construction at the Douglas Point nuclear power plant is nearly complete, well within schedule and well within cost estimates. At Rolphton, on the Ottawa River, the prototype of Douglas Point is now operating and feeding electric power into the Ontario hydro grid. Valuable experience is gained there to help the men who, in the near future, will operate Douglas Point.

Now we have started on the next phase. In order to meet the demand for energy in the 1970s, it was decided to build a larger nuclear-powered electricity-generating plant. After considerable negotiation, commenced two years ago, the governments of Canada and Ontario, and the Hydro-Electric Power Commission of Ontario, jointly agreed to finance a 1,000-megawatt station. The site selected is in Pickering township, east of Metropolitan Toronto on Lake Ontario, on land owned by Ontario Hydro. On November 25 last year approval in principle was received from the atomic energy control board for construction on this site. I am, therefore, asking approval for \$1,800,000 to aid the construction of this plant in 1965. It is planned to have the first 500-megawatt reactor ready to deliver power to the hydro grid by 1970, and a second similar sized one by 1971. It is possible that installation of additional reactors will increase the capacity of the plant to 3,000 megawatt electrical energy by 1975, which would make it the largest nuclear power plant in the world. Ontario Hydro will be responsible for the construction of the plant, while AECL will act as consulting engineers.

We are sure that the two plants, Douglas Point and Pickering, will demonstrate to the world that the Canadian concept of heavy-water reactors is a logical and economical answer to the energy needs of the power-hungry world.

During the year, exploration and drilling operations continued at a normal pace. Last month, in the northerly corner of Dunwich township, Elgin county, there was an oil discovery which appears to be of commercial significance. Another well on the north side of the Thames River in Ekfrid township, Middlesex county, about two miles away, also found oil. The oil in both wells comes from rock of Cambrian age, at a depth of about 3,600 feet. Coming after many months without any significant discoveries, these encouraging Cambrian tests are most gratifying to this department and will serve to maintain the interest of the various companies in exploring these deepest oil- and gas-bearing rock formations in the province.

Since 1857, more than 50,000 wells have been drilled in Ontario in search of oil and gas, of which about 4,000 are now in production. Many of the other 46,000 wells, particularly those drilled prior to World War I, present a serious problem. Many of them were improperly plugged, or not plugged at all. Some of them are a hazard, or a public nuisance, or a source of pollution. As new subdivisions are created, more of these old unplugged wells fall into one

or other of the aforementioned categories. It is our duty to require that such old wells be plugged. Where owners of these wells are known, the responsibility for plugging rests with them. But in many cases, the responsible owner of such wells cannot be traced, and the landowner is unaware of the problem that he has inherited. In such cases, and where the landowner is a private individual, he will be assessed only a portion of the cost, and the province will have to pay the balance. This is a problem of some magnitude, and the costs are increasing. This situation will continue for many years until all the undesirable wells are properly abandoned.

All field activities, including the drilling and plugging of all oil and gas wells, are closely supervised by the inspectors of the drilling and production division, in order to ensure conservation of our oil and gas resources, to prevent pollution, to protect the interests of the landowner, and to provide safe working conditions.

Ontario has introduced studies to determine the use of computers in gas and oil exploration activities. After successfully completing a six-month pilot study, the project was initiated for a three-year period in September of 1964. By the summer of this year, the first computer-produced maps will be available to industry. These will be basic geological maps, with the interpretation left to the individual company geologist. The availability of such information will enhance the province's position as an area for active exploration which could lead to the discovery of more oil and gas reserves. This, in turn, could result in an increase in potential gas storage capacity, a matter of great importance to Ontario.

The Ontario energy board had a busy year. Two hundred and fifty three applications for hearings were filed, compared to 87 in the previous year. This reflects mainly the increase in pipeline construction and its resultant hearings and application for authority to expropriate. The board's annual report has been tabled in this House, and every hon. member will have a chance to study it. I would like to mention that the board completed a major rate hearing during this past year, the joint rate application of the Northern Ontario Natural Gas Company and its wholly-owned subsidiary, the Twin City Gas Company. The decision and order in this case is in printed form and sets out in detail how the board has treated the various items in the rate base. Another rate case, that of Lakehead natural gas, is presently before the board and will be concluded later this year. The board's annual report

mentions that there was no intervention by any of the municipalities served by these companies. But I want to assure this House that before a hearing commences, and during the hearing, the specialists of the board—that is, the energy returns officer and his staff, and the board engineer—carry out a complete and impartial examination of all the pertinent facts, including the companies' books of accounts.

In the matter of gas storage, three new pools were utilized during the past year, thus bringing to nine the total number in Ontario being used for this purpose; we now have in this province a total working storage capacity of 90 billion cubic feet. As mentioned earlier, during the year the Crowland pool in the Niagara peninsula was designated as a storage area. Injection into this pool will begin this summer.

I am pleased to tell you that the gas storage report prepared by the Ontario energy board, referred to in the last session of the Legislature, was accepted by the government and released last August. This report sets out basic principles which are intended to serve as a guide to both the landowners and the storage operators in negotiating or renegotiating the amount of annual storage payments. The report also deals with oil and gas lease agreements and The Gas and Oil Leases Act.

In order to keep up with the rapid expansion of natural gas as a source of energy, there has been a vast increase in pipeline construction.

The first section of a 142-mile 34-inch transmission line was undertaken and completed from the storage area in Dawn township to the city of London. The second portion will be constructed and in operation by the fall of this year. Eventually, the line will terminate at a point near Oakville.

The board, in order to ensure the highest standards of construction, has a professional engineer, experienced in pipeline construction, who acts as liaison officer between the landowners, the construction company and the company which will operate the line.

May I briefly comment on matters affecting our freshwater supplies and conservation in general.

For the past year, a policy to allow an increase in water reservoir construction has been undertaken. The policy was established to allow conservation authorities to speed construction as quickly as possible. Provincial participation was increased from 50 per cent to 75 per cent. If local authorities request it, the province has agreed to pay the full cost of reservoir construction and to allow a three-

year interest-free pay-back period with a further ten-year pay-back period with interest determined at the time the project is approved. Under this policy, announced in April, 1964, two reservoirs are now under construction, nine are in the advanced planning stage, and a further 20 are in preliminary planning.

While the policy was made available to organized conservation authorities, it was extended to include a municipality or a group of municipalities lying outside a conservation authority. There are two areas in Ontario where, after many weeks of successful negotiations locally, projects are now ready to proceed. One is a project for water supply for the town of Trenton and another for the town of Alexandria.

While this policy is scheduled to terminate in December, 1966, water reservoir requirements will be fully assessed next year. A decision will then be made whether or not, and in what form, a further programme might be continued.

I am happy to say that the provincial farm pond policy, announced last April, has been well received by the agricultural producers across Ontario. This allows for the payment of 50 per cent of the pond construction costs when a private landowner indicates the water is to be stored to aid agricultural enterprises. Since November 1, 1963, 496 ponds have been constructed, costing \$411,089.24. Of this amount, \$159,302.37 has been paid directly to farmers in subsidies. The average subsidy was \$317.85. One hundred and eighteen landowners received \$500, the maximum amount of the subsidy.

A unique feature of this programme is that while the policy determination and the moneys required are the responsibility of this department, the programme's administration has been undertaken by The Department of Agriculture with its offices and staff throughout all counties and districts in Ontario. We feel that any duplication of staff and administration expenses which might have occurred has been eliminated.

During the year, the province has initiated active participation in the international hydrologic decade, a project of the United Nations educational, scientific and cultural organization—UNESCO—and has participation of 18 countries. It embodies scientific and research programmes designed to increase our knowledge of the freshwater supplies in the world and to encourage an increase in the number of hydrologists for work in the years ahead.

Provincial government agencies, universities, and many of the related research

organizations of the federal government are embodied in a Canadian national committee through which the Canadian programme will be designed. Ontario already has 21 projects accepted by the Canadian committee and designated as decade projects. Extra funds are being provided by the province to the Ontario water resources commission, and to other Ontario government departments undertaking projects.

As indicated, this will basically be a ten-year programme. It is anticipated that some projects will be completed short of the ten-year period, while others commencing later in the decade will run beyond the 1975 period.

The province has been, and is continuing to be, concerned with water levels in our lakes and rivers. Of particular concern to the public are the fluctuating levels of the Great Lakes. In 1952, this Legislature established a select committee to study and report on the effect of high water; today, and for some months past, the problem has been the low levels. However, while Ontario has a longer borderline on the Great Lakes than any of the neighbouring states, the concern for lake level control is international in nature.

So that we might be more informed, and have a common understanding of our joint problems, the province invited the province of Quebec and the bordering states of New York, Pennsylvania, Ohio, Michigan, Indiana, Minnesota and Illinois to Ontario in June, 1964. At this conference, a common area of understanding among the states and provinces was reached, and co-operation offered to the federal governments of Canada and the USA to place the problem before the international joint commission. Those matters which have been referred to it by the government of Canada and the United States are set out as domestic water supply and sanitation; navigation; water for power and industry; flood control; agriculture; fish and wildlife; recreation; and other beneficial public purposes. The commission has already had a preliminary meeting in Toronto in January of this year.

Mr. E. Sargent (Grey North): One meeting, Mr. Chairman?

Hon. Mr. Simonett: One meeting, sir. Formal hearings will be held later this year.

Water quality is a matter of concern to a large section of our population. The Ontario water resources commission continues to play an increasingly active part in helping to decrease the incidence of water pollution. This, of necessity, requires many years to achieve. It requires the understanding and co-operation

of our industrial community, as well as our citizens generally who, perhaps thoughtlessly sometimes, bring about pollution of our fresh-water lakes and streams. A more detailed outline of the commission's programme of water supply by pipeline and water pollution control will be given by the vice-chairman of the Ontario water resources commission, the hon. member for Wellington-Dufferin (Mr. Root). May I add that the government is proud to report the progress being made by the Ontario water resources commission with the construction of the 48-inch water supply pipeline from Lake Huron to London. This is the first venture of a large-diameter water pipeline in Ontario. It is the largest and longest pumped-water transmission system in Canada.

Under The Parks Assistance Act, which comes under the jurisdiction of this department, a total of 38 municipalities have received assistance for the acquisition and development of municipal parks and camping grounds. These total 2,600 acres. Grants amounting to \$209,800 were approved in the fiscal year 1964 to 24 municipalities. For 1965-66, \$300,000 has been requested for this purpose.

Since January of this year, two new conservation authorities were established—the Cataraqui region conservation authority in the Kingston-Brockville area, and the Kettle Creek conservation authority which includes parts of Elgin and Middlesex counties. This brings to 34 the number of authorities established in Ontario since 1946. One on the Black River, which includes parts of the counties of Ontario and Victoria and the districts of Haliburton and Muskoka, is under consideration.

Authorities have been active in the water reservoir construction programme about which I spoke earlier. In addition, those authorities with flood control agreements negotiated with the province and with the federal government in 1961 have been active in large-scale flood control and water conservation programmes. On the Humber River, the Metropolitan Toronto and region conservation authority completed the construction of the Clairville dam at the northwest part of the city. The upper Thames River conservation authority finished the construction of the Mitchell and Stratford dams, and the Wildwood dam near St. Mary's is essentially completed.

Conservation authorities own 73,000 acres of authority forests, areas submarginal for agriculture, which are being returned to productive forest to aid the economy of rural areas and to build additional forest industry for the future. In addition, the authorities own approximately 34,000 acres of conserva-

tion lands consisting largely of flood plains, lands subject to erosion. Although the provision of recreational areas is a secondary activity with conservation authorities, more than 5,000 acres of these lands have been found suitable for this purpose, and attendance in these areas has risen from 70,000 in 1957 to nearly 2 million in 1964.

Total money provided for grants in the fiscal year 1964 to all authorities for all conservation projects were \$8,310,000. Of this amount, 73 per cent was budgeted for grants for various water conservation projects—large and small dams, channel improvements and flood-plain land purchases. \$2,430,000 of this latter expenditure was, or will be, recovered from the federal government under The Canada Water Conservation Assistance Act.

For the 1965-66 fiscal year, the authorities have requested grants totalling \$10.5 million, of which 85 per cent has been requested for water conservation. It is anticipated that over \$3.25 million of this will be recovered from the federal government.

In 1964, eight conservation surveys were carried out by the staff of the conservation authorities branch, and eight conservation reports were issued for the guidance of authorities in formulating their programmes. This summer, again, eight surveys are planned. In addition to the above reports, the first two studies were issued in a new series, analyzing specific flood and drought situations in the province.

Since the responsibility for conservation authorities came to this department, I am continually impressed with the large numbers of people in Ontario who are involved in the work and promotion of conservation and who give much of their time willingly and free. I am impressed, too, with the wide range of interests of the people associated with conservation work. The many facets of conservation bring together men and women with a wide range of interest and training, all dedicated to create an understanding of our province's total potential for future generations to use and enjoy.

In order to more fully allow this interest to work in concert with the government's programmes and policies, a conservation authorities council was established during the year. This is made up of members of the departmental staff and conservation authority chairmen representing authorities throughout Ontario. At their regular meetings, programmes and problems of mutual interest are discussed. By this method, a more complete understanding is achieved.

Mr. Chairman, I wish to express my sincere appreciation, not only to the hon. members

of this Legislature, with whom I have had a lot of dealings during the past year, but also to the staff of The Department of Energy and Resources Management; members of the Ontario water resources commission and staff; members of the 34 conservation authorities; members of the Ontario northland transportation commission and its employees; and the staff of the Ontario Hydro-Electric Power Commission and the Ontario energy board, for their co-operation and support.

On vote 601:

Mr. L. Troy (Nipissing): Mr. Chairman, I have been given the onerous duty of leading off for my party in the debate on the estimates of The Department of Energy and Resources Management, which still may be called an infant department.

I listened with some interest to the hon. Minister, and probably I could say that the song is over, but the melody lingers on. We move, apparently from my study of government action here, only after a crisis reaches us and not before. I agree with him that there are many dedicated people across this province who are doing a very fine task, voluntarily, with conservation authorities. I agree, in view of the somewhat reduced funds, or meagre funds, that are put into the water resources commission for research and other projects, that they too are doing a very good job.

But I realize, Mr. Chairman, the responsibility has been placed on me today, and while my research has not been as complete as I would like to have it, nevertheless I think I can present to this House some pertinent observations on certain problems facing the agencies for which this hon. Minister reports. The hon. Minister reports for the energy board, Hydro, the Ontario water resources commission, and the Ontario Northland Railway. Not all resources, renewable or otherwise, come under this department, but probably that is all to the good.

My comments on Hydro shall be relatively brief. The hon. member for Muskoka, who acts as the vice-chairman of the Ontario Hydro-Electric Power Commission, reports on that agency to the House and no doubt the hon. members will have an opportunity to question him on Hydro policies. Of course, as an entity apart from the Legislature, we have little control over Hydro, even though it is a creature of the Legislature, and since the bonds of the commission are guaranteed by the province of Ontario, we as hon. members of the Legislature are definitely involved in this operation.

But I find that both Hydro and the Ontario municipal electric association are very jealous of their autonomy, and it seems to me there should be more liaison, more communication, between Hydro and the Legislature and that Hydro should occasionally descend from its ivory tower. I can remember full well when I sat on a select committee on expropriation procedures and Hydro officials appeared before the committee to answer complaints of the high-handed methods which were used by Hydro in its expropriation procedures. Hydro's watchword seemed to be, "Well, the line must go through." I have been pleased to hear from my very good friend, the hon. member for Grey South (Mr. Oliver) that apparently these attitudes are changed, which is also all to the good.

Hydro rates, naturally, are of very serious concern to everybody in this province—industry, commerce and the residents of our communities—and the formula to me is a very complicated one. It is an engineering one, which, to a layman like me, is quite complex. I remember when the former Minister of Energy and Resources Management, who doubled in brass, I think, for other departments, spoke several hours in this House and gave us all the criteria of how rates were established, but even now, as the hon. member for Bruce (Mr. Whicher) said last year in his presentation, I still do not understand the rural rate. I was talking to a farmer in my riding last weekend. He came to see me about other matters but I was finding out just what his living expenses were, among them hydro. He puts \$55 to \$57 every three months on a farm, which is about \$18 a month, and I do not think he had all the amenities of life either.

However, there are hon. members in my party and in the Opposition who are much more conversant with hydro and gas and energy, so I will pass over those.

The hon. Minister mentioned the annual report of the energy board. I have not had a chance to look at it as I just received it during his speech, but I am glad to note that the hon. Minister referred to various sources of energy in this province and that his department is seeking, seriously and assiduously, now sources of power.

As you very well know, in this province we have been favoured by nature in having great sources of hydro-electric power. I think now, though, that we have probably reached the end—to some extent, certainly—unless we go north nearly to Hudson Bay and the far reaches of this province. I am sure it would be a very expensive proposition to construct plants there and to transport power the long

distance down to southern Ontario. So we have to have other sources of power, and the other sources that Hydro uses at the present time are thermal. As the hon. Minister mentioned, it is turning nuclear energy into hydro at the plant at Rolphoton and it also has coal-burning stations.

I agree with him that we have a wonderful opportunity in this province in the development of power from atomic energy. I recall, too, the statement made in this House in 1963 by the member who then represented Riverdale, when he offered a challenge, not only to the Legislature but also to the people of Ontario, in the development of that great resource that we have in Ontario. We are rich producers of uranium, which is the source of atomic power. At that time he said, and the present Minister repeated it today, that the CANDU plant at Point Douglas, as he called it then—I do not know if it is the same name now—would be in operation this year. It will be—I think the word is "critical"—this year, and I hope it CANDU—that is a pun.

But the hon. Minister also referred to the new plant that will be in operation near Pickering on Lake Ontario in 1970. As I think of this new plant, I think of the last election when Minister after Minister came up to the little town of Mattawa and they were quite concerned about having the plant on the Ottawa River near that town, and told the residents there that their requests would be considered—and, of course, they had requests from all over the province. After the election was over, I brought a delegation down to see the general chairman of Hydro, Mr. Ross Strike, and he said that under no consideration would there be any such thing as an atomic plant at Mattawa, or any place so far removed not only from the industrial complex of this province, but also from a source of water as the Ottawa River. As you know, an atomic plant takes a tremendous amount of water and that is why one is on Lake Huron and the other on Lake Ontario.

At that time the then member for Riverdale said we should be spending \$100 million a year on atomic power plants. I believe my memory serves me right when I say that I think it is going to cost six or seven mills for that plant. Then there will be another reduction in cost because of the new plant at Pickering, and so on with succeeding plants. As you learn from experience, so you build a plant and then you learn from it just how you can improve. Then, no doubt, there will be great improvements in technology in the next five years, so that possibly in a very short time, in the foreseeable future, we will

be able to produce energy for our power system in Ontario by atomic power, even cheaper than by coal. Therefore, I am glad to note that the hon. Minister has emphasized the use of atomic power in this province, because we have an abundance of uranium and certainly if these plants are successful it will also mean that we can sell prototypes, or the knowledge that we have, to other countries and also supply these countries with our types of equipment. I urge, again, just as the former leader of my party urged the government years ago, to get seriously into the construction of atomic energy plants.

I want to touch briefly, before I go into the main body of my address, on the Ontario Northland Railway, which also reports to the hon. Minister. Recently in this House we had estimates presented for the Ontario Northland of somewhere in the amount of \$800,000. The bulk of that, I understand, was to pay a deficit on the line to Moosonee.

Mr. Chairman, it seems to me that unless some major strike can be made in that area and unless there is an abundant source of wealth generated near the Moosonee line, that line of railway be torn up and a road extended from Fraserdale to Moosonee—I repeat, unless something is developed that can produce a profit or produce business for the railway. I believe it is about 110 miles from Fraserdale to Moosonee. I think it would be much cheaper to build a road, or to use the railway roadbed, and it would be cheaper transportation, too, probably. If the line is losing money like that then I think some consideration should be given.

In addition, the railway is going to have to come to this government and ask for money in the millions to rebuild the line. Along much of that line, traffic has to go at about 30 miles an hour owing to reconstruction, new steel, and so on, so that this will have to be considered very seriously.

There is another thing, too. With the opening already of the Adams mine, with the assurance that there will be a tremendous development in the Porcupine area by the Texas Gulf interests, with the development in the Timagami area—the new Dofasco development there which will be in production in a couple of years—with the possibility also of other sources of revenue and other sources of business on a large scale opening up on the ONR, it seems to me, Mr. Chairman, that the Ontario Northland, if not at the moment, will very soon be a big business. Consequently, I suggest that the office of the chairman of the commission of the ONR should be a full-time office or a full-time job, and

that that position should have a salary commensurate with that of the chairman of the ONR. Unfortunately, the hon. member for Parry Sound (Mr. A. Johnston), who is now the chairman of the ONR, is not here today. I do not know what his idea is, but it seems to me the railway is becoming a big business.

The chairman is the controller and—unfortunately, too, well I know—the general manager of the railroad. He is a very estimable gentleman, but he is a communications man with a background mostly in communications. While communications are important in the operation of a railroad, they are not the prime asset. I think anybody who is not at all prejudiced will tell you that the ONR operated at its best when Mr. Arthur Cavanagh was the general manager. He was a railroader. He had been a superintendent with the CNR and after he left the ONR he became superintendent of certain railroads in the development areas in the province of Quebec.

There are two things, then, that I point out about the ONR. I think that the chairman of the commission should be on full time with commensurate salary naturally, and while I know the general manager, I think it would be much better to have on that line a senior official who knows the operation of a railroad.

I am concerned now, Mr. Chairman, with one of our very basic resources, so vital to the life of man and beast, and that is water. I think there is a song, “Pure Water” or “Sweet Water.”

An hon. member: “Cool Water.”

Mr. Troy: “Cool, Clear Water.”

While federal and provincial and state jurisdictions are hesitant—or have been hesitant; there seems to be a little more movement on now—in their steps to move as far as our water supply is concerned, there are still some bright minds who have bright visions over the unique reservoir, that body of water known as the Great Lakes. The early missionaries who came to this country called the Great Lakes “Les Mers des Eaux Douces”—“The Seas of Sweet Water.” I am sure if the missionaries and explorers were to retrace their steps today and go over that magnificent gift of God to North America, they would call it “Les Mers des Eaux Corruptus”—“The Seas of Polluted Water,” no longer sweet water.

On these lakes rode the explorers, Brûlé and Champlain, Nicolet and LaSalle, and, incidentally, all of them passed by the site of the city in which I live. They passed up the Ottawa, the Mattawa, and then via a

succession of lakes, portages, Lake Nipissing, down the French River, on to Georgian Bay, into the great reaches beyond. I do not want to make this a little history lesson, but as you know they sought beyond the sea, that last sea that would lead them to the riches of the Orient.

Now today, 350 years later, we in this province are on another quest. It is less daring, but more realistic; less dramatic, but even more ambitious than the quest of the early explorers. In a sentence, we seek human control over the waters of that great inland basin, fed mostly by waters from this province. Too long have we taken our natural resources for granted, too long we have fiddled away just like Nero, and too long we have been quiescent and submissive to the vagaries of nature, which is the source, of course, and the provider of these waters. For about five years now, and certainly quite seriously this last year, the levels of the lakes, with the possible exception of Lake Superior, have dropped to their lowest levels in a century.

The effect on our neighbours to the south has been tremendous in many ways. Navigation has suffered from reduced cargoes—a drop of one inch, it is said, in the lake level costs our lake carriers from 60 to 100 tons per trip. You can imagine the monetary loss that is aggregated in a season's operation. Many industries, of course, depend on water transportation to keep competitive, such as the chemical industry, the cement industries, the fuel oil industry and those that fabricate iron. These are just a few.

Our own power plants have been sorely affected. It is said that in the last year, the Ontario Hydro-Electric Power Commission lost a considerable number of hours compared to the average year. The figure is said to be 4.5 million megawatts. To replace this loss of power it had to use thermal power at a cost, I am informed, of about \$16 million.

Our tourist operators and our cottagers along the lakes were sorely afflicted. Launching ramps in many areas were absolutely useless and the beaches on our lakes looked like Minas Basin when the tide is out. For those who do not know, I will inform you that Minas Basin is at the head of the Bay of Fundy.

Who can truly estimate the loss of the habitat of our wildlife? The marshes for our fur-bearing animals, the mink and the muskrat; the spawning areas for our fish; the fens for our game birds—all these have suffered. So have potable water supplied to our homes and our factories, facilities in the

harbours that dot our lakeshores and owners of riparian land—the list goes on and on.

The 1964 cost of the damage caused by this vagary of nature runs, it is said, between \$100 million and \$200 million. I have touched only so far on water supply. I shall leave until later the other and maybe even more serious problem that affects not only the Great Lakes but the myriad of lakes and streams that dot our province.

What is the answer? If the water trough becomes dry, what do you do? You just pump some water into it and fill up the trough. Then the obvious solution is to replenish the lakes, but where are we going to get the water? Mr. Thomas Kierans and his associates, and those of his disciples, answer: "Reverse the flow of the rivers that flow northward to Hudson Bay and James Bay." Those who believe in a divinity that shapes our ends say, "Well, let us pray for rain." And the non-believers, well, they kismet.

But if the prayer of the federal Minister of Natural Resources and Northern Affairs, and the prayers of others were answered bountifully as we put our artificial methods into operation, then what? An almost equal evil—floods. We saw what happened in earlier years, those of us who used to visit the Niagara area in the days before the war, when we used to go down there in the summer to the militia camps. We have seen what happened in the 1950s as floods and erosion cut into the cliffs and the beaches. The monetary loss was heavy, running into many millions.

So, Mr. Chairman, we are on the horns of a dilemma. But there is another answer or solution to our impasse: Qualified engineers say it is technically feasible to regulate the flow of the lakes just as we have regulated the flow of our rivers for centuries. Lake Superior and Lake Ontario are already controlled to an extent, but if new supplies were added we would be a prey to the whims of nature because we have no control over precipitation, over the fall of snow or rain. I believe the hon. member for Grey North, when conditions were very serious in his area last year, called on the rainmaker to bring down the rain to feed the parched—

Mr. Sargent: I had to call on somebody!

Mr. Troy: At best, controls would reduce the extremes in the rise and fall of waters. The army corps of engineers, that very fine organization of the US forces, reports that its studies have revealed that the corps could reduce the range of fluctuation of Lakes Huron and Michigan to 4.2 feet, and

to 3.2 feet in Lake Erie. I am informed that the corps, for the last 12 years, has been studying this problem of control to ascertain if the project would be feasibly economical, but the pessimists, who outnumber the optimists, say no.

The visionaries—and thank goodness we have some in our land, too—have other ideas. Most spectacular and radical is the gigantic plan of Thomas W. Kierans, the Sudbury engineer who was no doubt one of those whom Tennyson envisaged in that poem of his, “Locksley Hall.” Mr. Kierans, who, I understand, will address the hon. members of this Legislature on May 5—I do not know if the hon. Prime Minister (Mr. Robarts) has announced that, but it was announced on the air—

Mr. W. D. McKeough (Kent West): Three weeks ago!

Mr. Troy: On May 5. Was it announced definitely here? I know he was coming, but did the hon. Prime Minister announce the date? It was reported last Friday, I think.

For the past six years, Mr. Kierans and his brother Kevin, a colonel in the Canadian army, have developed and promoted the grand replenishment and northern development project.

Last December, in the city of North Bay, Mr. Kierans outlined his plan to an audience drawn from wide areas of Ontario; included in its number was Mr. Albert J. Meserow, Chicago lawyer and past chairman of the Great Lakes commission. Even the most sceptical were impressed by Mr. Kierans' presentation, and I am certain he will impress even the most sceptical in this House. As Mr. Kierans and others have pointed out, both in and out of this assembly, the increase in populations in subsequent decades, if not in the immediate future, will accentuate the demands for more and more water from the Great Lakes. The cost, it has been said, is estimated at \$2 billion; nevertheless, that is not too large a sum for a great country like ours.

Historically, the Great Lakes were the artery through which the explorers and the pioneers forged their way into the west. Today, the bulk of Canada's population and her industry, as well as half the industry of the United States, is served by the Great Lakes system. All these increases in the years ahead increase the need for water. From the rivers that flow into James Bay we can get an inexhaustible supply of fresh potable water to replenish the Great Lakes. Some of the details are—ten years to build a water trade route from the Great Lakes to open

up northeastern Ontario and northwestern Quebec; an alternate route for the St. Lawrence Seaway by way of Georgian Bay, the French River, Lake Nipissing, the Mattawa, the Ottawa and the St. Lawrence to the sea; expansion of the tourist and recreational areas; and flood control on connecting rivers.

Mr. Kierans' scheme envisages forming a great lake fed by the waters of the Harricanaw and five other rivers that flow in from the province of Quebec. The sum is staggering—\$2 billion—but it is expected that it would be written off in 50 years from the sale of water and power. Staggering, but a far cry from the scheme that the Parson Engineering firm of Los Angeles is working on now to bring water in from the Canadian Rockies to inland America. The scheme is called the Nawpaw project—it would cost \$200 billion. When you think of \$200 billion, it seems a tremendous amount of money, but I understand that is what the United States is going to pay to send a man up to Mars. Which do you think is priority—sending a man to Mars, or ensuring that parts of America have water? Who in this House would say 20 years ago that a human being would float in space? Who would say that we would see the moon on TV, even if we did not see the man up there?

Who would say, a few years ago, that we would see on the TV screens events as they happened in the farthestmost parts of the world? In the progress we have made in the past 20 years, these schemes are not fantastic; they are not staggering. Think of the money already spent by the United States with rockets that hardly get off the ground; they are pooped off a few feet up.

Mr. D. C. MacDonald (York South): Is that word parliamentary?

Mr. Troy: What a sorry world it would be if we had no visionaries. Some day I hope those who follow us in the next century can repeat in truth that passage from one of Ruskin's works: “Look what our fathers have done for us” but make it something worthwhile. I am sure all in this chamber look forward to this modern Mr. da Vinci or Galileo as he comes here next month to speak to the House.

In the meantime, we had a statement by the hon. Prime Minister of this province in January about the international joint commission and we also had further reference to it by the hon. Minister in his presentation. On the commission are three representatives from Canada and a like number from the

United States. Under the instructions from the two federal governments, they will study water level problems to estimate the cost of regulation of the lakes and decide the benefits that would accrue to both countries. It will be, possibly, five years before they report. But replenishment, regardless of where it comes from, is strictly a Canadian project and one of the goals, naturally, is American money, American dollars. It will be one of the resource products that we can sell to the United States, just as we sell pulpwood, gold and other things.

But I do not know what the province is doing, what steps we have taken at federal-provincial levels to discuss replenishment. I noticed, I think, in the statement of the leader of this House in January that there had been no discussion of the Kierans scheme at that meeting that they held, nor any discussions with Premier Lesage and the federal government in regard to the possibility or the feasibility of the Kierans scheme. Or, if any steps have been taken, what progress had been made. As far as I know, the hon. Prime Minister has not taken the House into his confidence.

Hon. J. P. Robarts (Prime Minister): Mr. Kierans is coming down here. A date has been arranged for him to come and meet on a Wednesday, instead of having the usual caucus on that day. He will be here to explain the scheme to all the members.

Mr. Troy: I know that, sir. I referred to that earlier, but I wondered if this government had any communications, or had any of these federal-provincial conferences been held? This scheme has been mentioned in this House for several years, and I wondered if any of the federal-provincial conferences had any discussion about the replenishment of water, because it is not just last year that drought happened. It reached its crisis proportions, of course, last summer, but the cycle had been low for some time. Dr. Langford of the University of Toronto and the Great Lakes institute has said he has another idea; he says:

We have not finished the seaway job yet. We have too much invested in the seaway to leave the flow of water up to nature; we should build further remedial structures down the system that would maintain the level of the lakes and ensure a constant navigable draft at Montreal—because it, too, is affected by the low water.

Why has this not been done in view of the crisis? Is it money—or lack of it? Is that the reason? One of the things too, is that

there is no single authority. If there was just one authority that could give the word, probably something could be done, but with the federal government, the province of Ontario, the provincial government of Quebec, the federal government of the United States, and all the states along the border. Because they are natural resources, the Great Lakes come under the jurisdiction of the province of Ontario in the realms of water and in the realms of fisheries and power. As navigable waters they come under the control of the federal authorities and the seaway authority; across the line in similar manner as Ontario. The bordering states have jurisdiction, and the federal government of the United States has certain rights. Then, to cap it all, we have this international joint commission.

To regulate, use, re-use or reserve our waters by natural storage, or to fill the basin by reversing the natural flow of rivers, is the \$64 question. As I mentioned before, \$2 billion, I guess it is the \$2 billion question. In the meantime, no computer, no soothsayer can say and tell us how much water this area of the North American continent will need in the year 2,000. The least informed can say plenty. In my opinion, the powers that be will have to get their heads together and either agree on a plan or let nature take its course. In one way or another they will have to make a decision soon; may the wisdom of Solomon guide them.

I am touching on conservation. From the earliest settlements to the present time, the attitude of the majority of our people in this great big land you hear mentioned on TV was that our space and our natural wealth were inexhaustible. We thought we had been given the horn of plenty, and our people would not listen to the few who cried out warnings. In our private little worlds we did not become excited by falling water tables, so long as water flowed when we turned on our taps in the bathroom. We did not hang our heads in despair as the lumber barons slashed into our forests and shrank our timber supplies, so long as we could get some shelving for our kitchens. We were little concerned as our cities encroached on the rich farm lands and as the living space in our metropolitan areas dwindled, so long as we could buy homes an hour's ride from our jobs in office or factory. We seek to balance our own budgets, we hope that the governments at all levels will balance theirs; but only a minority is apparently interested that this province will move towards a balanced account of its natural wealth.

We cannot blame it all on the pioneers. It would serve no purpose now because

hindsight, as you know, is always better than foresight. Like others in countless ages before, we exploited our virgin forests, denuded our watersheds with fire and axe, used the ploughshare in many sections of this province where only trees could grow, paid the price through frugal living, blasted dreams and finally abandoned farms; you see them in many sections.

It is not too late, though, to repair the damage, but government must take a strong line because we are slowly approaching the point of no return. We have been ruthless in our attitude towards the natural world; most repelling in our march to progress has been the poisoning of our lakes and streams, followed by the extinction of fish and other living creatures—every living creature in some areas, except algae and putrefactive bacteria. We have squandered thus one of our most important recreational resources. The garbage and refuse of our advanced society chokes our rivers; industrial and sewage pollution poisons our lakes; water is dangerous to drink and the old swimming hole of our youth is banned.

My friend and colleague from Windsor-Walkerville (Mr. Newman) tells me that you cannot possibly swim in the Detroit River; raw sewage from both Windsor and Detroit goes into it.

I am told, too, that along Lake Erie, further to the east, people cannot swim; all you get there is floating toilet paper. Imagine what the condition is.

We have a sewage plant at Nipissing. I remember when I first came to Nipissing you could go swimming in the summertime. Now, right near the sewage plant it is banned; a little further down in West Farris a youngster fell through the ice during the winter. He came up saturated with oil. It is said that the oil has come from the agency which the hon. Minister controls, the ONR.

We have conditions like that everywhere. True, the water resources commission, in its short years of existence, attacked many of the problems with vigour. The main objectives of the commission, since its inception eight years ago, have been to assist municipalities and industry to obtain adequate and safe water, and to protect our water resources against pollution. They have been faced with a formidable task, because much of the damage had been done long before the commission was created. We have always thought we were in a land of plenty; as I said, that we had the cornucopia here. But conservation is the effort that is made to the end that we have a continual balance between natural supply and human need,

fulfilling our present needs while we are assuring that there will be sufficient reserve for those who come after. My travels across this province have convinced me that we do not have people with consciousness of conservation. I do not think that, by and large, the government has, either. In my brief period in this House the conservation branch has moved from pillar to post. How can you get continuity of policy? I thought the ideal place for it was in The Department of Lands and Forests, the main concern of which is with our renewable resources—our forests, our soil, our water, our fish and wildlife and those aesthetic reserves which we find in the natural beauty of our streams and in the world of nature. In fact, in my opinion, because of the fact that water and air and the world of nature will play an increasingly important role as we approach another century, there should be a department of conservation. But for the nonce, The Department of Energy and Resources Management is the department responsible for conservation of our resources.

There is need, and I think great need, for basic research in pollution problems. Examination of the report of the water resources commission confirms this need. Here are some of the facts.

One study on taste- and odour-producing substances in water started last January. It had to be halted in June, because the bacteriologist working on it resigned. He had not been replaced at the end of the year 1964.

The number of requests for viral studies in drinking water, recreational water, streams and lakes indicated that some monitoring facilities would be required, according to the report. But the Ontario water resources commission is not equipped for such studies, and does not have a virologist to carry them out. The biology branch has a staff of four biologists and one technician, not nearly enough to cope adequately with the problems rising from the effects of pollution in water. They do a very good job in day-to-day testing of water, but it is obvious that the water resources commission does not have enough biological researchers.

A number of special projects of interest was undertaken during the year, it says in the report. Because of scuba-diving ability of some members of the branch staff, a request was made for an inspection and repair of the sampling pipe installed in Lake Huron at Grand Bend. I suppose they were scuba divers, but still they were important specialists. It seems to me that the necessary repairs could have been done by somebody

else, but it seems absurd to use these as scuba divers when it could have been repair men.

Turning to the industrial waste branch, we find this statement in the annual report:

The continuing large-scale industrial growth in Ontario, impressive in all types of industry but most noteworthy in the chemical industry, continued to outstrip the capabilities of the branch to provide complete field coverage. In addition to the establishment of new industries, continuing change in processes and production in existing plants give rise to increasing water use and continuing introduction of new waste components for which treatment controls were not always readily available.

These are strong words in a government report. They certainly support the charge we have made that this government is dangerously neglecting—and it has been made before—the result on our water resources of unchecked and increasing industrial pollution. The OWRC's own statistics show this. Of 477 inspections of discharge of industrial waste into surface waters, the industrial wastes branch found 311 discharges unsatisfactory—only 166 satisfactory. Two industries alone, pulp and paper, and, of course, the uranium mining industry, which hit the front pages last fall when radioactive contamination of the Elliot Lake-Serpent River area was discovered, present problems in research and development of waste treatment techniques which would tax the resources of the best endowed research establishment.

The problems are insuperable with the kind of research and scientific staff that this government allows the water resources commission. All evidence indicates that the commission's research scientists and technicians are able, dedicated and hard working; in light of their very small numbers, they do well. But more must be done. Both the division of laboratories and the division of research in the OWRC must be strengthened and expanded. We want no cut-back on construction of water treatment and water supply plants and equipment. This work is vital and must be carried on at full speed. Though we have urged revisions of financial arrangements to ease burdens on municipalities and to make it economically feasible for certain industries to treat their wastes, we earnestly require an expansion of research staff and facilities.

It seems to me, Mr. Chairman, that the stakes are too high to lose a bacteriologist and not replace him, or to have four biologists spending their time in scuba equipment,

inspecting pipes, unable to undertake studies of virus contamination because there is no biologist, and have the commission's own report admit that industrial pollution problems are getting out of hand.

At this point, Mr. Chairman, I would like to remind the hon. members of the hon. Provincial Treasurer's (Mr. Allan's) remark in his Budget early in this session. At that time, he said that to combat water pollution resulting from industrial waste, the commission is planning to intensify research into methods of treating wastes and to provide greater surveillance and control of industrial pollution.

Dr. Vance, the chairman of the commission, has stated to the committee, and in a release, that the government intends to launch a five-year programme to reduce pollution caused by our pulp and paper industry. Both basic scientific research and, perhaps, even investigation of the kind of equipment needed, will undoubtedly be involved in this programme. It is good that to this extent, at least, the government is taking steps to live up to its promise, but, Mr. Chairman, this project is being started too late. With a five-year schedule it will be too slow in being brought to completion.

In a speech on the Budget earlier in this session, my hon. leader (Mr. Thompson) outlined a programme whereby a combination of government loans and stricter enforcement practices could be used to eliminate industrial pollution of our water resources. At that time he said that such a crash programme would ensure that all industrial wastes going into the waterways or municipal sewage systems would meet approved purity standards within five years. He believes, and so do I, that we have the ways and means and the obligation to clean up all industrial pollution within the foreseeable future.

You will note, too, that the hon. Minister is planning to implement a fraction of the programme—that is, the pulp and paper industry. Perhaps he will spend another five years with the petro-chemical industry, then a further five years with the rest of the chemical industry, and five years with the steel mills. Then, by the time all the industrial pollution is cleared, it will be 2000.

Mr. MacDonald: You will not be around.

Mr. Troy: I will not be around. I will be in a happier land.

I believe we should warn him that if this is to be the pacing of his attack on this problem, by the time he has solved it, we will not have any pure water left in the province to worry about.

Do you remember Coleridge's *Rime of the Ancient Mariner*: "Water, water everywhere and not a drop to drink"?

In this connection, I feel obliged to remind the House again of the warnings of Professor Langford of the Great Lakes institute. I believe, incidentally, that his budget was reduced this year. The professor has given us clear warning of the race against time we are involved in. He has said that we have ten years to clean up pollution of the Great Lakes. Ten years. If we have not solved the problem by then, water in the lakes will be changed beyond any hope of recovery—changed to what Professor Langford describes as "dead water, unpleasant-smelling and tasting."

I notice that one of the photographs in the bulletin of the conservation council shows a lovely young lady by the lakeshore, picking up some of the algae washed up on the beach. Her hand is at her nose. Probably she should have had a mask on, because of the smell.

My point, Mr. Chairman, is essentially a simple one. Increasing quantities of complex industrial wastes are being added to our water supplies which have a damaging effect on the quality of our water. The deterioration of the quality of the water will have, as yet, unmeasured effect on all the life processes of all our living creatures. We must have a crash programme to reduce and, if possible, eliminate, the dumping of these industrial wastes. But this programme, Mr. Chairman, is only possible and effective when it is built on a sound foundation of basic research into the technology of removing industrial waste from water at its source; research into the ecological effects of industrial wastes which are not removed; and research into the water cycle itself and the role it plays in the life processes and the shaping of our natural environment.

There is a clear and obvious need for extended research. We should have continuous communication with other lands, and with the country to the south of us where they are spending millions on research into all phases of water. The perspective as was pointed out by the hon. Minister, is a global one. A case in point—many of you will remember that book of Rachael Carson, *The Silent Spring*. Miss Carson argued that we are dangerously contaminating our natural environment through the indiscriminate use of insecticides and herbicides. I noticed in one of the articles in the *Christian Science Monitor* this week about penguins in the Antarctic. It has been discovered that there is a very significant concentration of DDT in their bodies. They live thousands of miles

away from the nearest users of DDT; clearly, it has entered the cycle of natural life on this planet with results that no one can accurately foresee, but which all agree must be harmful.

I fully recognize in this House that we cannot take on the preservation of the Antarctic penguins, but fine game birds have vanished because of these pesticides. We can, and must, take on the preservation of the wildlife of this province. We must upgrade our research; one step again, I repeat, is to provide more research capability to the commission.

Water consumption by industry is about four times the amount required for public and private use. By 1985 this rate will likely double and by the year 2,000 Ontario may be consuming 80 per cent of her available water supplies. The Ontario water resources commission reports indicate that there is a high degree of pollution in our rivers and lakes systems:

Many of these impurities cannot be treated by our present sewage plants. Moreover, many of these impurities are hazardous to both human and animal life. It is recognized that most of the complex wastes are created by industry. It is evident, too, that the authorities have problems in persuading industries to invest in treatment facilities to ease the load of the public plants when these are available.

There are compelling reasons, then, for the government of Ontario to take a more positive action. Direct incentive should be given to industries so that they will instal treatment facilities at their plants.

Pollutants can in many instances be treated more scientifically and economically at the source, thus reducing to a major extent the degree of pollution in the water courses of the province.

To encourage industries to instal equipment for treatment, incentive should be given. The federal government also should be approached to share in these concessions over a certain period of years, just as they give assistance now to certain depressed areas.

If industry is reluctant to co-operate with municipal and provincial jurisdictions—

No doubt, I suppose, because there is no profit to them to reclaim these wastes and dispose of them; but if they are not treated at the source then these contaminants must be treated by public facilities at the expense of the taxpayer. That takes time and money and years to build and will cost millions.

Expert evidence convinces me that if wastes are treated by individual industries these advantages will result: Reduction of overall cost to the taxpayer and quicker reduction of industrial wastes.

In looking at the latest report of the conservation council of Ontario, I find that they also have a number of very fine suggestions regarding pollution. No doubt the hon. Minister has read it and no doubt the members of the water resources commission have read it as well as many hon. members of this House.

These arguments of the conservation council just confirm the arguments that I am presenting here.

I do not want to imply that all industry is at fault. The conservation council reports that outstanding achievements have been made by the St. Clair River research committee, composed of representatives of the major industries of the Sarnia area and other industries have been singled out for commendation in this water pollution report.

It is apparent, Mr. Chairman, that the need for effective and continual co-ordination between government and industry exists. It is further evident that more effective liaison must be established and maintained by all those who are engaged in industry.

While the Ontario water resources commission has done a very effective job, as hon. members will notice from the report, there are certain deficiencies. The hon. Minister had mentioned about the hydrologic decade and I just notice here that there is a very fine article here in the monthly letter of the Royal Bank of Canada on Canada's involvement in this study. I think I will read just one paragraph from this letter which also emphasizes the problem:

Above all, no time must be lost. Deterioration of our water supply is proceeding at a disconcerting speed. The challenge to protect human life by saving this most vital resource may no longer be deferred.

It seems to me, then, that since all nations, or many nations are engaged in this particular international hydrologic decade that I conclude my remarks here with that eastern proverb which says: "To survive, all must join hands."

So we on all sides of the House must join hands. We in the province of Ontario must join hands with Quebec and the federal government and with agencies to the south of us. And if we do, possibly we will have some success.

Some hon. members: Hear, hear!

Mr. MacDonald: Mr. Chairman, there are a number of important agencies now encompassed by this department and quite a range of important activities. Some of them will be introduced more fully by other members and therefore I propose in my introductory statement to the estimates to leave discussion of virtually all till later, except for one topic which I shall try to deal with in three varying aspects.

In the dying hours of the long session of the House of Commons which concluded last week a political storm broke over the federal government's tactic of introducing a \$1 estimate, the net effect of which would have been, in one case, to wipe out the existence of the Northern Ontario Pipe Line Crown Corporation. As has been pointed out editorially, this was just a sneaky way of trying to change legislation by means of estimates rather than by an amending Act.

This is of concern to us because we in the Ontario Legislature are involved too. Instead of trying to write off this sorry chapter in our history by the sneaky technique adopted by the federal government, or by the equally evasive technique of simply ignoring the whole situation, which this government has done, I think the time is appropriate to review what has happened.

In 1956 the Ontario Legislature passed Bill No. 91, An Act of facilitate the introduction into Ontario of natural gas from Alberta by means of an all Canadian pipe line. Under this legislation, the hon. Provincial Treasurer was authorized to loan up to \$35 million to share in the cost of building the northern Ontario link with the pipe lines in the west. The federal government set up the Northern Ontario Pipe Line Crown Corporation to build the link and then rent it to Trans-Canada Pipe Line which did not fulfill its earlier commitment to build the whole line.

Among the many extraordinary features of this rental agreement with Trans-Canada was an option to buy the northern Ontario link on very favourable terms at any time within 25 years.

Some months ago, I happened to recall this whole episode and inquired as to what, if anything, had happened in the interval. The 1963 annual report of the Northern Ontario Pipe Line Corporation had just become available in printed form. You can imagine my surprise to discover that, without even a whisper of publicity, Trans-Canada had already exercised its option on May 29, 1963, and bought the northern Ontario link which had been built with public moneys. Since

better than 75 per cent. of that money had been provided by the people of Ontario through either their federal or provincial government, it is interesting to examine what a bonanza Trans-Canada acquired.

The total cost of the northern Ontario link was \$129,856,316. The rental agreement was a remarkably generous one. A calculation was made as to what rental would be required to meet the interest and the administrative costs and this was fixed at 3.5 per cent of the capitalization. If perchance the rentals actually fell below this figure, there was no further obligation on the company to provide even enough to meet the minimum required amortization payments, in addition to interest and administration costs. But if perchance the rental exceeded the 3.5 per cent because of the volume of gas going through the line, then the excess would be used to reduce the price at which Trans-Canada might ultimately buy the Ontario link.

When Trans-Canada exercised its option on May 29, 1963, it had paid \$41,110,773 in rental. Of this figure, in view of the agreement I just outlined, \$19,627,330 was applied to yield the 3.5 per cent return on investment and the remaining \$21,483,443 was applied to amortizing the capital costs. As a result, Trans-Canada picked up the northern Ontario link for a mere \$108,372,873. In short, the net result of this deal was that the public Treasury of Canada provided money at the ridiculously low interest rate of 3.5 per cent to the multi-millionaire Texans who had originally joined forces to form the Trans-Canada Pipe Line Company. Indeed, when the company refused to build the northern Ontario link through the most difficult and least profitable area, it will be recalled that the Liberal government built the line through northern Ontario. But in addition to that, the Liberal government of the day in Ottawa even advanced some \$80 million to build the line through the easy stretch across the prairies. Furthermore, Trans-Canada did not pay the original cost of construction, which was approximately \$129 million; instead, they got the line in 1963 for only \$108 million when, as a developed and thriving project, it was no doubt worth \$200 million or more.

It may be a little late in the day, but I think this Legislature and the people of Ontario are entitled to know how much, if any, of the \$35 million authorized by Bill No. 91 in 1956 was advanced by the Ontario Provincial Treasurer. I would ask the hon. Minister to give us that figure and a report of what amount was finally repaid to the province when Trans-Canada exercised its option in

May, 1963, and took over the northern Ontario link.

In view of the manner in which the public Treasury, both federally and provincially, was used for the benefit of a private interest—to make matters worse, it was American private interests who had welched on their original commitment—I think it is interesting to recall the statements made in the House of Commons by two leading Tories of the day. In the heat of that famous pipeline debate on June 4, 1956, George Drew, then leader of the federal Conservatives, said on third reading of the bill:

Do you want to go ahead with the pipeline? All right, if you are determined to follow the course of going ahead with the pipeline through a Crown corporation, go ahead with it, but expand the Crown corporation and give that Crown corporation the power to build the whole line from the Alberta boundary right through to the east. That is what I said on March 15 and I repeat it.

Donald Fleming, on June 5, 1956, added his voice:

Well, sir, it now seems we are narrowed down to a choice between two courses, the government's iniquitous proposal to hand over to Trans-Canada Pipe Line Limited great sums of money to help them out, or public construction of the whole line.

I will only add that the proposal was even more iniquitous than Donald Fleming realized; subsequent events have proven even greater sums than he could have known had been handed over to Trans-Canada.

This is a magnificent example of modern, free enterprise, where the risks are taken by the public Treasury and the profits are taken by the promoters, through the co-operation of their friends in political office.

But this was only the beginning of the story. Here in Ontario, it became a matter of public policy that most, if not all, of the new distribution franchises should go to Northern Ontario Natural Gas. What they did not get directly through assignment by an agency of the Crown—the fuel board, now the energy board—they have acquired by buying the controlling interest in later years. Early in the development, Twin-City ceased to be an independent company, which claimed the support of the people of the northwest, from Dryden to the Lakehead to Nipigon and Geraldton. Controlling interest was bought out by NONG and the same thing has happened, or is likely to happen, according to newspaper reports, to Lakeland in eastern Ontario. NONG was placed in this

highly favourable position through this government's policy.

Therefore, I have two questions to ask and I would like to put them to the hon. Minister in connection with this company. First, a report of March 24, 1965, indicates that the profits of NONG have risen by 50 per cent to \$2,350,000 in the 12 months ending February 28 of this year, with only a 12 per cent increase in the gross revenues which had reached the figure of \$24,719,000. What explanation can the hon. Minister give for a 50 per cent increase in profits, while gross sales are going up only 12 per cent?

Furthermore, since there is a limit of about seven per cent placed on the profits of public utilities engaged in gas distribution, one can only conclude, in light of this 50 per cent increase in profits, that NONG must have been losing money hand over fist a year ago, or else it is making money hand over fist today.

Has the seven per cent limit on the profits of public utilities, which enjoy a monopoly franchise granted by this government, now gone by the board altogether?

Secondly, there is another development in the gas distribution field that I draw to the attention of the hon. Minister and seek his comment. Subscribers must now buy more cubic feet of gas to produce the same heat, at least in some areas throughout the north serviced by NONG. Within recent years, the federal government granted permission for the construction of a plant at Empress, Alberta, on the Trans-Canada pipe line for the purpose of extracting some of the high Btu propane gases from natural gas. This plant went into operation last year. I acknowledge that the gas which Trans-Canada has contracted to supply to NONG and other distributors in Ontario must have a Btu content of only 1,000, and that it never dropped below that figure. But before the Empress plant went into operation, I am informed that the Btu content was as high as 1,084; since then it has varied with lower figures—1,011 Btu in September, 1964; 1,023 in December, 1964. This lowering of the Btu content of gas has the effect of raising the price to the consumer, because he needs more gas to get the same heat. I am wondering whether, in view of these changes, this is not an appropriate topic for a hearing before the energy board, either provincially or federally. Quite frankly, I am not certain which one of them would hold jurisdiction, or whether they would not be joint jurisdictions to some extent.

Furthermore, who is pocketing the added profit from the propane gas taken off by the plant at Empress, Alberta? Do they all go to Trans-Canada or are some of them shared with Ontario distributors? If the latter, I suggest it may throw some light on why the profits of NONG jumped 50 per cent while the gross consumption was only going up 12 per cent.

Having reviewed this gas pipeline situation at both the Trans-Canada and the provincial distribution levels, let me turn now to the remaining area where this government has just about completed the handing over of another valuable natural asset to private interests. I refer to gas storage. Last year I touched on this, and let me recall the salient points for hon. members. Union Gas has been in the field for a long time and some years ago it was granted rights to 76 billion cubic feet storage space in Lambton county. In part, because of the advantages arising from buying gas at off-peak periods and storing it for sale at peak periods, it is significant to note that Union's residential rate in south-western Ontario is \$1.07 per 1,000 cubic feet, compared with \$1.35 per 1,000 cubic feet charged by Consumers' Gas in the Metropolitan area. But a few years ago, through a subsidiary, Ontario Natural Gas Storage and Pipeline Limited, Union built a pipeline from the Dawn storage basins to Oakville, so that it is linked now not only with Trans-Canada but with the major markets of the Golden Horseshoe. Union has now looped this line. With transmission charges of 8 cents per 1,000 cubic feet and storage charges of 17 cents per 1,000 cubic feet, this has proven to be a very lucrative venture.

Indeed, sir, in the prospectus which was filed by the Ontario Natural Gas Storage and Pipeline Company in 1958, it was anticipated that at the end of five years—by 1962—gross profits of \$3,638,000 would be expected on capital stock of only \$9,510,000. That is a profit of 38 per cent on money invested. In these early years, Consumers' Gas was using the Union subsidiary's storage areas in Lambton county to some extent, but the comments of top Consumers' spokesmen was that the cost was too high for more extensive use of Lambton storage.

Mr. Chairman, I see that the government House leader is anxiously waiting for supper, so I will conclude my remarks after 8.

It being 6 o'clock, p.m., the House took recess.



ONTARIO

Legislature of Ontario

Debates

OFFICIAL REPORT—DAILY EDITION

Third Session of the Twenty-Seventh Legislature

Thursday, April 8, 1965

Evening Session

Speaker: Honourable Donald H. Morrow
Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, APRIL 8, 1965

The House resumed at 8 o'clock, p.m.

ESTIMATES, DEPARTMENT OF ENERGY AND RESOURCES MANAGEMENT

(continued)

On vote 601:

Mr. D. C. MacDonald (York South): Mr. Chairman, at the adjournment hour I was discussing the development of the use of storage facilities in the province of Ontario, recalling that Union Gas had used it for a considerable time and a few years ago, through a subsidiary known as Ontario Natural Gas Storage and Pipe Line Limited, they had built a link from the Dawn storage basin through to Oakville, so they were tying in with the Trans-Canada line and with the big market in the Golden Horseshoe. I was pointing out that this had proved to be a very lucrative business with an 8 cents per 1,000 cubic foot transmission charge through this line and a 17 cents per 1,000 cubic feet for storage. Within a few years, they have now looped the line.

In these early years, Consumers' Gas was using the Union subsidiary storage areas in Lambton county to some extent, but the comments of some of the top officials of Consumers' was that the cost was too high for more extensive use of Lambton storage. Apparently, Mr. Chairman, if the costs are too prohibitive to pay it to others, they become more acceptable if they are paid to themselves. So, within the past year or so, Consumers' Gas has entered into partnership with Imperial Oil to set up its own subsidiary, known as Tecumseh Gas Storage Limited, with a 12.5-mile link from the three storage pools of Kimball-Colinville, Seckerton and Corunna, out in Lambton county, over to the nearest point on the line of Ontario Natural Gas Storage and Pipe Line Ltd., through to Oakville. These three pools have a capacity of 56 billion cubic feet, of which some 40 billion is a working storage. I notice the hon. Minister this afternoon had that figure up to 42 billion as a working storage.

The Ontario energy board has awarded

rights to this last remaining major storage capacity to Tecumseh.

At the moment, not only is Consumers' Gas Company a 50 per cent-owner in Tecumseh, but it is the sole customer, with a contract which indicates its intention to increase stored gas from seven billion to 30 billion in a ten-year period. That means that after the ten-year period, there will still be another ten billion working storage to reach the available maximum of 40 billion in their storage pools.

Through its continuing arrangements with Union's subsidiary from Dawn through to Oakville, Consumers' Gas is now in a position to use storage to the greatest extent possible. In doing so, the previously prohibitive costs have become tolerable, not because they are any less, but because Consumers' Gas, like Union Gas, is now in a position to share in this lucrative auxiliary income and pass on the costs to the residential, commercial and industrial consumers.

I went down to the energy board offices a couple of days ago and read through the transcript and the exhibits filed on the occasion of Tecumseh's hearing for its franchise to build this 12.5-mile link from its field gathering system in the three pools which have been assigned to it over to the Union Gas system at Dawn.

It was interesting to note that the most vigorous opposition to the Tecumseh bid came from Trans-Canada, which obviously did not want to be cut out completely from the last of these major unassigned storage pools, particularly at a time when Trans-Canada is about to loop its line with another that is planned for a more direct route through the United States to the Sarnia area, where it can tie in with the vast storage system of Lambton county and its capacity in excess of some 100 billion cubic feet.

Tecumseh is spending over \$20 million over a five-year period to build this gathering system, its compressors, and the 12.5-mile line to Dawn. I was interested to note from the transcript that one of the points on which Trans-Canada based its opposition was that

Tecumseh had provided no breakdown to show the reasonableness of the \$7.5 million which Tecumseh is paying Imperial Oil, one of the parent companies, for Imperial's storage leases and what is euphemistically referred to as "the benefit of Imperial's knowledge of the pools."

Indeed, the transcript revealed that the chairman of the energy board apparently shared some of Trans-Canada's suspicions. On page 149 of the hearings, which were held on January 3 and 9, 1964, Mr. Crozier asked:

Is it possible that certain amounts have been put in here—

that is, in the \$7.5 million paid by Tecumseh to Imperial:

—and capitalized which might not be allowed on a rate base by a board that regulates the tariffs and charges?

The witness for Consumers' Gas could offer no breakdown or elaborative comment.

Meanwhile, the oft-repeated pleas of rate-payers associations in Lambton county have gone unheeded—that storage companies should be obligated to share the burden of municipal taxes by paying on underground storage, according to some formula related to the municipal taxes which they now pay on above-ground storage.

It will be interesting to see, now that Consumers' Gas has the advantage of all the storage space that it can use, whether it will be able to get its residential rates down from the present \$1.35 per mcf charged to Golden Horseshoe subscribers closer to the \$1.07 residential rate charged by Union Gas in southwestern Ontario. When Consumers' does get its price down closer to Union's, the saving will be many dollars a year to every user of natural gas in homes within this metropolitan area.

In reviewing the handling of natural gas in this nation and this province, one is reminded once again that it is a very lucrative business. The mad scramble for the monopoly franchises upon which it is based indicated from the outset that the promoters knew it was a lucrative business; subsequent developments have confirmed it.

But if the public interest is to be given top priority, I suggest to this government that here is a clear-cut case where public ownership is justified, even more so than in years gone by with hydro. George Drew and Donald Fleming recognized this fact, even if fleetingly, back in 1956. Only through a rationalization of the existing gas transmission and distribution system, integrating it

with our incomparable natural assets of vast storage pools, will it be possible to develop a grid along the same lines as the hydro grid was built by a previous generation—as a publicly owned utility.

Only in this way can we be assured that the overall profits from the system will not be pocketed by a few, but will be used to extend the distribution system to unserved areas all throughout Ontario. Today, these still include not only large centres like Sault Ste. Marie, but hundreds of small centres throughout the province which are not yet having the advantage of natural gas and, conceivably, may never have them because the resources and the profits are not being used or poured back to extend the system across the whole province in the fashion that they were done with hydro.

As I indicated earlier, Mr. Chairman, all of the other topics that fall under the umbrella of this growing department, I think, might appropriately be dealt with after they have been introduced by the hon. member for Muskoka (Mr. Boyer), or Wellington-Dufferin (Mr. Root), or when the appropriate estimate comes up.

Hon. J. R. Simonett (Minister of Energy and Resources Management): Mr. Chairman, I guess I would have to agree with the hon. member for Nipissing (Mr. Troy), because he seems to agree with us in many of the things we are doing in this department. He made a couple of points there that I would like to clear up.

I think his first point was on hydro rates in northern Ontario. I do not think we will be dealing with rates; that will be dealt with under the vote for Hydro. But I recall him saying that some farmer had called on him, complaining or telling him that his bill was for three months. It averaged out, if I am not mistaken, about \$18 a month for whatever light and power he is using. Being an old-timer, as you are, sir, I can recall operating a business when we had to have our own power plant—that was called a Delco plant. We used to have lots of those in Ontario. You know, I have found that hydro is the cheapest thing I can buy in business today. I think most of the farmers in Ontario would agree with me.

Mr. MacDonald: It depends if the power comes from our Ontario Hydro; if it comes from the private hydro, as in the Soo, its costs are higher.

Hon. Mr. Simonett: We are talking about Nipissing; it comes from our Hydro.

Mr. MacDonald: So I read in the papers—

Hon. Mr. Simonett: The next point he made was when he was talking about the ONR and mentioned the loss that the government is suffering from operating the rail line from Cochrane to Moosonee. If I understood him right, I think he suggested that if he were operating this railroad he would tear up the tracks and build a highway. I think I understood that; is that right?

Mr. L. Troy (Nipissing): Yes. Unless you have a major strike up there of some mineral wealth or something that gives you an opportunity to increase your payloads.

Hon. Mr. Simonett: That is fine. I can tell you this, sir, that I do not agree with you and I doubt if the government does. In fact, I am sure it does not, because if we do get a strike up there and we have torn up the rails—something that was built to open up this country a good many years ago and paid by former people in the province of Ontario—they are gone. What are we going to do? Start over again to build a railroad? To me, this is not good economy. I think we will leave the rails there to see what happens. I would think within the next two years you will see that we are going to be making some money on the run from Cochrane to Moosonee.

Mr. Troy: Well, I did not say you had to do it tomorrow.

Hon. Mr. Simonett: I know, but the hon. member has made this statement and I wondered if he thought we should do it tomorrow or next week.

Mr. Troy: I put an "if" there. If, and there is a possibility as the hon. Minister said, there is a strike. You might have a strike, I do not know. Maybe you might see the hon. Minister of Mines (Mr. Wardrope)—

Hon. Mr. Simonett: We still have timber in that country to move.

Interjections by hon. members.

Mr. MacDonald: I was interested in the hon. Minister's statement regarding the ONR. What is the basis for his optimism in getting out of the red on the Cochrane to Moosonee part of it?

Hon. Mr. Simonett: We still have timber up there; we have a lot of timber and a lot of pulp to move. I think you are going to see mineral. I think you are going to see a lot of activity there within the next—

Mr. MacDonald: Does the hon. Minister mean the diamond mines of the hon. Minister from Port Arthur?

Hon. Mr. Simonett: No, I am not talking about diamonds. There might be, but I do not think we will need many trains to bring the diamonds out. But we might need the odd one.

The hon. member for Nipissing was speaking about the pollution and the problems we are having there, and the water problems we have in the province of Ontario. I think he would agree with us that at least we have started to work at this—and I think he did agree with that. I was surprised to hear about pollution in Lake Nipissing caused by the ONR. This is the first I had heard of this.

Mr. Troy: I understand, Mr. Chairman, that somebody from the hon. Minister's department had gone up there to check because it was reported. I know the youngster came out saturated in oil and it was said that it came from the ONR in that area, and then there was to be an investigation.

Hon. Mr. Simonett: I checked with people from OWRC. They have not heard of it yet and I do not know how it would be polluted unless it was from the shops. I doubt if we are running oil in Lake Nipissing—I hope we are not—but perhaps we should move the shop somewhere else, I do not know. Would the hon. member like this? I know they would be very happy to have it at Earlton.

Mr. Troy: Is that the usual threat that—

Hon. Mr. Simonett: No, this is not a threat. I am just asking the hon. member. He brought up the question, I did not.

Mr. B. Newman (Windsor-Walkerville): As soon as we mention something you will pull it out.

Hon. Mr. Simonett: No, I think we will deal with that one. I doubt if the hon. member has too much to do, to worry about the ONR going to pollute Lake Nipissing. I hope they are not running diesel fuel in there but we will check it out and I am sure I will be able to give the hon. member a satisfactory answer.

Mr. Troy: Maybe there is petroleum in the sands of Nipissing—

Hon. Mr. Simonett: Maybe that is where it is coming from, and it is not the ONR at all.

The hon. member for York South raises the old problem about ownership—

Mr. R. M. Whicher (Bruce): About the usual amount of gas.

Hon. Mr. Simonett: Yes, you said it, I did not.

He raised the problem about public ownership of gas utilities in the province of Ontario. I think he has raised this a good many times here. In fact, in the few years I have been in here I think it is an occurrence that has happened yearly.

Mr. MacDonald: The case is getting stronger each year.

Hon. Mr. Simonett: Is it? Well, let us analyze that. The hon. member's case was pretty strong, he thought, in 1956, and I can recall that he went out into the country a year ago last September and his case was very strong then. He went up and down the province of Ontario saying that he was going to have 55 seats in this Legislature. Am I right or wrong on that? I think I read it a good many times.

Mr. K. Bryden (Woodbine): Just wait!

Hon. Mr. Simonett: Who was right and who was wrong? This is what I want to know. Evidently the people in the province of Ontario are satisfied with the people who are distributing gas. I have not had a complaint since I have been Minister from a consumer about the price of gas in the province of Ontario. I have heard more here from you than I have heard from all the people in the province of Ontario. Now, I am only telling you the truth, so I guess I have answered that question.

Mr. MacDonald: Mr. Chairman, I have never been able to persuade this government, and particularly this hon. Minister, but maybe he will deal with some of the specifics that I have raised and which place an obligation on him.

Hon. Mr. Simonett: I might say this, Mr. Chairman, about some of the specifics the hon. member raised: I was unaware that NONG had increased its profits by 50 per cent.

Mr. MacDonald: Are you doubting it? Do you want me to send you the clipping?

Hon. Mr. Simonett: No, no, I am not doubting your word.

Mr. Whicher: There is nothing wrong with that. That means they increase the tax.

Hon. Mr. Simonett: I am not doubting your word. I do not think there is anything wrong with that—and they have increased their sales by only 12 per cent. I would say this to the hon. member, that I doubt if there is anything wrong with it but I am going to have people in our department check into it. If it is an honest profit, and they can do this—distribute gas, and make a profit and still supply the consumer at a price that he is willing to pay—then maybe you are wrong—

Mr. MacDonald: Mr. Chairman, if I may rise for a moment. The hon. Minister, with the assistance of the hon. member for Bruce in his Tory approach, is missing the key point.

Hon. Mr. Simonett: Whose Tory approach?

Mr. MacDonald: The Tory approach of the hon. member for Bruce!

The key point is, if the hon. member for Bruce does not know it, that public utilities are supposed to be operating under a margin of seven per cent profit.

Mr. Whicher: And I know it full well.

Mr. MacDonald: Okay. All I said was they were either losing a lot of money last year or making a lot of money this year, if they can increase their profit 50 per cent and still be working under a margin of seven per cent. That is my query to the hon. Minister.

An hon. member: If it went from one per cent to two per cent, it would be a 100 per cent increase.

Hon. Mr. Simonett: Mr. Chairman, as I said earlier, I cannot answer that question because it would take some research to find out what has happened, but I know what the hon. member is talking about—about the seven per cent on their investment. I would doubt very much, although I cannot prove it, whether they could make more than seven per cent on their investment and still be able to distribute gas at a price that the consumers can afford to pay.

Of course, they do not have a franchise in every area, but they are very competitive. We have Hydro furnishing one source of energy, there is oil furnishing another source of energy, and there is propane coming on the market today. These people have to be competitive or people just will not use the product. We do not have gas in the village where I live, but I use oil and I am very happy. The price is okay with me and I am not complaining about it—nor, as I said earlier, have I heard anyone from the area

that the hon. member is talking about, complain about the price of natural gas.

Mr. Troy: You should use hydro, that is the cheapest.

Hon. Mr. Simonett: They have their choice—they have hydro, they have natural gas, they have fuel oil.

Mr. MacDonald: Do you mean in northern Ontario?

Hon. Mr. Simonett: Sure, they have many things up there they can use for energy.

Mr. MacDonald: Well, you will find the Btu content—

Hon. Mr. Simonett: No, no, you brought this Btu up, but you said when you brought it up that there was to be 1,000 Btu. All right. This is an agreement, that I am to furnish the hon. member 1,000 Btu, but if I want to give you 1,100 as a premium, well, who is losing money? Not the consumer. I am giving you a premium. If I go into a gas station tomorrow, to make this simple, and I ask for premium gas or second-grade gas and the man says to me when I go up for second-grade gas, "I am going to give you premium," I should not complain.

Mr. Bryden: No, but it is the other way around.

Hon. Mr. Simonett: No, it is not the other way around, they were bettering their agreement every time they gave them gas. Were they not? You will admit this.

Mr. MacDonald: They originally were giving something—

Hon. Mr. Simonett: Why should we as a government then go to a gas supplier and say to him, "You can't do this"?

Mr. MacDonald: I am not complaining about them having given the extra gas, what I am complaining about is that they have now built the plant at Empress, Alberta. They are now separating out the propane gases. Presumably this is Trans-Canada that is doing this, so that the gas that is now being made available in parts of Ontario—and I presume all of Ontario—is of a lower Btu content.

I am told, for example, that there is considerable interest and public discussion in Timmins, in Kirkland Lake and these areas, of the fact that during the last two or three months the gas bills have been appreciably higher. The argument of the company and some people is that there has been a cold

winter. Those people have had cold winters for a long time. Part of the increase in the cost is because of the fact that they must use more gas to get the same heat because of the reduced Btu content.

Can this be done? Is this not a matter for review by the energy board federally if it comes under Trans-Canada, or the energy board provincially?

Hon. Mr. Simonett: Well, Mr. Chairman, it does come under the energy board federally, but after all if a company is delivering gas better than it has agreed to deliver, I do not think that we should complain about it.

Mr. Bryden: No, but they have in effect increased the price.

Hon. Mr. Simonett: They have not increased the price. They took a contract to deliver 1,000 Btu, no more.

Mr. MacDonald: No, Mr. Chairman, if I may just correct that. The contract was between Trans-Canada and NONG.

Hon. Mr. Simonett: Yes?

Mr. MacDonald: Not with the ultimate personal consumers.

Hon. Mr. Simonett: No, but why was the contract made this way—so that the consumer would get this type of gas. Is that not right?

Mr. MacDonald: But he is not getting it.

Hon. Mr. Simonett: But he is getting it, he is doing better.

Mr. Bryden: That should be of concern to you.

Hon. Mr. Simonett: Well, definitely, it is. But he was only paying for 1,000 Btu in the first place, and because he got a premium I do not think we should stop that.

Mr. Bryden: It has been stopped.

Hon. Mr. Simonett: It has not; they are still getting a premium gas. The hon. member said that this evening himself.

Mr. MacDonald: I said sometimes it is 1,000 and sometimes 1,100—

Hon. Mr. Simonett: It is still a premium, is it not?

Mr. MacDonald: The hon. Minister sat down before he answered some of the questions. What about the earlier question that I asked, about this government, through Bill

91 in 1956, making \$35 million available for this pipeline project. Maybe this was before the hon. Minister's arrival in the House and perhaps he is not aware of it, but who in the government can speak on behalf of this government? How much money of the \$35 million did you make available? How much money did you get back? What is your view now on that contract in which you hand over a bonanza for a song—which is what happened?

Mr. Whicher: You voted for it.

Mr. MacDonald: This is typical; this is the old Frost argument. The hon. member is really a better Tory than the Tories.

Mr. Whicher: No, I sat beside you.

Mr. MacDonald: I presented the arguments in this House in 1956 as to the kind of deal that we were being stuck with and said, "If this is the only thing we can have to get gas in northern Ontario, I will vote for it," but this is the kind of deal that this government was a party to. Now, since the hon. member for Bruce is so perky tonight, I will draw to his attention that it was his previous colleagues, C. D. Howe and company, who framed this exploitative deal. Interestingly enough, for whatever significance there may be in it, within six weeks of the election of the Liberals in 1963, Trans-Canada picked up their option and walked off with the northern Ontario link for which we, the people of Ontario, had put up 75 per cent of the money through either the federal or the provincial government. It cost \$129 million and we gave it to them for \$108 million, when it is now worth \$200 million or more. There is free enterprise in the manner approved by the hon. Minister and the hon. member for Bruce, where the public Treasury bears the risks and the promoters walk off with the profits.

However, let me get back to the question. How much of the \$35 million that we authorized in this House was used and what did you get back when the option was finally taken up by Trans-Canada in 1963?

Hon. Mr. Simonett: Mr. Chairman, the hon. member is right, that I was not in the House in 1956 when they were talking about this \$35 million, nor was I too concerned about it at that time. But I have a note here that of the \$35 million that the hon. member talked about, none was ever called for from this province of Ontario for the Crown company.

Mr. MacDonald: Never?

Hon. Mr. Simonett: None, no, not a cent.

Mr. MacDonald: Mr. Chairman, this is really cuter than words can describe. This government brought in a bill in 1956, Bill 91, and we fought it through this House in a most violent battle. It was like the three-and-a-half-day fight we had a few weeks ago on managed news. For three and a half days the government defended the indefensible and three weeks later it is in the process of abolishing it; it is canning the canned news.

Here is what happened: This government, or its predecessor, has been here for 20 years. It brought in a bill, and fought the bill through, to be able to dip into the Ontario Treasury for \$35 million. The fact of the matter is that we, in this party, and not the Liberals, because they sat in their chairs there and said nothing as usual—

Mr. Whicher: The hon. member voted for it.

Mr. MacDonald: The Tories and the Liberals were really together, but apparently that little band of three—because that is all we were at that time—proved to you—even though you could not admit it publicly—that you should not do anything, so none of the \$35 million was made available. That is what we are now told.

Mr. Whicher: Did the hon. member not know that five years ago?

Mr. MacDonald: No.

Mr. Whicher: Well, you should have.

Mr. MacDonald: How should I know that it was not used? I will tell you the story on this, Mr. Chairman. Last year I was driving to Ottawa, about May or June, and for a reason that I shall never know, suddenly the debate of 1956 and 1957 came into my mind. I suddenly wondered what happened to that option that could be picked up in 25 years. So I went into the House of Commons and I think it was Stanley Knowles whom I went up to see and I said, "Look, Stan, what has happened on this link in northern Ontario?"

Hon. A. Grossman (Minister of Reform Institutions): It sounds like the hon. member for St. George (Mr. A. F. Lawrence) talking.

Mr. MacDonald: Yes, and, Mr. Chairman, Mr. Knowles said, "By a strange coincidence, just last week the annual report of the Northern Ontario Pipe Line Crown Corporation was brought down for the year 1963." This was five or six months after the year had concluded. In it was revealed that in

the quietness of the night on May 29, 1963, six weeks after the Pearson government came into power, the Liberals were into bed once again with these barefoot millionaires from Texas. They picked up right where C. D. Howe left off, and from the world beyond he must have been gazing upon the faithfulness with which the Liberals pursued this whole issue.

On May 29, without a whisper of publicity—I have not found a single person who was aware that it had picked up its option—Trans-Canada got this \$129 million line for \$108 million. That is how fortuitous was my discovery of what had happened, but I will tell you it was a bit more fortuitous than this because none of the Cabinet Ministers here has known what happened. Two years later it is a bit of a news item, because it has suddenly been unearthed. This is typical of how Liberal and Tory governments operate with these corporations—with these deals behind the scenes in which the public Treasury is used, and then, without any publicity, the deal is closed. The only thing is, I suppose, that we should give this item a decent burial and I would suggest to the hon. Attorney General (Mr. Wishart) that some time before this session ends we should bring in a bill to amend Bill 91 of 1956 and wipe it out, because it is a nullity—is that the term?—a nullity. It is cluttering up our statute books. Let us get rid of it.

An hon. member: It served a good purpose.

Mr. MacDonald: The only purpose that it served was that you had come in here and presented something that was so indefensible that even you would not proceed to execute it, you and your government.

Mr. A. H. Cowling (High Park): I remember this ballyhoo so well in 1956; this same story I have heard 100 times.

Mr. Whicher: How did he vote?

Mr. Cowling: He voted with us.

Some hon. members: Hear, hear!

Mr. Cowling: So when the hon. member talks about the awful fight that took place here for three and a half days; he was fighting in a paper bag. There were only three of them and they were fighting among themselves; we were not fighting, we were all set.

Mr. Bryden: You were just selling out the public interest.

Mr. Cowling: No, we were not! We were approving the passing of a bill for \$35 million

to make the Trans-Canada pipeline a reality through Ontario. A very reasonable, sensible thing to do!

Mr. MacDonald: Nonsense!

Mr. Cowling: We did; absolutely!

Now the fact that the federal government did not want to use the \$35 million had nothing to do with our job; it was available at the time. It was a great move by this government, among many great moves. Yes, sir!

Some hon. members: Hear, hear!

Mr. Bryden: I think that the federal government should be advised that any time it needs money it should go to the hon. member for High Park, and he and the hon. member for Bruce perhaps can together sit down and draw up a new manifesto of Toryism.

Mr. Cowling: Is the hon. member for Woodbine going to tell us about the pipeline now?

Mr. Bryden: Heaven forbid!

Vote 601 agreed to.

On vote 602:

Mr. D. A. Paterson (Essex South): Mr. Chairman, under vote 602, I believe that we can speak on drilling and so forth. I wonder if the hon. Minister has given any further thought or taken action regarding the ban on drilling for oil or gas in the Great Lakes, other than Lake Erie; especially since this was brought up at Cabinet, I believe, on March 19?

Hon. Mr. Simonett: Mr. Chairman, in answer to the hon. member's question: This matter was discussed, I believe, in the House one year ago or a little over a year ago, and there has been no further discussion regarding drilling in the Great Lakes during the past year.

Mr. Paterson: I believe there was a meeting, Mr. Chairman, at which commercial fishermen were called in to discuss their problems in regard to drilling in the Great Lakes. I wonder if these commercial fishermen are satisfied with the actions that have been taken by the hon. Minister's department and have the necessary precautions indicated been taken?

Hon. Mr. Simonett: Mr. Chairman, I am advised that we have not had too many

problems with the commercial fishermen this year, although we are working very closely with The Department of Lands and Forests.

I believe that it was about nine months ago that I was up in the vicinity of Lake Erie and we discussed with the lake drillers and some of the fishermen some of the problems that they have been having and their new method of capping the wells. Personally, I have not heard any complaints since that time, although there has been very little activity in the lakes, as the hon. member knows, this past year.

Mr. Paterson: Mr. Chairman, I have a final question for the hon. Minister. I hate to see these estimates go through without some mention made of the famous Place Well No. 1 in the township of Colchester South. Has there been any guarantee that funds will be available, should this oil well become abandoned, that the rubble pile which was erected this past winter to protect the casing and so forth, will be removed from the lake at such time?

Hon. Mr. Simonett: Mr. Chairman, I think the hon. member has posed a question that we did not anticipate at this time. The federal Department of Transport gave permission to the oil company to construct this platform and of course the hon. member's question is what will happen to it providing the well is abandoned. I would think that we would have to look into that one, but I suppose it would be the same as any other abandoned well. We say the drill hole must be capped but we have not gone so far as to call for removal of something that is constructed out in the middle of the lake. However that would be taken care of, I think, under this department.

Mr. Paterson: I think the property owners in that immediate area would like some such assurance, either from the department of the hon. Minister or from the federal authorities, whichever one gave the authority to erect this structure in the navigable waters.

I believe I have a letter here from the department of the hon. Minister that refers to this particular structure—

Hon. Mr. Simonett: Mr. Chairman, I would like to assure the hon. member that although I cannot give him the answer tonight, we will look into this and I will be very happy to have him come to my office and we will discuss this at some future date.

Mr. E. Sargent (Grey North): The score is 2-0 for Canadiens.

Under this vote—I would take it that the price of gasoline in Ontario is pertinent here, Mr. Chairman?

Hon. Mr. Simonett: No, wrong vote. We do not have a vote on the price of gasoline.

Interjections-by hon. members.

Mr. Sargent: It is good to be among friends, even if they are not yours, I can tell you that.

The recent gasoline war when we saw the price of gasoline go down to 33.9 cents and even as low as 30 cents a gallon—

An hon. member: Down to 23.9 cents.

Mr. Sargent: In Buffalo to 23 cents.

Mr. Chairman: The handling of gasoline does enter into The Department of Energy and Resources Management, but not the price of gasoline. The price of gasoline might more properly be discussed in transport. Gasoline is energy, but the price of gasoline has nothing to do with this vote. At the moment, the regulation of the handling of gasoline which is carried on by the department is being discussed, so you are in order. But I do not believe the price of gasoline is regulated by this department.

Mr. Sargent: Mr. Chairman, this is the most important source of energy in this province, as important as water or anything else. I think someone has to make a decision on protection for the public. The freight rates from the west are the same in Buffalo as in Windsor, and we are currently paying, in our neck of the woods, about 47 cents a gallon for gasoline.

An hon. member: You are out of order.

Mr. Sargent: I am not out of order. You should have enough intelligence to know this is very important to the people in the outlying parts of this province and someone has to make a decision on this.

Interjections by hon. members.

Hon. J. P. Robarts (Prime Minister): Mr. Chairman, on a point of order. The point is not really whether we are interested in the price or not. The question is really: In the conduct of the affairs of this House, is this the proper place to discuss this item? I suggest to you, Mr. Chairman, that it is not.

It is not a question of whether we are interested in the price of gasoline, it is whether we discuss the business of the House in proper order.

If the hon. member wishes to make a speech about the price of gas, he has the Budget debate in which he can range over the whole field. This government has no control over the price of gasoline any more than it has any control over the price of any commodity.

So, Mr. Chairman, I make my point of order that the hon. member is out of order.

Mr. Sargent: Mr. Chairman—

Mr. Chairman: Will the member please sit down. I ruled on the point of order that the price of gasoline did not enter into this particular vote. Consequently, as the Prime Minister has pointed out—

Mr. Sargent: The hon. Prime Minister told you to make that ruling.

Mr. Chairman: I made that ruling previously. I said that the handling of gasoline as conducted by this Department of Energy and Resources Management did enter into it, but not the price of gasoline. I made that ruling, but you continued to talk about the price of gasoline.

Mr. Sargent: Well, where do you suggest we talk about it, then?

Mr. Chairman: You can talk about it in the Budget debate as has been suggested, or any time you like when you are in order. But certainly not under this vote, because it does not concern this department.

Mr. Newman: Mr. Chairman, would the hon. Minister explain what we can discuss under gasoline handling then?

Hon. Mr. Simonett: Mr. Chairman, we are on vote 602 and I think the hon. member agreed to the vote. He knows what he can discuss on this.

Mr. Newman: What is entailed in the handling of gasoline?

Hon. Mr. Simonett: All we are interested in is the actual safety in the handling Act. We are not interested in prices.

Mr. Newman: Well, Mr. Minister, all you have to do is explain that.

Hon. Mr. Simonett: I know, but I have not had the opportunity yet, that is what I am doing now.

Mr. Newman: All you had to do was explain that.

Hon. Mr. Simonett: I did not mind what the hon. member was saying, I was willing to listen to him for a minute and find out

what he had in mind—maybe we could get our gas cheaper!

Mr. Sargent: Mr. Chairman, all we need is an Act of this House to give us a standard price of gasoline in this province. That is all we need.

Mr. J. P. Spence (Kent East): Last year, Mr. Chairman, I brought to the attention of the hon. Minister, under the matter of gas and oil lease forms in this province that there are many different forms which companies can use. One company uses one form, another company uses another; and this is very confusing and misleading to the public. I wondered if the hon. Minister has done anything toward coming up with a uniform gas and oil lease in the province of Ontario?

Hon. Mr. Simonett: Mr. Chairman, I might say we will never be able to come up with what I should call a standard form, or a formula under which they would all be alike. But we have looked into it, and let me say that I think all the gas companies now are going to be working on a simplified form. Let me put it that way.

They have to be different, but we are trying to get it in language most people can understand. I think that was the question you posed a year ago. We have found that the gas companies are willing to go along with this and try to get a more simple form of lease.

Mr. Spence: The fine print has been very confusing to the public for a long time, Mr. Minister.

Mr. Paterson: Mr. Chairman, the question that I would ask the hon. Minister—if he will check his files—refers to his letter of March 9 addressed to myself. In it he stated:

The removal of any structure, break-water and so forth upon the plugging of any lake well is required by both our regulations and by The Navigable Waters Protection Act.

The point that I want to make is that this company which has placed gas and oil rigs in position, are they required by law to set aside sufficient funds to remove them or will it be up to the province to finance the removal of this rubble?

Hon. Mr. Simonett: Mr. Chairman, there is no law that would have them set aside any amount, but under our regulations they must plug the well. Now we are posing a problem here that is a little different from the average problem. As I said before, Mr.

Chairman, I would be very happy to look into this and whatever information I can give the hon. member I would be very happy to do so.

Mr. Paterson: Well, I would appreciate it if, when you come to a determination, you would write the clerk of that township so that their council would have this on file, as they are most concerned with this problem.

While we are in the area of plugging wells, I wonder if the hon. Minister has information as to how many abandoned gas wells in the province may have to be plugged during 1965. I wonder further if sufficient funds have been appropriated to pay the department's share of the cost of plugging these wells. I believe I am correct in my belief that the cost to the property owner will not exceed \$300, I believe I have that in my correspondence, whether the property owner has received any royalties from these wells or has just purchased the land and discovered the abandoned well on his property. Could the hon. Minister advise me in this regard?

Hon. Mr. Simonett: Mr. Chairman, this could vary from well to well. I do not think there is any fixed price on plugging any particular well.

I think you would have to take into consideration the circumstances regarding this well. Now if a developer went in and bought an area and he found some uncapped wells, I suppose we would have to deal with him on one basis. If it was the original owner of the well who had covered it up, and we discovered that it is polluting or is dangerous, we would have to talk to him on another basis. Where we have an owner who has purchased the property and knew nothing about the well, then I think we have another case there.

Now I might say we have an amount set up in our estimates to take care of some of these wells. We would never know whether we have to plug ten, 25, 50 or 100 during this year. However, when we find that one needs plugging, we have had no problems getting additional funds from the Treasury board to get it plugged.

Mr. Paterson: In Mersea township there are some nine to ten wells on which orders went out that they should be plugged and there was a delay of some two months as funds were not available. I believe the department finally did get equipment in on one well and the total cost was in the thousands of dollars. Then the thaw occurred

and the machinery had to be withdrawn until next fall.

I would assume that since these orders to plug these wells have gone out to farmers in my constituency that this work will be done next fall, but I had a verbal understanding that these particular people would not be assessed more than \$300 per individual well.

I know of one instance where an abandoned well is on a former school property that a party bought and moved into. He did not discover this well until after he had acquired this property and I do not feel that he should be liable for the total cost of plugging this well.

Hon. Mr. Simonett: Mr. Chairman, I understand that this group had been dealt with last fall and this was the arrangement.

Mr. Troy: Mr. Chairman, the hon. member for Essex South brought up the question of petroleum in Lake Erie and the dwindling supplies there. Since the requirements of Ontario for gas and petroleum are met outside of this province—in fact I understand that only about 10 per cent of our requirements are produced in Ontario—and further since the announcement was made some time ago that there is a possibility of petroleum being found in James Bay and Hudson Bay, what action is this government taking to protect Ontario's interests in that area?

Hon. Mr. Simonett: Mr. Chairman, if I understand the hon. member, he is asking what action we are taking to protect our interests in Hudson Bay. Actually that does not come under my department, I think that question should be answered by the hon. Minister of Mines when his estimates are up because this comes under his department, the actual drilling.

Mr. Troy: Petroleum is under your department and that is what they are drilling for, I understand, or would be drilling for.

The question is, if oil or petroleum were found in James Bay or Hudson Bay, would it be the property of this province or would it be the property of the federal government?

Hon. Mr. Simonett: I would think, Mr. Chairman, that this is a question perhaps the hon. Minister of Mines would like answered right now. I believe there are some discussions between the federal government and the provinces regarding this matter.

Mr. MacDonald: Would that be decided by the people of the federal government, do you think?

Mr. Troy: As in the B.C. case.

Hon. Mr. Simonett: It could be, yes. In fact I am not in any position to answer that question because the actual drilling under Crown lands would come under The Department of Mines.

Mr. Paterson: Yes, but offshore on Lake Erie.

Hon. Mr. Simonett: We have a different situation. All we do in—

Mr. Newman: That is international, the other is not international. Offshore Lake Erie is international waters.

Hon. Mr. Simonett: The land is provincial. I am sorry, sir, where we have jurisdiction over the drilling in Lake Erie is in the province of Ontario.

Mr. Newman: Well, in James Bay or Hudson Bay would be in the province of Ontario.

Hon. Mr. Simonett: If you can tell them that at Ottawa I think we might be very happy and go along with you, but this seems to be what the controversy is about right now.

Mr. Newman: You are the Minister.

Hon. Mr. Simonett: No, I am not.

Mr. Troy: If James Bay is not in Ontario, what are you doing up in Moosonee, then? What land are you in? You are out of Ontario altogether, are you not?

Hon. Mr. Simonett: Mr. Chairman, I am sorry, Moosonee happens to be on the mainland. But I thought your question was about drilling out in James Bay.

Mr. Troy: In James Bay—

Hon. Mr. Simonett: That is not mainland and this is what the controversy is about—is it federal or does it belong to the province? I do not think we are going to settle it here tonight. I think that is something that has to—

Mr. MacDonald: I think if someone can answer the question as to whether the whole of James Bay is international waters, or whether—

Hon. Mr. Robarts: I can answer this, Mr. Chairman. The boundary of Ontario in the north in James Bay, by statute is the low-water mark in Hudson Bay. There is a dispute proceeding at the moment between various provinces and the federal government about

this matter. Our position in Ontario is, of course, that we have no international water boundary, because Hudson Bay is an inland or domestic waterway. Our position is not accepted by the federal government. It has been suggested that a reference should be made to the Supreme Court of Canada to decide this.

There are two elements involved in it really, and that is the situation as far as British Columbia is concerned. Let us take Nova Scotia—Sydney, for instance—where they have been mining five miles out under the sea for many years. The federal government is trying to establish its rights to these offshore mineral rights. Our position in Ontario is that we are not involved because this is not an international waterway.

On the other hand I must say to you that there are certain anomalies in it. For instance, if a new province were to be created out of the Northwest Territories, what I want to know is, would the boundary of that province be the low-water mark in Hudson Bay and James Bay, because this, of course, from an administrative point of view, would be supremely ridiculous. These are the matters which are at present under discussion. In the meantime I think the federal government has gone ahead and granted the drilling rights in Hudson Bay on the assumption that this is its right.

Then there is a body of international legal opinion that says Hudson Bay really is not an international body of water such as the Atlantic or the Pacific oceans, because it is in fact completely surrounded by Canada, with the exception of Hudson Strait which goes out to the north and to the east. Therefore it is not a body of water in which any other nation than Canada could ever establish any rights, so that we do not feel we have a dispute similar to British Columbia or to New Brunswick or Nova Scotia when they are arguing about ocean waters.

There has been a suggestion by the Rt. hon. Prime Minister of Canada that this should be referred to the Supreme Court of Canada for a legal ruling. This position is being disputed by other provinces for different reasons. We are disputing it as far as Hudson Bay is concerned because we think that Quebec, Manitoba and ourselves have a problem with the federal government that is not a parallel to the problem that British Columbia has. The matter rests there at the moment.

Mr. MacDonald: Thank you, Mr. Chairman, this is fascinating. I can see the lawyers having a five-year field day resolving that.

However, I want to get back to more mundane matters.

May I ask the hon. Minister a general question, and that may reduce the number of subsidiary questions I have. What has been done, now that we finally have a report on gas storage, submitted by the energy board during the course of the year ending May 4, 1964, with regard to implementing its recommendations?

Mr. Chairman: Would this not be on vote 603?

Mr. MacDonald: We have been talking about leases, under 602.

Hon. Mr. Simonett: Mr. Chairman, the question was, what has been done as far—

Mr. MacDonald: What has been done with regard to implementing the recommendations of the gas storage report submitted to you by the Ontario energy board, on May 4, 1964?

Hon. Mr. Simonett: Actually there has been nothing done as far as this department is concerned, but I understand it has been accepted by the gas companies and by the land owners. We have met with representatives from the land owners, along with their solicitors, and discussed the report. We have discussed the report with the gas companies, and at the present time I might say that about the one new pool in question, Tecumseh, the land owners and the gas people are negotiating. I understand negotiations are going along very well, and they are working on the formula as set down in that report.

Mr. MacDonald: I would like to get specific, Mr. Chairman. It is interesting to recall the background of this report. Some of us who have been interested in these problems—indeed trying to understand them because they are so very complicated—from 1956 and 1957, will recall that for two or three years all the pleas to come to grips with the inequities in the old leases and the new leases, the playing off of one farmer against another, and so on, got lost in the shuffle of the effort to set up the department that Robert Macaulay was involved in.

For about two years we were engaged in hearings to decide upon the two bills which set up the new department. Then the issue was handed to the Langford committee and the Langford committee no sooner got going on the problem than it was sidetracked on to the pollution of the Great Lakes. It brought in the report on the pollution of the Great Lakes, but it contained nothing on what

was one of the important aspects of its original terms of reference. So it went back to do that. A year or two later the committee came back and reported that it had no recommendation—that it really was beyond the committee's competence—I think that was the explanation.

At that point the government handed this Lambton problem over to the Ontario energy board. The board studied it for a year or two and reported on May 4 last year. There are two sections to the report. The first one has to do with payments with respect to storage of gas in designated storage areas, and the first recommendation was that "land owners should, upon the first use of a pool for storage, be paid for their royalty interest in residual gas down to a reasonable abandonment pressure."

Is this now accepted by all concerned so that when a pool is designated the farmers who own the land will be paid an adequate sum for the residual gas that is kept in there as a cushion?

Hon. Mr. Simonett: Mr. Chairman, this is being negotiated right now, and although I cannot give the hon. member a definite answer I understand that both sides are negotiating. I believe the land owners feel that this is of some benefit to them and we are not getting any opposition from the gas companies. As I said before, they are negotiating and they have been carrying on negotiations for six weeks on this recent pool.

Mr. MacDonald: I presume the hon. Minister is referring to Tecumseh?

Hon. Mr. Simonett: That is right, and this is the last pool.

Mr. MacDonald: What of older storage pools? I have a recollection, and I may be wrong on this, that there were complaints of unpaid amounts on residual gas in pools that had been designated quite some time ago. Have those all been cleaned up in accordance with this principle?

Hon. Mr. Simonett: Mr. Chairman, no. I think that is the Payne pool that the hon. member has reference to. That one is being appealed and being heard on April 21.

Mr. MacDonald: Let us take a look at the second recommendation:

Land owners should, upon use of the pool for storage, be paid for their royalty interest in economically recoverable oil which will not be recovered by reason of the storage operation.

In other words, when the energy board designated a pool, there may have been a number of dollars of oil in there, and the land owner contended that he was entitled to get payment on behalf of this. Presumably it may or may not be extracted. Has this principle been implemented? Is this now going to become a rule that all storage companies will have to abide by?

Hon. Mr. Simonett: Mr. Chairman, I am advised that it is, as a rule, and it is being considered. I would think before we could answer these questions we will have to wait and see what happens in the negotiations that are going on at the present time between land owners and the gas company.

Mr. MacDonald: Mr. Chairman, I am puzzled by it. If it is with reference to old pools and it is in the courts, this I can understand, but my original question to the hon. Minister was: It took seven years to get a report, but we finally got a report and recommendations—with regard to any new designation of pools, with regard to any problems that arise in the future, are these principles accepted by the government and laid down so that the company involved knows there is no argument about it, that it has to pay for the residual gas, it has to pay for the oil that is left in the bottom of the storage pool? Is this the case? Has this been laid down as a rule, or will it continue to be an endless argument between the two parties each time it arises?

Hon. Mr. Simonett: Mr. Chairman, this report was laid down as a guide and a guide only. I explained before that, that we had met with the land owners and we had met with the companies and at that time we explained to them that this was a guide and that we were not going to take any action outside of their studying this report. We asked the land owners and the companies to go out and bargain in good faith and see if they could not reach agreement on this, and I believe they are going to reach agreement. If this is the case and this is what happens, I do not think we have to go beyond that if they have a guide to work by and everyone is happy. I think that is the answer to it.

Mr. MacDonald: I suppose if the hon. Minister says these are guide lines, he in effect is placing his stamp of approval on them and he is in effect accepting them. If the parties get into any argument they come to Mr. Crozier and his board to resolve it. Since they originally drew up the report, the parties would be coming back to the creator

of the recommendations. This is a neat little closed circuit. Perhaps it is the way to catch the companies, if you can get them in a closed circuit, because nobody has caught them for many years.

However, let me pursue this, because for many, many years people were trying to get the answers to these problems. Recommendation 3 was:

Land owner should receive annual payments in the form of rental for the presence of wells or other surface encumbrances.

And the next one is:

Land owners should receive compensation for surface damage.

Once again, is this a subject for negotiation or do the companies know that they must pay it?

Hon. Mr. Simonett: It is negotiated but the companies know they must pay. I do not think there has been any argument about that, at least I have not heard it anyway. I think the land owner is quite happy with what he is receiving and there has been no argument there. I think the land owners were more concerned about what happened under the ground than what happened on top of the ground.

Mr. MacDonald: Perhaps I am appearing to be a little dense, but it would seem to me that when a report comes in, the clear-cut way to handle it would be to say, "These are the rules by which you live." Then there is no negotiation or no argument about it, other than presumably the price. I assume from the answers of the hon. Minister that this, in effect, is what is being done. In effect, he has accepted these recommendations, subject only to negotiations on what price might be arrived at as to the extent of the damage done.

Hon. Mr. Simonett: There is not any problem there except price. If we have the guide lines and we do things in a certain way, then price is the only thing that enters into it.

Mr. MacDonald: The hon. Minister is right, if we have the guide lines—but for years now we have not—

Hon. Mr. Simonett: We have the guide lines.

Mr. MacDonald: No. 9 of the recommendations says:

Storage lease agreements and arbitration decisions in respect of storage rights should be subject to renegotiation or redetermination of storage rental payments at stated

intervals, with provision for arbitration in the event of disagreement.

And there is a paragraph a little further down which says:

Under all the circumstances the board considers that it would be reasonable to require that the annual storage rental payment, whether fixed by agreement or by arbitration, should be open to renegotiation or redetermination at ten-year intervals at the request of either party.

May I ask the hon. Minister, has that been accepted and, in effect, laid down by the government, or has it tacitly been accepted by both the farmers and the companies that at the end of ten years either of them can reopen the agreement?

Hon. Mr. Simonett: Mr. Chairman, I would think it would be accepted by both the companies and the land owners. As you know, we have had many old leases in some of the storage pools. Actually, to me this is a good deal for both, if these things can be brought out and negotiated again after ten years. I think they will go along with that. We have not said they must, but they seem quite happy. As I said, we met with the group of land owners and with the solicitor and they presented a brief to us. As far as I could see at that time, they would be quite happy to go along with this recommendation.

Mr. MacDonald: The hon. Minister is obviously not a lawyer.

Hon. Mr. Simonett: That is correct:

Mr. MacDonald: We have had many arguments before in this House regarding these leases, and we were given a lot of this legal mythology about the sacred nature of a contract and nobody should dare to violate it once it had been established. The hon. Minister and I, as laymen, can accept—without, I trust, getting into too much trouble with the lawyers on the government benches or elsewhere—that this recommendation is correct. I think it is wise that they should be renegotiated. There perhaps may be less need for the renegotiation in the future than there has been in the past, when you had some contracts that were brought out of the attic and were completely unrealistic in terms of the altered circumstances in the world.

The second set of recommendations was with regard to the terms and conditions of gas and oil leases. This goes back, I think, to the question of my friend over here, the hon. member for Kent East. The recommendation in the report was not that there

should be a standard lease but rather that there were 18 items which must be included in any lease that was used. In other words, it specified what must go into any lease that might be used.

Hon. Mr. Simonett: A simplified lease.

Mr. MacDonald: I presume it might be simplified; at least both sides should know what goes into it, so it is something of a standard lease.

Mr. W. D. McKeough (Kent West): The content, but not the form.

Mr. MacDonald: That is right, the content but not the form would be standardized—I think that is a happy choice of phraseology.

The second recommendation was, that the board recommended there be a requirement that where storage rights are included in a production lease, the caption include in bold type: "Reference to storage rights and clauses dealing with storage be separated from those dealing with production." This is a bit of a new problem, as far as I know, but again is this subject to the acceptance of both sides, that storage and production are going to be separated into two leases?

Hon. Mr. Simonett: Yes, Mr. Chairman, I think the new forms now will be accepted by both sides. As you know, some of the old leases included both.

Mr. MacDonald: Yes. I think I have got comparative satisfaction out of this. I am a little puzzled with the hon. Minister's rather easy approach to it—that it lays down guide lines after all these years—but if it is being accepted by both sides, perhaps that is the best solution.

Mr. McKeough: He is very shy.

Mr. MacDonald: Who is shy?

Mr. McKeough: The hon. Minister.

Hon. Mr. Simonett: I am not shy; this is the way you do business with people. You do not make any hard-and-fast rules.

Mr. MacDonald: The hon. Minister has many characteristics but shyness is not one that I had noted up until now.

Mr. Troy: Mr. Chairman, I want to ask the hon. Minister how much coal do we import for our energy requirements from the United States?

Hon. Mr. Simonett: Mr. Chairman, if the hon. member would leave that question

until the Hydro vote, I am sure that the hon. member for Muskoka could answer it. I have not the figures right here.

Mr. Troy: Then, sir, what part does the province play in the export of uranium? Or is that federal?

Hon. Mr. Simonett: Federal.

Mr. Troy: Then, have you made any advances to the federal government about the possibility—since we have to use a great amount of coal in Ontario for our thermal plant, either from Nova Scotia or the United States—of having some reciprocal agreement with the United States under which we could exchange uranium for US coal?

Hon. Mr. Simonett: Mr. Chairman, I am sorry I cannot answer that question, but I would doubt very much if that would happen. That would be a federal arrangement.

Mr. Troy: I know it would be a federal arrangement, but nevertheless—

Hon. Mr. Simonett: But I might say, and I said this this afternoon, that we in Ontario are concerned about the uranium industry and I think perhaps this is one of the things that helped us make the decision to build the plant that is going to be built at Pickering in the near future.

Mr. Troy: And more.

Hon. Mr. Simonett: Well, let us hope we have more.

Mr. Paterson: Mr. Chairman, on vote 602, I would like to make reference to the abandoned works fund. I notice under the energy branch there is an appropriation of \$50,000 and under the drilling branch, \$50,000. The reason I ask this is that I would like to know how this figure is arrived at. Is this just appropriated through the Legislature or is there any rebate per thousand cubic feet of gas that comes from our wells?

Basically, the reason I am asking this is in reference to the *Gazette* of December 26 in which the regulations on drilling were published. I would like to refer to section 37 on plugging, subsection 2. It states:

The last operator of an abandoned well or the owner of the land in which an abandoned well is situated shall plug the well in accordance with this regulation.

The point I would like to make is that I personally feel this government should receive some money per thousand cubic feet of gas, to go into this fund to cover the total cost

of plugging these abandoned wells; either that or the companies that own these wells should be compelled to set a certain percentage of their funds derived from each well aside to do this work so the taxpayers of Ontario do not have to pay for it.

Hon. Mr. Simonett: Mr. Chairman, in answer to the hon. member's question, I think most of the problems we are having today are with very old wells which as you know were drilled prior to the last war. I think with our regulations and our inspection today we are not going to run into too many problems with the existing wells.

I understand that we are collecting some money now to offset the problem that the hon. member is discussing, but it is not enough to go back and plug all these old wells that were drilled many years ago. The thing we are dealing with, as I said earlier, happened before the last war; we feel we are now collecting enough money to take care of the wells of today.

Mr. Paterson: Have you any specific percentage of funds that you are collecting for this purpose so our children will not have to pay this? It should be the people who are making the profit off these wells who pay it.

Hon. Mr. Simonett: I understand that we are collecting an amount for a well permit. I think it is felt that under our regulations of today it will be ample to take care of these new wells as they are abandoned.

Mr. Sargent: Mr. Chairman, under this vote on page 49, "Gasoline handling." Any way you look at it, from the safety margin angle, when you see that you have a price range from 47 cents down to 30 cents when there is a gas war—a price spread of possibly 17 to 18 cents—I feel it is time that we should consider a uniform price on gasoline.

Mr. Chairman: Order! The price of gasoline does not come under this vote.

Mr. Sargent: I am talking about the handling of gasoline and the margin of profit in handling gasoline.

Mr. Chairman: The margin of profit has nothing to do with the safety regulations.

Mr. Sargent: I am going to come into the safety angle, Mr. Chairman.

This department recently examined the problem of gasoline price wars—

Mr. Chairman: Price wars do not enter into this.

Mr. Sargent: I am coming into that.

Mr. Chairman: I ask the member to resume his seat.

Mr. Sargent: What action has this department taken, Mr. Chairman, to alleviate the severe hardship imposed on a large number of small service stations in the last six months by the importation into Ontario—

Mr. Chairman: Order, order!

Mr. Sargent: I am talking about the handling of gasoline. Has this government discussed this problem with the federal government Department of Trade and Commerce or with the national energy board?

Hon. Mr. Robarts: Mr. Chairman, I am going to have to object again on a point of order. This has nothing to do with these estimates; it has nothing to do with this vote. If the hon. member wants to bring this question up—questions of where we trade and how we trade—this might more properly be brought up on the estimates of The Department of Economics and Development, but it simply has nothing to do with this vote.

If we are to discharge the duties of this House, we must proceed in an orderly fashion. It is not a question of not permitting the hon. member to make his point, but he must make it sometime other than under this vote.

Some hon. members: Hear, hear!

Mr. Sargent: On this vote 602: What is this \$33,500 for, Mr. Chairman?

Hon. Mr. Simonett: Mr. Chairman, this is for the licensing and inspection of gasoline handling outlets. That is all it is for and it includes service stations or wherever they handle gasoline to serve the public.

Mr. H. Worton (Wellington South): What is the money taken for?

Hon. Mr. Simonett: We must go there and issue a permit and inspect these outlets. We have to have people to do this.

An hon. member: It is for safety purposes.

Hon. Mr. Simonett: Safety purposes only! We are interested in prices and I can understand the hon. member's problem, but we are not dealing with it now.

Mr. Sargent: This is another way that rural Ontario is being discriminated against by this government.

Hon. Mr. Simonett: Mr. Chairman, I come from rural Ontario and I happen to be a

gasoline distributor. The hon. member does not know what he is talking about when he says that.

Mr. Sargent: All right; just listen to this—

Hon. Mr. Simonett: I have been in the business for a good many years too.

Mr. Sargent: This is a big subject, but this government never takes a step until it is forced into it. We have great variances in the price of gasoline in this province, sometimes—

Mr. Chairman: Order!

The price of gasoline has been ruled out of order several times tonight. It is definitely out of order.

Mr. Sargent: I want to speak on safety, if I may.

Mr. A. E. Thompson (Leader of the Opposition): Mr. Chairman, on vote 602 I notice an item, "Energy Studies." I wonder if the hon. Minister could tell us what studies have been completed in the past year.

Hon. Mr. Simonett: Mr. Chairman, I would ask the hon. leader of the Opposition what vote he is on now—vote 602?

Mr. Thompson: Vote 602, "Energy Studies," on page 51 of the hon. Minister's estimates.

An hon. member: Vote 602? What year?

Mr. Thompson: I am sorry, Mr. Chairman.

An hon. member: Vote 602 is on pages 48 and 49.

Mr. Thompson: Let me put it this way: Last year there were "Energy Studies." What has happened? Have they been abandoned like the old oil wells, or something?

Hon. Mr. Simonett: Mr. Chairman, I am told that we have only two people now and the study is under the energy branch.

Mr. Thompson: What do they study? That is what I am after.

Hon. Mr. Simonett: I understand they did some economic energy studies which have been discontinued. We could do a lot of studying as far as energy is concerned, but it happens to be in different areas than this.

Mr. Thompson: Mr. Chairman, I appreciate the warm smile from the hon. Minister as he brushes aside the fact of the need for study, but I suggest that surely he would be making some long-term studies in connection with the requirements of energy.

For example, in 1970 the percentage of different uses for energy. Does the hon. Minister know what will be required by Ontario in 1970?

Hon. Mr. Simonett: Mr. Chairman, this study comes under The Department of Economics and Development. We are not spending any money on studies outside of going along with the gas companies. They spend many dollars in exploration and drilling trying to get wells produced; but the actual study of energy uses comes under The Department of Economics and Development.

Mr. Thompson: Does the hon. Minister know if The Department of Economics and Development is doing a study on the requirement for energy in Ontario in 1970?

Hon. Mr. Simonett: I am sure, sir, that I cannot answer that, but I would think that they would be.

Mr. Thompson: I would think that the hon. Minister's department would be interested, for example, in what percentage of the total is expected to be met from coal, petroleum, natural gas, hydro, or nuclear fuels—what percentage of the total will be supplied from Ontario resources. Could the hon. Minister, or his department, answer that question?

Hon. Mr. Simonett: Mr. Chairman, I could give the figures as they are today. In fact, I gave the percentages this afternoon for the different types of energy.

Mr. Thompson: I am thinking of 1970, Mr. Chairman.

Hon. Mr. Simonett: I think that would be a difficult question to answer now, because as we get into nuclear energy or power this setup can change. It has been changing very rapidly lately; use of propane and all these things could enter into an answer as to what percentage would go to each different energy source.

Mr. Thompson: I would suggest that if there is not such a forecast it is very hard to have a sense of direction from the point of view of the hon. Minister's department. I would hope that if The Department of Economics and Development is not doing such a study, the hon. Minister would encourage them to do it for him. It would seem to me that this is most important information for the hon. Minister to have in order to be able to plan ahead in this most vital subject.

Hon. Mr. Simonett: We could furnish a forecast up until 1970 on the different energies.

Mr. Thompson: The point I am making is that there are two economists within the hon. Minister's department and I would think that there must be a number of questions in this area of energy resources. I would hope that the hon. Minister would be raising these questions, if he is using The Department of Economics and Development to get his answers. One of my real concerns about this government is that they do not look ahead in connection with the natural resources they have. How many resources will be used up within a certain period. The hon. Minister is not doing this with either human resources or natural resources, and because of this he will suddenly wake up to a crisis situation and then establish a crash programme.

That is why I suggest that planning—"a stitch in time saves nine," is an old proverb—is necessary and it would be very helpful if such planning is done in connection with the department.

Hon. Mr. Simonett: Mr. Chairman, I might say that as far as planning in energy is concerned, I have been connected with the department for just a year, but I think it would be difficult to find fault as far as planning in energy is concerned in Ontario. I think that if the hon. member thinks of the Hydro story in Ontario and the nuclear story in Ontario; if he will think back to just a year ago, we had to negotiate with the federal government to get this one going. I think it was a very forward step, so I do not think we should be criticized for our programmes as they have been instituted in the province of Ontario.

Mr. Thompson: Let me raise a couple of questions: How much energy comes from coal shipped in from the United States?

Hon. Mr. Simonett: This question was asked by the hon. member for Nipissing and at that time I told him that when the Hydro estimates were up that the hon. member for Muskoka could answer it.

Mr. Thompson: He will be able to answer it?

Hon. Mr. Simonett: Yes.

Mr. Thompson: He will be able to answer it. I am sorry, I got the impression he would not.

Mr. Newman: The previous Minister of Energy Resources mentioned other sources of energy. He specifically mentioned at one time the gas turbines, and he also mentioned the use of the thermocouple. Has this hon.

Minister anything additional to add concerning the possible uses of both gas turbine and thermocouples as sources of energy?

Hon. Mr. Simonett: Mr. Chairman, the answer is no, I am sorry, we have not. We are dealing with the types of energy that we know will work and are working well at the present time.

Mr. Newman: Is the hon. Minister encouraging any of the universities to undertake studies as to the practicability of the two sources I have mentioned as energy?

Hon. Mr. Simonett: Mr. Chairman, the answer is no, not through this department.

Mr. Newman: May I suggest to him that he possibly undertake some support of this nature or suggest to the people in Ottawa that they undertake studies in the two fields I have mentioned?

Mr. Troy: Mr. Chairman, I did not have a copy of the hon. Minister's presentation this afternoon. I did not know if he mentioned the Trans-Canada pipeline. Are they going to build another line in the expansion of the Trans-Canada pipeline?

Hon. Mr. Simonett: Mr. Chairman, there is an application before the national energy board right now regarding this matter and this is a national energy board decision.

Mr. Troy: What steps is this government taking to see if it is at all possible to have that pipeline through the province of Ontario and thus add to employment and industry within the province?

Hon. Mr. Simonett: I might say that the application before the national energy board right now is for the pipeline to go through the southern route—this is through the northern part of the United States—and if that application is granted I am afraid that this is the way the line will be built.

Mr. Troy: Have you taken any objection to it?

Mr. Thompson: Are you making any objection to that?

Hon. Mr. Simonett: No.

Mr. Sargent: Why not? I think this is very glaring. What this would mean to our construction industry, Mr. Minister, would be fantastic for us, and I think it behooves the hon. Minister on behalf of the government to move in this direction. It is Canadian sponsored, by the government.

Hon. Mr. Simonett: It is Canadian, it is federal, yes. This is Ontario.

Mr. Sargent: Is there any reason why the hon. Minister cannot get going on it?

Hon. Mr. Simonett: Mr. Chairman, I might say that we have lots of gas in northern Ontario, and they need gas in southern Ontario. This is not a decision to be made by the Ontario government. It is for the national energy board to make this decision. They are moving gas from one of the western provinces and if they can sell some in the northern states and give us gas here at a price cheaper than we could get it the other way, I do not think we should complain about it.

Mr. Sargent: I think if they are going to double the capacity in Ontario we should insist that it go through Ontario and not through the states.

Mr. McKeough: Why?

Mr. Sargent: Think what it would mean to our construction industry! You know what it meant to us on the initial launching of the Trans-Canada pipeline, and now we should insist that we maintain our autonomy and hold on to that gain of construction. I think the hon. Minister should answer that for the House. This is very important to us.

Hon. Mr. Simonett: Mr. Chairman, I cannot answer it. This application is before the national energy board, it is not before our board.

Mr. Sargent: Well, what is the hon. Minister doing about it?

Hon. Mr. Simonett: No, no, this was a joint arrangement because we needed gas in northern Ontario. We have lots of gas in northern Ontario at the present time, but we need gas in southern Ontario. If we can get gas cheaper, providing the application is granted and they can sell gas in the northern United States and we can get it at our southern borders cheaper, I think hon. members would go along with this. This is what we are trying, is it not, to entice industry and the things we want here. We want cheap energy, and if this is going to help I do not see why we should oppose it.

Mr. R. F. Nixon (Brant): Mr. Chairman, the hon. Minister mentioned a moment ago that one of the reasons for building the atomic plant east of Toronto—where it is going to be located—was to use energy that was actually produced in Ontario in the form of uranium. I would like to ask him if the

uranium required for that plant would already be processed and ready at Atomic Energy of Canada and in their possession, or would it mean that it would still be in the ground at Elliot Lake or Bancroft, and would in fact further the industry there in some way?

Hon. Mr. Simonett: Mr. Chairman, the hon. member has posed a question that might be very difficult to answer because I understand there is a certain amount of this uranium stockpiled now. But if it is sold out of Canada at the time this plant is ready to go into production, this could mean that we would be actively mining to produce the fuel to go into this plant. You can see in the overall picture it is going to help out in uranium because we are going to use so many tons every year, and we hope to increase the capacity of this plant, whereas we would be using a fair amount of uranium.

Mr. Nixon: I think that this is bound up with what the hon. leader of the Opposition had to say about long-range planning. The fact that we evidently can produce electricity economically, comparatively economically, through atomic reactors, is really a most marvellous breakthrough. I realize that the basic responsibility for the operation of the uranium mines and selling uranium and so forth is a federal responsibility, but it seems to me that this department should bear the provincial load of responsibility rather than The Department of Economics and Development, that is for seeing to it that the facilities for the production of energy are going to be made available to other countries by Ontario. I was wondering if there is any information that the hon. Minister is aware of now that would indicate that the market for uranium is going to expand in the near future.

Hon. Mr. Simonett: Mr. Chairman, I would say, yes, there is an indication. As you know, Ontario or Canada has produced a plant and it is being installed in India at the present time. I was along with a group that went to Japan last year and they are interested in our type of reactor, although they have two different types there right now. I think it is the hope of the governments of Canada and Ontario that we might persuade them to try our type of heavy water plant, and that will create another market for natural uranium. This is not the processed uranium, it is natural uranium, plus the capacity that we could have here. We have three plants now. We have one completed and furnishing power, another one nearing completion. Then to step to a plant this large I think that

we in Ontario have shown good faith that we are interested in this type of plant. I think one big question mark now is what is the life of these plants? I think that is the only question and this you have to learn through experience. We are hoping—and Hydro engineers tell me that if this plant lives up to what they expect it will do that it will be the cheapest source of energy that we have ever had in Ontario. But the big question mark is, is it going to last 20, 30 or 40 years?

Mr. Nixon: I remember listening in this House to the former Minister hold out the very attractive possibility that the research that would be done in Ontario in the development of these plants could eventually result in a package deal that could be presented to the nations of the world that did not have energy of their own. Here is an Ontario-designed and made and fuelled reactor that much like the hon. Minister's old Delco plant could be provided on a grand scale around the world. I wonder what his view on this is, and if research along these lines is taking place to provide such a package, besides of course the reactors that we have here.

Hon. Mr. Simonett: I would say that this is already happening. Our type of plant is a more expensive plant. The initial cost is more expensive.

Mr. Nixon: Because of what, the heavy water?

Hon. Mr. Simonett: Because of the heavy water and design. After it is built we do not have to use enriched uranium, it is much cheaper to operate. Again it goes right back to the point I said a minute ago, it depends on the life of this plant and we have not had any experience yet.

Mr. Nixon: Like selling Cadillacs.

Hon. Mr. Simonett: I know, but we have not had experience enough, and this is a problem that came up in Japan last year. To build in Ontario a 1000 megawatt plant costs about \$266 million, and with a boiling water plant to build in Ontario would be about \$150 million. So you see the difference in cost right there in the first place.

I think we have practically proved now that our plant is a more efficient plant. It is doing a better job, but we have not had enough years experience to say you can write off \$266 million as compared with \$150 million and make money on it in 20 or 30 years. In Japan, they write off their plants

in 17 years. So when you start amortizing 17 years and that extra money, this is where you see the difference in cost.

Mr. Nixon: The hon. leader of the NDP said you certainly were not shy, and I am here to say that you are a good salesman. I think you know that you can probably sell more Chevs than Cadillacs. We want to produce one of the best plants possible, but it seems to me that in these countries the question of the capital expenditure is all important. We should be in the market with the type of plant that we would be able to provide on the scale that the former Minister held out so attractively to us. I would hope that the department is taking all the steps possible to do that.

Hon. Mr. Simonett: Of course, this was not developed by the Ontario government or by Hydro. This is developed as you know, through the efforts of the federal government, and actually I think we have a good plant. We just have to give it enough years and experience then I think perhaps we can prove that we have the better concept, maybe right here. From what I have heard, talking to the engineers in Japan where they have both types, both the other concepts have not proved out too well. But again, we have not had experience enough to say here is a plant of this size and we can guarantee it will operate for 30 years. This is the experience that we have to gain as soon as we get this larger plant in operation at Douglas Point.

Mr. Nixon: It will not take 30 years to find out.

Hon. Mr. Simonett: No, it will not take 30 years, but we can check it.

Mr. Newman: Mr. Chairman, on vote 602, recently we had a serious explosion in the town of Aylmer. As a result of that, has the energy board come up with some firm recommendations? You can supply them later, Mr. Minister.

Hon. Mr. Simonett: Mr. Chairman, the hon. member said I can supply this information for him later. You are posing a tough question right here, because we have certain recommendations now, and as you know the gas was being transported. There are two reasons—I would not want to say. It could have been neglect of a driver, or a lot of things could have happened. But our regulations as far as the transporting of gas is concerned, and—I think they were followed. But there happens to be three departments mixed up in this, if I am not mistaken.

Mr. Newman: Well, there is still some connection with the apparatus at the back of the truck carrying it not being sufficiently protected, I understand.

Hon. Mr. Simonett: Mr. Chairman, I understand that the valves were concealed and within our regulations. But when you are pushing—which you are not supposed to do on a truck of that type—when it is pushed and the bumpers jump, well you can understand with the horsepower and the weight behind you, that something would happen.

Mr. Newman: Quite true, Mr. Minister, but there still should be some regulation to guarantee that an accident like that could not happen again—possibly a reinforced bumper or something of that sort.

Hon. Mr. Simonett: Well, Mr. Chairman, I think this would be nice, and I would agree, if you could guarantee anything against accidents. After all, it is a dangerous fuel. People want it, it has to be moved on the highway. How do you guarantee against an accident? I do not know. I guess you would have to say we are not going to move it from here to there.

Mr. Newman: I can understand that, Mr. Minister. Maybe signing on the back of the truck, such as in the carrying of explosives.

Mr. G. Bukator (Niagara Falls): Mr. Chairman, we were at Douglas Point yesterday, and that plant of atomic energy is going to cost \$81.5 million. I asked many questions pertaining to that unit. Is it being paid for by the federal and provincial governments, and if so, I would like to know how it is being financed. Is it by both governments or is the provincial government alone going to pay for it?

Hon. Mr. Simonett: Mr. Chairman, actually it is being financed now by the federal government. When it goes in production, then they turn it over to Ontario Hydro and we pay them for power and they are reimbursed that way. This is the first plant here where we have had joint financing—the new one that is going in at Pickering.

Mr. Bukator: Then at the moment it is going to be wholly paid for by the federal government, then you will reimburse them as you collect the money from the power?

Hon. Mr. Simonett: Right.

Mr. Thompson: Mr. Chairman, I just want to come back again to this point of your energy studies. I must say as I have listened

to the questions of my hon. colleagues, and also the very dramatic things which could happen in connection with energy, and a lot of questions about whether certain types of energy sources will work out or not in the length of time and so on, it seems extraordinary to me that you have abandoned this. It was a very small outfit, your energy studies section. Is this because you do not want to have any research done in your department and you are going to use other departments to do it? Or is it because these people were not doing the job satisfactorily? Why did you abandon this? Are you using some outside sources for research?

Hon. Mr. Simonett: No, I explained before that research, as research, is done by The Department of Economics and Development. We have a lot of field people out on the road, and they are doing a lot of things at different times and although we are not paying for research, they are bringing us back the answers that we want as far as energy is concerned in the particular fields we are interested in. Hydro has people. The gas and oil companies have people. All these things are being researched by different departments.

Mr. Thompson: I am sorry to labour this, but what do these fellows do in energy studies for which we voted \$36,000 in the year ending 1965?

Hon. Mr. Simonett: I am told that one is a statistician keeping track of energy returns, and the other one is doing internal studies regarding gasoline handling and the energy.

Mr. Thompson: Where are they? As far as the estimates go, they just disappeared off the map. Are they still doing these studies?

Hon. Mr. Simonett: Mr. Chairman, I am told they are in salaries in vote 602.

Mr. Thompson: You include them under salaries? You say you are using Economics and Development. What studies have you asked Economics and Development to do for your department?

Hon. Mr. Simonett: Mr. Chairman, I am told that we are working out a programme now with The Department of Economics and Development.

Mr. Thompson: Then you are suggesting that as of yet you have not asked them to do anything. Am I correct on that? As yet you have had no research done by Economics and Development?

Hon. Mr. Simonett: That is right, by that department, yes.

Mr. Thompson: Could I ask, sir, who is working out with Economics and Development the research that is going to be done?

Hon. Mr. Simonett: The deputy Ministers are working towards a study.

Mr. Thompson: And have they got any blueprint that we could see in connection with what they are working at?

Hon. Mr. Simonett: I have not seen any blueprint as yet, but if I can get a blueprint from them tomorrow or later, I will be very glad to have the hon. leader of the Opposition down so we could have a look at it.

Mr. Thompson: Well, sir, with due respect to you—and I appreciate you have taken over this portfolio—I will be very interested to see the blueprint. Perhaps I could just ask this final question. How many times has the deputy Minister met with the head of the research division of The Department of Economics and Development in order to discuss this blueprint?

Hon. Mr. Simonett: Mr. Chairman, I cannot answer that question. You know, the deputy Ministers and Ministers on this side of the House are meeting so often that it would be hard for me to keep track of them since I have been Minister. We are meeting all the time, working in the interests of the people of the province.

Mr. Thompson: I appreciate your efforts, but in view of the fact he is right beside you, you might ask him to tell you.

Hon. Mr. Simonett: I am sure he would not be able to keep track of them. We are too busy to keep track of them.

Mr. Thompson: Well, that is just the problem as far as I am concerned. You find it difficult to keep track of a number of things.

Hon. Mr. Simonett: I do not think so.

Mr. Thompson: The hon. Minister first started to explain to me that The Department of Economics and Development was doing research, and then when we pin him down we find that he is going to be working toward the fact that he is doing research. I think if he will check in *Hansard* when we started to raise these questions, he will find he said that The Department of Economics and Development was looking after research. Now we find he is hoping it will be looked after. There is quite a difference.

Mr. Newman: Mr. Chairman, in the inspection branch, one of the big complaints heard quite often is in the inspection or even in the installation of energy equipment. It could be gas into the home, it could be the oil pipeline into the home, it could be hydro into the home; an individual has to obtain a permit from the municipality. Quite often municipalities will not allow an individual to work; say if he got a permit from town "A," he could not instal without getting a permit from the town "B" authorities.

Is the province considering a province-wide permit for the installation and the inspection of these various types of energy installations: gas, oil, hydro?

Hon. Mr. Simonett: I think the hon. member is talking of licensing or—

Mr. Newman: Yes, it could be licensing.

Hon. Mr. Simonett: —or an inspector, or an installer who could move from one town to the other in the province—they could go any place, we do not mind, but there are bylaws in certain areas which require licensing under a municipality. As far as the province is concerned, an installer from Toronto could go to Kingston or vice versa. I do not think we regulate that. It is a bylaw of the municipality, as I understand it.

Mr. Newman: The department is not considering, then, having a uniform licence to instal and controlling it provincially rather than having the individual municipality control it. As it is now, an individual living in the town of Riverside has to obtain a permit to do any installation in the city of Windsor.

Now why should there not be a provision for that?

Hon. Mr. Simonett: Is this electricity or gas?

Mr. Newman: It could be both.

Hon. Mr. Simonett: Well, which is it?

Mr. Newman: Take electricity first and take gas next!

Hon. Mr. Simonett: Mr. Chairman, we have nothing to do with the licensing of electrical people, but gas fitters have a provincial licence. The regulations are just the same, regardless of the part of Ontario you are in. Nonetheless, there are municipal bylaws with which they must comply. Of course, it has nothing to do with the actual licensing as far as the province is concerned.

Mr. Newman: Then a gas installer has a provincial certificate, has he?

Hon. Mr. Simonett: He is licensed under the provincial government, yes.

Mr. Newman: How about hydro installers? —I should say electrical, rather?

Hon. Mr. Simonett: We have hydro inspection, but we do not have any electricians licensed under The Energy Act.

Mr. Newman: It is not the same as with gas—

Hon. Mr. Simonett: No.

Mr. Worton: Can you tell me, through you, Mr. Chairman, were there any firms that had their licence lifted for standards in regard to gas appliance manufacturers last year?

Hon. Mr. Simonett: Mr. Chairman, I did take it he said manufacturers, is that right?

Mr. Worton: To get this clear, Mr. Chairman, I understand there was one firm that put out a number of furnaces in Ontario and they did not measure up to the length of time for which they were guaranteed. They had to have their heat chambers replaced and I think in a number of cases the people had to make good for it even though the furnaces were worn out before their time. I understood this firm was supposed to have gone into bankruptcy and these people were left with the cost of replacing the furnace. I am wondering if this manufacturer's authority for building furnaces has been withdrawn?

Mr. Paterson: Mr. Minister, could I follow up on this question for more information?

Hon. Mr. Simonett: Mr. Chairman, I understand—and the hon. member just mentioned this—that the firm went bankrupt so that would automatically withdraw any permit to manufacture—

Mr. Worton: This is the thing; I understand this firm is still putting out heat chambers as replacements and that it has approval for doing this. They are not replacing the whole furnace, but are replacing chambers.

In a number of cases, I understand, people have been taken the second time. They are not allowed to make the whole unit or the whole complete furnace, but they are allowed to replace chambers. A number of people in my city, and I know in Galt and even in Toronto, have been taken by this firm for a considerable amount of money.

Hon. Mr. Simonett: Mr. Chairman, if you would not mind leaving that with us, I think we will have to check into this matter.

Mr. Worton: I will give the hon. Minister the name of the firm.

Hon. Mr. Simonett: If the hon. member does that I will be very happy to check it for him.

Mr. Paterson: Mr. Chairman, under this same vote and question, I had 32 signed documents in the area of the town of Leamington on this very problem. I would like to read a comment from the *Windsor Star* in this particular regard.

Hon. Mr. Simonett: Which paper?

Mr. Paterson: The *Windsor Star*.

Hon. Mr. Simonett: Do they always give a good report?

Mr. Paterson: An accurate report. I have one other report I would like to read, too. The reason I raise this is that I feel this department should set some standards:

When it comes to buying household appliances the consumer is often a sitting duck. Consider the plight of 32 homeowners who bought a certain make of gas furnace in and around Leamington this past year. According to one man, 30 of the furnaces have split combustion chambers and are no longer safe to be kept in operation. In another part of the county a high pressure and probably Toronto-based outfit—

and so on and so forth.

About the only thing a consumer can do is to buy from a reputable dealer who is in business locally and sells only approved merchandise which he will stand behind come what may.

Unfortunately, in this instance it was the gas company itself which had the exclusive franchise for these furnaces in our area. I understand there are hundreds of them between Essex county and London.

Now, the information that I received when I followed up in this regard was that this firm has expanded its operation in the household appliance field, but that it dropped furnaces completely when these difficulties arose.

I have here a letter I would like to read into the record. This was circulated by the gas company in my area and was sent to me by the former president of the Conservative organization in the town of Leamington, and

I would like to give him a hand. This is dated April 16, 1964:

Today we have inspected your—

I will not name the furnace inspected—

—and have discovered that the heat exchanger is cracked. Although these exchangers are guaranteed to you by the manufacturer for ten years, we have experienced difficulty in obtaining replacements for our customers. Because the guarantee is in your name, may we suggest that you write or phone direct to—

such-and-such a firm in such-and-such a town. It is not based in western Ontario, thank goodness!

—stating the model and serial number of your furnace and asking that they ship you a new heat exchanger.

Now, people in my riding have tried to do this and have not been able to get them and they have been forced to pay several hundred dollars in each case to put in complete new furnaces. I think this is a black mark on this particular gas company. It is certainly a reflection on the standards in this province, that are not lived up to.

Hon. Mr. Simonett: Mr. Chairman, all gas appliances are tested and certified before they are sold. Actually, I think your question is on the life of the appliances.

Mr. Paterson: These were less than two years old; some less than a year. They all cracked.

Hon. Mr. Simonett: I am afraid, sir, that we would not have any way to compel anybody to a test on performance before they could sell it. We approve it as a safe appliance to be sold on the market at that date. It is the same, no matter what you buy. You hope that you are buying something that is going to function for a while; but if something happens to it, well I guess that is the chance you have to take. But at the date it is sold, it is approved as a safe appliance.

Mr. F. Young (Yorkview): Mr. Chairman, there seems to be a bit of a pattern emerging here. A year ago I brought to the attention of the House this very matter of a great many furnaces of this kind, where the chamber at the top had cracked after a period of time. I gave the Minister at that time the name of the company and was assured, as the hon. Minister has assured us now, that it is a very difficult thing to get at.

The problem here is that these furnaces are generally installed by the builders. The house is sold to the ultimate customer who is

going to live there and then within a year something happens to the furnace. Then he cannot replace the part of it that is faulty. It seems now that company has perhaps changed its name, we do not know. Certainly it has moved out of my riding. I have had no trouble there within the last year, but now this same trouble is popping up in other parts of the province.

I do not know how we can get at this. But here is, I think, a dangerous situation, particularly in gas furnaces. It is dangerous because of the nature of gas. It is also a financial hazard for the people who are buying houses and are installing this kind of equipment.

I do not know, as I say, how we get at this, but surely there must be some way that a potentially dangerous form of energy such as this, can be contained, and this kind of activity on the part of companies can be curtailed.

Hon. Mr. Simonett: Mr. Chairman, I might say I agree with the hon. member, but again, how do you get at it? If it passes inspection at the date it is certified, I do not know how or who, after certification, is to say whether metal fatigue, or whatever happens to these things, that it just does not perform in the way it was intended to.

Mr. MacDonald: Mr. Chairman, may I ask the hon. Minister, if the company is putting out a product with a ten-year guarantee, and they do not live up to the guarantee, is there an obligation on every single purchaser to take the company to court each individual time?

Hon. Mr. Simonett: Well, I do not know what is in the guarantee. Maybe they said it would produce heat for ten years, but they did not say under what circumstances. The guarantees would have to be looked at.

Mr. MacDonald: It said for ten years.

Mr. J. B. Trotter (Parkdale): Mr. Chairman, surely when they know that this certain company is putting in furnaces that last two years or less, the government will stop giving its okay to the furnaces that go in, in the future. This has become widespread in a certain part of the province, and I know, when I have been going into the facts on some other products, that this problem of the furnaces has come up. I have not seen so much of it in this area, but certainly it exists in the province, and the government must know that a certain brand is very poor.

Why is it they continue to allow them to operate? Are you going to have to wait until

a furnace blows up or somebody is hurt, and then there is a big noise and scandal about it, before you do something? This is what obviously is going to happen if you let it continue, as the hon. member for Essex South has said.

Hon. Mr. Simonett: Mr. Chairman, actually all we in the energy department are doing is checking for safety.

Mr. Trotter: That is exactly what I mean.

Hon. Mr. Simonett: All right. Look at the performance in the last year and tell me how many have blown up. I have not heard of any.

Mr. Trotter: I know, but this is safety. Do you have to wait until one blows up?

Hon. Mr. Simonett: Well, you tell me that so many of them have failed; but tell me of one that has blown up in the last year.

Hon. H. L. Rowntree (Minister of Labour): He cannot do it, he is blubbing.

Mr. MacDonald: So he is blubbing, and you are blabbing.

Hon. Mr. Simonett: Are you going to answer the question?

Hon. Mr. Rowntree: Give us some examples.

Interjections by hon. members.

Mr. MacDonald: What are you talking about?

Hon. Mr. Rowntree: You start worrying about collecting fees from workers to support your party. You stick to that.

Mr. Chairman: Order.

Mr. MacDonald: You stop collecting from the distilleries. We will get into something if you want to.

Hon. Mr. Rowntree: Well, we will look into your situation.

Mr. MacDonald: Go ahead. Look what you are getting from the distilleries.

Hon. Mr. Rowntree: You talk about the discrimination that exists in this province, and you are the man that is directing it.

Mr. Worton: Mr. Chairman, as I understand it, the Union Gas make inspection of their customers' appliances. They came across this special type of furnace with a bad chamber, at least one that had failed. They

inspected maybe 20 or 30 in my city, and they found them all to be inferior. The company discontinued making the furnace, that is the complete furnace, but they still were allowed—I think you have to approve them for standards, that is for safety standards—they discontinued making the furnace, but they still made the replacement chamber. They went to the individual and said if you use it for two years we will allow you that and you will pay the difference. But then, in some cases, the second chamber went. Should these people not have to be inspected for the chambers they make rather than the complete furnace? The first time it may be fine, but in some cases it is a second time, and people are still being taken on this.

Hon. Mr. Simonett: Mr. Chairman, I do not know the actual furnace he is talking about. In fact, I never heard the brand name mentioned, but I would think if this is recurring in the same company's furnace, it would be very difficult for them to get it approved.

There are enough good manufacturers I would think manufacturing appliances today in the province of Ontario—approved appliances—that the buying public surely can get with a company that will back up the product they are building. I know many of the better manufacturers are manufacturing furnaces.

Mr. Worton: These were sold through Union Gas and I think they are a pretty reputable firm.

Hon. Mr. Simonett: I think they would be, yes, and Union Gas would back it up, would they not?

Mr. Trotter: No, Union Gas does not.

Mr. Worton: Your department knows about it, Mr. Minister, because I called them, and I think our chamber of commerce dealt with the Better Business Bureau down here. Your department certainly knows about this.

Hon. Mr. Simonett: We know about it, but, as I say, I do not actually know the brand name of the furnace.

Mr. Paterson: I will be very pleased to tell you the brand name, Mr. Minister. It is Switson Furnaces of Switson Industries Limited of Welland, Ontario. This was the one in my area that caused so much trouble. There were 30 that went bad in less than two years out of 32 that were sold by the gas company in my town.

Vote 602 agreed to.

Vote 603 agreed to.

On vote 604:

Mr. Young: On vote 604, Mr. Chairman, I would like to deal with the matter of conservation. We have heard a great deal in this House about our present situation regarding pure water and polluted water in this province, and in the waters surrounding it. We are going to hear something, I understand, about the Harricanaw situation, and the possibility of getting more water in the Great Lakes. I think we were all rather delighted to see in the current issue of the *Financial Post* the fact that the Lake Superior level is about two and a half inches now above that at this time last year. Huron and Michigan are five inches higher. Erie is two inches higher, and the hope is that Lake Ontario will shortly be somewhat higher, as far as lake levels are concerned.

Hon. Mr. Simonett: Mr. Chairman, I wonder if we could deal with lake levels under OWRC, not under the conservation vote?

Mr. Young: All right. I simply did this as a preliminary to what I want to say, not so much the lake levels, as the content of the water in the lakes and the water in the province which, I think, does come under this conservation vote.

During the past period I think there has been a great deal of discussion about the quality of the water in our lakes and in our rivers. Last year, in the *Globe and Mail* of August 19, we saw this:

Every year more citizens are asking the government commissions, "when are you people going to clean up the algae off our beaches?"

The water in our Great Lakes is changing and not for the better. Dr. George Langford, director of the University of Toronto Great Lakes institute, was shocked to find a patch of algae on the shores of Batchawana Bay on Lake Superior. He easily traced the source of fertilization, an open sewer dumping raw waste into the bay.

And then:

Research, we are told, is spurred by United States health department's pronouncement about Lake Michigan.

Mr. McKeough: Mr. Chairman, on a point of order. Surely this comes under the OWRC vote rather than the conservation authorities. I think most of us know what we are talking about in this area, but this is not the work of the conservation authority. On a point of order, sir, pollution is under the control of the water resources commission.

Mr. Young: Mr. Chairman, is this discussion out of order at this point? If it is, I am perfectly willing to abide by your decision and bring this up under another vote.

Hon. Mr. Simonett: I would appreciate it if the hon. member would bring it up under the OWRC vote, because pollution does come directly under their department and their people will be here at that time.

Mr. Young: There is one other matter then. I would like to ask if the conservation authorities come under this vote?

Hon. Mr. Simonett: Oh, yes.

Mr. Young: They would come here? Fine! For the life of me, I find it difficult to distinguish between the work of the conservation authorities in cleaning up our rivers, and the work of the Ontario water resources commission. The two are tied so closely together that they are, I think, indistinguishable. However, I am quite willing to leave this until a later point in the vote.

But I do want to bring before the House a problem which is faced by our metropolitan conservation authority in particular, and by other authorities across the province. As we all realize, the matter of open space is becoming a vexed one in our urban centres. We like to preserve as much open space as we can, a space with trees and wildlife and streams, a place where people can go for picnics and breathe the open air and generally enjoy themselves.

But our problem has been that as our urban centres have grown more and more, the difficulty has emerged in preserving open space. Now, in Metropolitan Toronto we have been fortunate, or we are fortunate, in having the river valleys, some of them very broad, some more narrow, but those river valleys do present a unique opportunity in this area to hold space which is open and free of building. So our conservation authority, in co-operation with Metropolitan Toronto and with the various municipalities in this area, has been attempting to hold the open space for the future. But the great problem has been that building has been going forward at a faster rate than the provincial and federal governments have been willing to admit in making general financial arrangements.

A couple of years ago—I think it was around 1961—some agreements were drawn up relating to this problem between the federal, provincial and the local authorities. In the metropolitan area, the authority exists to serve the people in about a thousand square miles, and this population continues to grow

at a very rapid rate—about 65,000 people per year we are told. It now stands at something like 1.8 million. During the past year, almost two million people made use of the various conservation areas that have been set up. I am quoting now from the authority brief:

Although the authority is acquiring land at a fair rate, the pace is none too quick. We are told now that the population of the region will be four million by the year 2000—

That is a long look ahead, certainly, but we have to plan that far ahead in this kind of field.

When one realizes that the authority is a major public land assembly agency in the Metro region, it becomes apparent that our objective [the objective of the metropolitan conservation authority] of 34,000 acres by 1980 is not too ambitious. But the problem here in acquiring the land is primarily one of finance.

I am not standing here tonight to hold any brief for the Metropolitan Toronto conservation authority in many ways. There may have been some inefficiency here, and there certainly has been a great deal of public outcry against their methods of expropriation, their methods of settlement for land, just as there has been in many other areas in the settlement of other conservation authorities. But there is one problem that this authority faces which is unique in this province, and that is the tremendous problem of rapid growth. Subdivisions are being spawned at a fantastic rate. New people are moving in. And the kind of financial arrangements that have been worked out in the 1961 agreement just are not adequate for this authority to acquire land as rapidly as it needs to acquire it. The brief says:

It should be noted that under the provisions of the original plan as submitted to the senior governments, the authority was seeking grants of 75 per cent of the total cost of all the works.

And if that had been granted, then much of their problem could have been alleviated:

But the federal government agreed to participate in the plan for the large dams and reservoirs and channel improvements on condition that the authority and the province would complete all aspects of the plan, including small dams and reservoirs and flood plain land acquisitions.

It is this last one where the great problem emerges—the flood plain land acquisitions. Today, the subdividers along the river valleys are asking the authority if they are ready to

buy out the land that has been designated as greenbelt. All the authority can say in this situation is, "We just haven't the money, we can't make the financial arrangements to buy out the land which is now offered for sale."

Let us remember that unless this land is acquired now, it can well be lost for all time, and other uses may be made of it than open space for the purposes of the general public.

Or, it may well be that if we have to buy this land, five, 10, 15 years from now, as the financial ability of the authority catches up, then we may have to pay much higher prices. We certainly will have to pay much higher prices than today. I would like to bring these words again from the brief:

Because of the rapid growth of Metropolitan Toronto, and the accompanying subdivision development, lands have become available in flood plains much faster than could have been anticipated. It has been necessary to acquire a great deal of these valley lands to maintain the greenbelt zoning, and to keep faith with the municipalities who zoned them in this way. In addition, land costs are rising rapidly. The result of the combined effect noted above has been that the authority is under heavy pressure in the land acquisition part of the flood control plan. For these, and other reasons, your authority has requested the provincial government to assist in certain ways.

One, of course, is that the 75 per cent would be granted by the province, rather than expecting the federal government to carry through—that is, the 75 per cent which is granted for major works would be granted for the flood plain acquisition as well.

The other solution to this problem could well be that the same treatment could be afforded the authority as is afforded in the building of the small dams and farm ponds. The authority could be underwritten by this provincial government, the land could be acquired and paid for. This could be an interest-free loan for a period of years. Then the authority could begin to pay it back over a period of years. And that period of years might be extended because of this particular situation.

So, Mr. Chairman, I bring this matter before the government, and I hope that this can be looked at very, very carefully because there is no question that in an emergency situation like this, these lands should be bought immediately, and the authority should not have to wait for several years before it can deal with the people.

The other aspect, of course, is that there

are great numbers of people today in the Eglinton flats and up and down our river valleys, who are looking for quick settlements of their problems. They do not know where they can go and buy other homes because they cannot get the money for their present homes. These people can be dealt with quickly and their problems can be solved, and certainly very great problems for the conservation authority can be overcome.

So, Mr. Chairman, I hope that this matter can get speedy attention from the hon. Minister's department and from the government, so that this problem can be met and can be solved. I wonder if the hon. Minister would comment in this respect.

Hon. Mr. Simonett: Mr. Chairman, I think the hon. member has touched on a problem that has been very much to the front, at least during the past year.

I would say at the present time that this is giving us much concern and I think it is of some concern to the conservation authority. At the present time we just do not have the wherewithal to deal with this problem. A committee is going to be set up to look into The Conservation Act and land acquisitions and some of these problems we are having today. It will come in with some recommendations which I would hope will take care of this situation.

Mr. Young: How soon might we expect this committee to act, Mr. Chairman?

Hon. Mr. Simonett: We should hope that they would have a report in to be dealt with in the next sitting of this Legislature.

Mr. Young: So that there will be no relief as far as this year is concerned to the Metropolitan Toronto conservation authority? You see no chance for any relief at this point?

Hon. Mr. Simonett: In some of the areas there will be relief, because I think the metropolitan authority have certain moneys to purchase certain properties, but this is not so in the overall plan in the conservation areas in the province.

Mr. Troy: Mr. Chairman, one of our great problems in northern Ontario in the establishment of conservation authorities is the fact that we have so many unorganized townships. I know we tried to set up a conservation authority in the Sturgeon River watershed some years ago, but we had a great problem in getting the municipalities to agree to it because of the fact that some 90-odd unorganized townships were involved and

of course no revenue comes from these unorganized townships. There is no one, or very few anyway, to contribute to the cost of the authority. When this branch was under the Minister of Planning and Development, when Mr. Nickle was a member of this House, I discussed it with him. Later on, when the branch became part of The Department of Lands and Forests, I discussed it with the Minister of those days, who is now the hon. Minister of Municipal Affairs (Mr. Spooner); but we could not get anywhere.

Certainly we are concerned with flooding in our areas. But I say again, with so many unorganized townships it is quite a problem. I noticed just the other day, when we were at the meeting of the water resources commission, we were told that the government of Ontario is going to accept the full cost of a pipeline from Lake Huron to service the London area. Is that correct? Well then, if they are going to do that, they can service the people of this area—

Hon. Mr. Simonett: Just a minute, Mr. Chairman, do not forget that we are building the pipeline but we are going to sell the city of London water, as well as the municipalities between the intake and the city.

Mr. Troy: The ordinary share of the cost would be theirs. In regard to conservation authorities, the government pays so much and the municipalities pay so much. So is there any possibility at all of getting any help if we want to establish conservation authorities in the northern part of this province? Will the government give certain grants for these unorganized townships? Is there any possibility of getting that?

Hon. Mr. Simonett: Mr. Chairman, I might say that is the first time I had heard that there were some areas with unorganized townships where they wanted conservation authorities. There are different programmes under the government where a municipality or a group of municipalities get assistance for a reservoir, but the hon. member is talking about floods.

Mr. Troy: Yes, I am talking about flood control on the great system that comes down from Lake Timiskaming and eventually into the Sturgeon River, into Lake Nipissing and then down the French River to Georgian Bay. Also in our area we have the Wanapitei watershed further west.

Hon. Mr. Simonett: Mr. Chairman, may I ask the hon. member, is this Crown land we are talking about?

Mr. Troy: Oh yes.

Hon. Mr. Simonett: This is Crown land. Well, it would come under The Department of Lands and Forests. These things are taken care of under that department.

Mr. Troy: Would they pay the shot then for any works?

Hon. Mr. Simonett: I think the hon. member better pose that question to the hon. Minister of Lands and Forests (Mr. Roberts). I understand they do work of this type through The Department of Lands and Forests, and sometimes they have it under The Department of Public Works, in building dams in certain areas where it is Crown lands.

Mr. Troy: I must disagree with the hon. Minister. I think it is not up to me to pose that question to the hon. Minister of Lands and Forests. The hon. Minister under whose department the branch of conservation authorities comes is the one who should pose the question.

Hon. Mr. Simonett: It is not a conservation area though, it is Crown land.

Mr. Troy: Pardon, sir?

Hon. Mr. Simonett: The hon. member just told me that it is Crown land, and it cannot be a conservation area if it is Crown land. Crown lands come under The Department of Lands and Forests.

Mr. Troy: How is it possible? The mouth of the Sturgeon River flows into Lake Nipissing. There are municipalities on Lake Nipissing. Do you mean to tell me we cannot get any conservation authority just because the source of it is in Crown land?

Hon. Mr. Simonett: But the hon. member is talking about the city of North Bay. North Bay and any other two municipalities can ask that a conservation area be formed; and as far as we are concerned we will not turn them down, if this is what they want.

Mr. Troy: But the great problem was that the dams and all the works would be up in the areas which are Crown land. Who is going to pay for those, the municipalities alone? You see, that is the problem.

Hon. Mr. Simonett: Mr. Chairman, who are we protecting? The people down in the municipalities. I know we have to build it on Crown land, but nevertheless it is for the protection of the people down in the municipalities. If they want it they can form a

conservation area and we will get permission from The Department of Lands and Forests to build dams, if it is a flood condition.

Mr. Troy: Will the government pay for the dams?

Hon. Mr. Simonett: We will pay our portion, yes.

Mr. Troy: Thank you very much. I am glad to hear that answer, that you will pay your share. The officials of the city of North Bay were the ones who really felt they were not their brother's keeper. Other areas could be flooded and so on, but apparently they did not worry about that.

But I am glad to know now that if there is a conservation authority and if works have to be built in areas that are Crown land that the province of Ontario will pay the shot for that part of it.

Hon. Mr. Robarts moves that the committee rise and report progress and ask for leave to sit again.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of supply begs to report certain resolutions and asks for leave to sit again.

Report agreed to.

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, tomorrow we will resume the Budget debate.

Hon. Mr. Robarts moves the adjournment of the House.

Motion agreed to.

The House adjourned at 10.35 o'clock, p.m.



ONTARIO

Legislature of Ontario

Debates

OFFICIAL REPORT—DAILY EDITION

Third Session of the Twenty-Seventh Legislature

Friday, April 9, 1965

Speaker: Honourable Donald H. Morrow
Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

FRIDAY, APRIL 9, 1965

The House met at 10.30 o'clock, a.m.

Prayers.

Mr. Speaker: We welcome as guests to the Legislature today, students from the following schools: In the west gallery, Our Lady of Peace separate school, Islington, and Brantford collegiate institute, Brantford; and in the east gallery, Bartonville public school, Hamilton.

Petitions.

Presenting reports by committees.

Mr. S. Apps (Kingston): Mr. Speaker, I beg leave to present an interim report of the select committee on youth. As a preamble to this report, I would like to make the following comments.

Mr. Speaker, it is with some satisfaction that the select committee on youth has tabled a progress report on their activities and programme, undertaken as a result of a resolution before this House submitted by the hon. Prime Minister (Mr. Robarts), on May 8, 1964.

The resolution read in part:

Ordered, that a select committee of this House be appointed to conduct a comprehensive inquiry into, and report upon, the special needs of youth, with particular reference to education, culture, recreational and employment opportunities, as well as the health, welfare and sports facilities now available to youth, and the steps to be taken which in the opinion of the committee would ensure a wider participation by youth in the life of the community.

As chairman of this committee, I wish to take this opportunity of expressing to you how impressed I have been with the dedication and enthusiasm of my hon. colleagues, who have given unstintingly of their time and energies to attend many meetings, have listened to many briefs and travelled long distances from their homes, all of which has been necessary to maintain the heavy itinerary of the committee, which, I think, reflects their interest in the youth of Ontario.

It is most fitting that the thanks of the select committee be extended to Dr. Walter Koerber of the Scarborough special education branch for his tireless and wise assistance in the early days of this committee's existence. It was with regret that we were made aware that Dr. Koerber would be unable to continue in the capacity of secretary to the select committee due to ill health last summer.

His successor, Judge William T. Little, former director of social services of the juvenile and family court of Metropolitan Toronto, was appointed secretary to the select committee on youth in October, 1964, and is working closely with the members and myself in a co-ordinated team effort to achieve the progress I feel has been made in this major assignment, which is the seeking of a solution to the many problems of youth in the province of Ontario.

Mrs. Anne Dempster, Miss Elizabeth Bremner and Mr. George Repar are most dedicated members of the secretarial and research staff of the select committee. They have done, I believe, an outstanding job of compiling and reducing the large amount of important data for use of the select committee, as well as maintaining steady correspondence and contacts on provincial, national and international levels, with government agencies and private individuals in pursuit of the most up-to-date information on youth.

It will be noted that the terms of reference of the select committee on youth are exceptionally broad, which is as it should be in order to give the committee the necessary scope to direct its investigations without handicap. Such terms, however, do require the creation of certain ground rules by the committee itself to determine by definition and criteria the areas to be studied.

The term youth has been defined as those persons of both sexes in Ontario between the ages of 14 and 24 years with considerable flexibility at the lower age limit. Full realization of the impact of pre-adolescent years on the maturing youth is acknowledged by the committee through its examination of

many briefs and visitations respecting children's needs who are under the age of 14 years.

The committee commenced its work in June, 1964, with organizational meetings, followed by three presentations, which are major statements on youth by prominent Ontario authorities on young people's problems:

On June 23, 1964, Mr. Maurice Egan, director, youth services bureau, Ottawa welfare council, made the following points in his submission to the committee:

1. Police probably know the most about juvenile delinquency and youth problems, but seem sometimes, the least involved in seeking solutions to them. Social workers and the police should work closely together and form a prominent part of any community's delinquency control programme.

2. Recreation, good in itself, would be well advised not to make claims about reducing delinquency problems. It is important for recreation services to reach out to youth and not to be too building-centred.

3. Churches also have to reach out into the community and to stop thinking about the church building as a church—the church is where the people are, in the streets and in the market place.

4. To be a "drop-out" has become almost a status symbol, adults have talked so much about it. An educational programme can't solve a social problem. It is too late to start worrying about drop-outs at 14 and 15. Potential drop-outs can be detected in grades three and four.

On the same day, His Honour V. Lorne Stewart, senior judge, Metropolitan Toronto juvenile and family court, advised the committee as follows:

1. From my experience, it is hard to make a judgment as to which generation is the biggest problem, adult or youth.

2. The older generation gets a bit panicky when it contemplates its own unresolved problems, personal or otherwise, and as history repeats itself in its sons and daughters.

3. I think we should recognize that young people are, in all probability, on a par with those of any previous generation. We need to promote, advertise and recognize their vigour and creativeness.

On June 24, 1964, the Rev. J. Elton Davidge, youth secretary, the United Church of

Canada, touched on the interesting observations that:

1. Youth wants to have the opportunity to reject the conclusions to which adults have come, and to discover truth for themselves. They need to find meanings which are relevant and significant for them and with which, in the deepest part of their being, they can find integrity.

2. Already society is having difficulty absorbing the steady stream of workers which pours out of our schools each year. With increased automation there may be "fewer jobs for more persons." The problem then becomes one of creative and satisfying use of leisure time so that the satisfaction which work brings will be met in some other way.

3. On the subject of research the Rev. Davidge points out—"Most of the research that I know has taken place in the United States. There is a need in Canada for much more research to be done on youth and young adults."

The early work of the committee has been devoted to the investigation of activities and problems of youth through two methods—one, the presentation of numerous briefs by both professional and volunteer organizations within the province that work with young people in specialized capacities, and secondly, by direct visitations to recognized areas of competence in youth work, as well as representative urban communities in the province of Ontario and the state of California.

A trip to California was arranged to coincide with a youth conference held at Pacific Grove (Asilomar) California, for the purpose of meeting with specialists in almost every field of youth endeavour in the state, thanks to the exceptional hospitality and co-operation of the state of California authorities. We saw progressive efforts in education, recreation, employment, health and welfare related to youth. These efforts were on behalf of well adjusted, delinquent, emotionally disturbed, or in other ways disturbed young people. The visitations included 22 separate areas, extending from Los Angeles to San Francisco.

This experience has aided the select committee to formulate a broader background and perspective on youth and their needs than could be obtained by restriction of such observations to our own provincial area exclusively.

A statistical summary of briefs and visitations reveals 35 youth organizations visited in Ontario, 22 youth organizations visited in

California, visits to nine municipalities in Ontario made by your committee thus far. One hundred and nine briefs have been heard in Ontario from the following areas: Metropolitan Toronto, 40; Windsor, 20; Sudbury, 49; a total of 109.

Added to the above are 24 workshop submissions obtained as follows: St. Catharines, 10; Kitchener, 14; a total of 24.

The method of procuring briefs and workshop submissions in the various centres visited thus far follow two distinct patterns: The first method entails the submission of briefs from all youth agencies within a given area, and is undertaken by a committee formulated in the municipality to be visited, made up of the most knowledgeable people in the areas of youth services and needs. These people are usually appointed by senior executives of the municipal governments we visit. This committee invites submissions from all youth-serving agencies, public and voluntary, as well as individual briefs from any person who is legitimately concerned in the welfare of youth. From these briefs are selected the presentations to the select committee upon the occasion of their sittings in the city or town so organized.

The second method is the selection of a committee, similar to that just described, in the municipality selected for study, which undertakes a thorough workshop on youth composed of all agencies, both public and private, as well as interested individuals. This requires advance preparation and arrangements for large numbers of people to discuss, under seminar conditions, the resources, needs and recommendations respecting the youth of the area. The select committee is present and observes the workshop process, while the secretaries of the committee undertake the compiling of the information obtained when the workshop discusses its findings.

A heartening aspect of both methods has been the wholehearted support that has been given the select committee on each and every occasion we have visited the municipalities in Ontario to the present time.

The methodology employed by the select committee on youth in discharging its responsibilities under the terms of reference falls into four phases:

Phase one: The investigation and acquiring of an understanding of youth activities, needs and problems in Ontario, as reflected in these and future briefs, as well as a number of additional direct visitations of the manner outlined above.

Phase two: A research analysis of the data collected from all sources, combined with

conference study meetings of the select committee to determine significant findings regarding youth needs and problems throughout Ontario.

Phase three: The undertaking to achieve common ground and unanimity of agreement of committee members regarding the final recommendations in the report to the legislative assembly.

Phase four: The compiling and writing of a final report for submission to the Legislature by the select committee on youth.

You may be interested in the analysis of recommendations contained within the brief so far submitted. I am sure that you will understand the reluctance the committee may exhibit in not wishing to make forthright recommendations, or to pin-point specific needs at this time without having had the benefit of more adequate sampling of the province's youth services. The progress report before you will outline some of the emerging problems that appear significant at this point in our study.

The analysis of the data collected from all sources has revealed many significant problems and recommendations that face the youth of this province, and under the following terms of reference I would like to tell you something of the volume of these findings:

1. In the area of education over 100 recommendations have come from 36 brief submissions, which, when reduced from the specifics due to overlap, net 35 different recommendations in the area of education.

2. Under sport and culture, we note that there are 20 different recommendations reduced from 61 specific recommendations and submitted from 28 different briefs.

3. Respecting the recreational term of reference, 105 recommendations have been obtained from 44 briefs, resulting in 32 different recommendations.

4. Under the term of reference employment opportunities, 38 different recommendations have been submitted from a total of 88 specific recommendations submitted by 37 briefs.

5. Under the term of reference health, 30 specific recommendations have been reduced to 15 different recommendations obtained from 40 submissions to the committee.

6. And, finally, under the welfare term of reference, there are 64 specific recommendations regarding welfare needs of children submitted by 30 briefs, and these 64 recommendations, naturally enough, overlapped to the degree that when charted out there are 21 different recommendations.

Therefore, Mr. Speaker, we have ascertained that to the present time in our investigation there is a total of 161 different recommendations that have been reduced from a total of 448 specific recommendations, based on 215 submissions throughout the province.

This progress report is not designed to advise the Legislature regarding final deliberations and recommendations respecting matters outlined in the terms of reference of the select committee on youth, as it is felt there is much more sampling to be done among more areas of the province than the committee has been able to accomplish in the modest time allotted to them thus far.

The task of the committee has been well begun, but there is much remaining to be accomplished. At least 15 more visitations have been planned to other important areas of the province to assess the regional needs and facilities of a comprehensive and representative sector of the province's youth. A further 60 to 70 presentations by prominent youth service agencies have made requests to be heard before the select committee, as well as many individual submissions that will require study and assessment to ensure that ultimate recommendations to the Legislature are based on adequate sampling procedures. I think you will agree that this reflects the interest and concern of responsible people in the province of Ontario regarding the needs of youth.

The select committee's projection studies regarding the incidence of youth at various ages in the future would draw your attention to the fact that the 1961 census figures in the age group five to 14 years indicate that there were 1,268,000 boys and girls in the province. The latest estimate—June, 1964—for this age group shows a substantial increase to 1,360,000, and by 1981 it is expected that this age group will increase to slightly over two million. In the age group 15 to 24 there were 823,000 in 1961, and the best available information suggests that there are now 946,000 in this age group, and by 1981 this figure is expected to reach 1,600,000.

What we believe is the most significant aspect of the Ontario population trend is the projected shift in the median age—median age represents the age above which and below which half the population lies. It is estimated that in the 1961 to 1971 period, the median age will fall below 25 years of age. In 1961 the median age was 26.3 years, which was a decrease from the high of 27.7 years at the 1951 census. By 1991 50.6 per cent of the population is expected to be found in the 0–24 age sector of the population.

This increase will come as a consequence of a high birth rate - low death rate combination. These are some of the inescapable facts which those charged with the responsibilities of youth will have to reckon.

Due to the fact that our work cannot be accomplished during the time of the present legislative sessions, it is submitted that the reappointment of the select committee will be necessary to attain the objectives outlined in the motion establishing this committee.

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, in order that any other members of the committee who might wish to speak in regard to this report may do so, I would move the adjournment of this debate. It will go on the order paper, and if anybody who wishes to speak will inform the Whips, arrangements will be made to have them called.

Hon. Mr. Robarts moves the adjournment of the debate.

Motion agreed to.

Mr. Speaker: Motions.

Introduction of bills.

Orders of the day.

Clerk of the House: Thirtieth order, resuming the adjourned debate on the amendment to the motion that Mr. Speaker do now leave the chair and the House resolve itself into the committee on ways and means.

ON THE BUDGET

Mr. S. Lewis (Scarborough West): Mr. Speaker, it seems an extraordinary hour of the day in which to be speaking on the Budget address. I wish to use the time I have available to me to reflect at some little length on the confused and bewildering case of Frederick Wilmer Fawcett. I hope that the hon. Attorney General (Mr. Wishart) will see fit to remain in the Legislature for a little while.

May I say, Mr. Speaker, that I acknowledge his presence. It is a pleasure to have a Cabinet Minister who is so constantly in the House. I have some envy of my friend the hon. member for Riverdale (Mr. Renwick) who shadows him from time to time. May I say that the hon. Ministers whom I am supposed to shadow are frequently shadows themselves. It is not as easy to have a confrontation.

I would recognize, Mr. Speaker—

Hon. A. Grossman (Minister of Reform Institutions): I hope the hon. member is not referring to me.

Mr. S. Lewis: Not at all. I assume that that classifies the hon. Minister of Reform Institutions as a man of prominence and parts.

I recognize, Mr. Speaker, that questions have been raised in this House to which hon. Ministers have replied and that the hon. Prime Minister (Mr. Robarts) has asked for a report on this Fawcett matter. But for several reasons which I should like now to enumerate, I think the subject should presently be pursued. It is for these reasons:

First, this Legislature normally functions at the level of broad generalities. We deal in general terms with legislation and with bills and with the principles inherent in the estimates. It is exceptional when individual cases come in a dramatic fashion before the legislative process. I think it is a test of that process that they be handled with despatch. Such, I suggest, has not happened in this instance.

Second, despite the hon. Prime Minister's emphasis that this government does not wish to incarcerate a member of society for an undue length of time, the fact remains that Frederick Fawcett is in Penetanguishene month after endless month, with no predictable change this side of eternity.

Third, there are important and compelling social issues involved and social issues of this kind should be examined and investigated at every opportunity that this Legislature has, and vigorously pursued by the members. Indeed, it is the responsibility of members to do so.

Fourth, I would suggest to the hon. members here that whatever be the precise areas of dispute, and however the analysis is made, and whichever thoughts are contradictory, the evidence is irresistible that there should be an entire and immediate review of the Frederick Fawcett affair.

Last, the case of itself raises such an interesting amalgam of legal and medical opinion, laced as it is with peculiar and sometimes bizarre facts, that I think it worthy that the Legislature address itself to the matter.

Mr. Speaker, those are the basic premises from which to begin. For me there are two other important qualifications.

First, I would agree with the hon. Attorney General. I am sure he would concur that the discussions should be controlled and responsible, without a preoccupation for fixing

blame and without, in any sense, impugning the motives or integrity of the members involved—be they psychiatrists or otherwise. Governments, and all human agencies including the Opposition, have a capacity for making mistakes. It is here suggested that society respond to those errors, and that is the area with which I should like to deal.

Second, Mr. Speaker, I speak this morning, as a self-admitted layman—I have no knowledge of the technicalities of the law. If the hon. Attorney General wishes to correct me on occasion, I am sure he will do so; and I will accept that correction with gratitude. I spent three abortive months in law school—in that I have a certain parallel with Frederick Fawcett, who also spent a little time studying law. I suspect there are hon. members in this House who would suggest other parallels, but that is the parallel which comes to mind.

I do not pretend, Mr. Speaker, to grasp the unfathomable reaches and complexities of the human mind. And that is not what I am concerned with here. I simply want to reflect on the mystified public reaction asking what it is all about, and the incessantly gnawing apprehension that there has been a basic miscarriage of justice.

Let me reconstruct some of the fabric. I have no wish to drag out all of the details. The Fawcett affair is fairly well known. It raises many perplexing questions. Many more perplexing questions, it might be said, than it offers satisfactory answers. It is a twisting labyrinth of confusion and contradiction, of legal technicality and psychiatric dispute. And in the centre of that maze sits the sad, lonely, almost unreal figure of Frederick Fawcett, the Euphrasia township farmer who would not pay his taxes and is adjudged dangerously insane.

I suggest to the hon. Speaker that in its boldest terms it has a certain surrealistic element about it.

Specifically then, I want to examine some of the confusions and some of the contradictions. I want to submit during the course of my remarks one piece of new material which has not been submitted, as far as I can understand it, through the entire course of events. I will come to that in a short period of time.

First, Mr. Speaker, there is the original affair of Magistrate Alan Stewart and the Owen Sound *Sun Times*.

When Frederick Fawcett was first brought to trial on the multiple charges to which the hon. Attorney General has referred in this House, the local newspaper gave quite a

graphic portrayal, using exotic licence. It was, for the Owen Sound *Sun Times*, a fleeting moment of journalistic glory. It did not happen very often that this kind of incident occurred in the community.

The more sophisticated Metropolitan Toronto dailies would look with some surprise and some sort of paternal instinct on that kind of parochial reporting. But the *Sun Times* went to town. It was perfectly understandable, if somewhat indiscreet.

But the extraordinary fact, Mr. Speaker, appears to be that it formed part of the rationale for judicial opinion, both in refusing the request for bail which was made and in the totally unexpected and unusual decision of remanding Fred Fawcett for mental examination.

Let me quote from an article in the Toronto *Daily Star* of March 29, 1965, written by Ron Haggart on the question of bail. When the defence lawyer indicated that the liberty of the subject was important—

“So is the preservation of the peace,” said the magistrate. “It is very important, and at times I think must override the liberty of the subject . . . If there was another disgraceful exhibition as there was a few weeks ago on the farm, maybe somebody might be maimed or killed. That’s a risk this court is not willing to take. You made an excellent plea for your client. I cannot see it. I am refusing bail.”

And then, further:

“The newspapers,” replied the magistrate, “stated that this man held off seven police officers at the point of a gun. Quite frankly, I question very much the wisdom of allowing a man, if he did that, to be admitted to bail. I think it is beyond the pale . . . Considering the reports concerning this man, the Crown is proceeding intelligently: Find out what his mental condition is before taking further steps.”

And finally, on the question of a remand to Penetanguishene:

“I think anyone who fires a gun and blows . . . tires out is very emotionally upset or completely crazy. So that is the evidence. In the light of that evidence, I think the duty of the court is very, very clear.”

Now one can honourably question, Mr. Speaker, what the magistrate meant when he said, “So that is the evidence.”

Hon. A. A. Wishart (Attorney General): May I ask the hon. member if he is quoting from the judgment of the court—the magistrate’s judgment—or from the newspaper?

Mr. S. Lewis: Mr. Haggart implies that it is from the judgment of the court. It may be from the account in the paper.

Hon. Mr. Wishart: Is the hon. member quoting from a newspaper article?

Mr. S. Lewis: You asked am I quoting from a newspaper article?

Hon. Mr. Wishart: That is what I asked.

Mr. S. Lewis: I am quoting from a newspaper article, but the implication is that these are the words that were uttered in court.

Even were they not the precise words, the fact that the magistrate could be affected in that fashion, apparently by the newspaper, is not so much the concern. What is of concern is that the original events to which the magistrate refers were never brought before the court in evidence. They have all been alleged—that original incident of Fred Fawcett assaulting one of the assessors and shooting at the tire of a car.

Frankly, Mr. Speaker, as a confessed layman, I am confused by such proceedings and I think that true of the general public to which this government responds.

Let me be a little more specific. The second aspect of this case is the affair of the neighbourhood tax assessors. Everyone in this House knows that that is where it all started.

In September, 1961, Messrs. Howey and Seabrook approached the farm and Fawcett allegedly struck one and shot at the vanishing car with his pistol and hit the tire—it was subsequently changed a mile and a half later on.

Mr. K. Bryden (Woodbine): Somebody was looking at movies.

Mr. S. Lewis: That demonstrated, that act supposedly demonstrated for all to witness, his unbalanced condition, thereafter to be known as a “dementia in the vicinity of his farm.” It was apparently confirmed in the minds of everyone at that time by the subsequent confrontation with the OPP and the shooting arrest eight or nine days later.

On the basis of the two assessors’ stories to the Ontario provincial police, as you will recall, three police cruisers subsequently were dispatched. Fred Fawcett was arrested, he was remanded to Penetang and has been confined for three and a half years.

Primarily on that basis I suggest—and I think this is significant, Mr. Speaker—primarily on the basis of that original incident, he is adjudged a dangerous man and has lost

his liberty, perhaps for life. That is the incredible truth about this case.

The fact is that the original incident upon which the entire medico-legal structure is founded has never, I suggest, never been tested or proven in any court of law. I would be glad to be contradicted in that by the hon. Attorney General or anyone.

As a layman, it seems to me again, Mr. Speaker, in its most benevolent and kindly interpretation that that is a pretty perilous foundation for depriving a man of liberty. I would point out that Mr. Justice Spence in his aside in his trial of 1962 said—and he said it, I suppose, partly with tongue in cheek—I quote:

The plaintiff harmed no one and he had the opportunity to do dire harm. He chose to take the very inconsequential step of shooting a hole in the tax assessor's tire when, with considerably more ease, he could have shot a hole in the assessor.

It is an interesting observation by Mr. Justice Spence.

Let us take a look at some of the corroborating evidence. First, Mr. Speaker, Fred Fawcett, the man in question, denied the entire affair.

Second. Fred Fawcett and his brother claim never to have owned a pistol and used it on that day. Third. The tire involved, turned up several months later, with the hole in the tire, but in otherwise perfect condition—despite the fact that a flat had occurred a mile down the road, and it had to be changed. The accompanying rubber, which was surely damaged to some degree, was not brought forward in evidence.

Fourth—and most important. We now have a statutory declaration filed under The Canada Evidence Act by Ralph Harbottle, a neighbour for years of Fred Fawcett; an eyewitness to the scene. The declaration reads in part:

From the time that the two assessors arrived until they left I did not see Fred Fawcett use any violence towards them, nor did I at any time see a pistol or a gun in the hands of Fred Fawcett, nor did I see or hear Mr. Fred Fawcett discharge any firearm at anyone or at anything.

Ralph Harbottle was never called to testify before Mr. Justice Spence at the first habeas corpus application in the Ontario Supreme Court. There may have been some legal oversight. As I said at the outset, this is not a matter of making moral judgment, it is a matter of reviewing the bizarre facts of this case. Harbottle was never called to testify

before Mr. Justice Spence. That is an extraordinary reflection on the process of law in such cases.

But even more important, Mr. Speaker, and going further, Ralph Harbottle was not called in the second trial, in 1965, due to a legal technicality, because of which Mr. Justice Fraser would not reopen areas heard by Mr. Justice Spence in 1962. So Ralph Harbottle's evidence never came before a court of law at any time. And the truth or otherwise of that original incident, which resulted in a total deprivation of liberty, has never been established in a court of law in the province of Ontario.

Now the hon. Attorney General has said that all evidence has been heard. With the greatest of respect to him, Mr. Speaker, I have spoken to a great many people involved in this case, and I fail to comprehend how this strategic and fundamental piece of evidence could possibly have been heard.

But let me go further. Not only was Ralph Harbottle excluded from the due process of law, the four neighbours who were in the car with Frederick Fawcett at the time of the OPP arrest, eight or nine days later—also were never called to testify, and I would like to quote Mr. Justice Spence in that regard. He says: "One might have been assisted by the evidence of these disinterested neighbours, but none of them were called to testify."

So here is a justice of the Ontario Supreme Court indicating that the trial might have been aided by the testimony of these people. They were not called. At the same instance, Mr. Justice Spence said that if Ralph Harbottle had been called, the court would have been in a better position. He said, and I quote his words: "They were put in an unenviable position," again the justice who was sitting in the court, indicating that not all was heard. It seems to me and I submit to the hon. Attorney General, to the public, that that too is a situation which cries out for some kind of correction.

Hon. Mr. Wishart: Mr. Speaker, I think it only fair that the hon. member should himself point out, or allow it to be pointed out for the record at this time, that at that hearing, Fred Fawcett was represented by a most capable lawyer. I believe it was Mr. Gebirtig, a Queen's Counsel, and that he had the most ample opportunity to call the witnesses you have mentioned.

Mr. Bryden: I would say the lawyer muffed the case—

Hon. Mr. Wishart: I do not say that the lawyer muffed the case.

Mr. Bryden: It is pretty obvious.

Hon. Mr. Wishart: He may have had good reasons for not calling such evidence, which may have been against his client, for all I know. I merely wish to put it on the record that the fact those witnesses were not called is not denied, the fact that the man Fawcett was represented by most capable counsel and the fact that the counsel did not see fit to call that evidence, may be significant from the point of view of the issue as to the man's sanity or otherwise. I merely wish to—

Mr. Bryden: This is sheer speculation.

Hon. Mr. Wishart: Well, it is speculation—

Mr. S. Lewis: I wish to tell the hon. Attorney General that I respect that point. It is, sir, precisely because it may have been relevant, that I adjudge it sorrowful that it did not come.

Hon. Mr. Wishart: Let me make the point just a little more pointed, and perhaps clinch it a little.

Mr. Speaker: I would advise the Minister that the member for Scarborough West has the floor. He is making a Budget speech, and I think perhaps it is in order for him to permit a question, and make an explanation. The member asking the question should not take over the floor and make too long a speech.

Hon. Mr. Wishart: I accept the ruling, sir.

Mr. S. Lewis: Mr. Speaker, I prefaced my remarks with the request that if the hon. Attorney General wished to intervene, he should do so and I would be willing at points to yield the floor to him for that purpose. I assume that this is a worthwhile exchange and he will not speak through the rest of the Budget debate.

Hon. Mr. Wishart: I thank the hon. member and I accept the ruling of the Speaker, of course. But it was pointed out that on a matter of law, the hon. member was good enough to say I might correct or elucidate and that was what I felt I was doing at the time.

I am aware, and I think I should just like to add this one word, that there was evidence of psychiatrists who had been engaged and retained by the defence, which evidence was not called, because it would have gone to the point of proving that the mental condition of Fred Fawcett was not normal.

Mr. S. Lewis: Well, I am fully apprised of these remarks ahead of time, Mr. Speaker.

I appreciate the hon. Attorney General making them. It is, in fact, because this kind of thing has happened; it is in fact because we have to engage in this somewhat contentious issue at the House at this time; that I am going to suggest later that the whole process is wrong; that this is not the way you endeavour to establish whether or not a patient in a mental hospital should have his release; that this is one of the fundamental errors of the whole process.

I merely wish again to reiterate that whether they had a bearing or not, no one will ever know; whether the testimony is relevant or not, no one will ever know; because in truth they were not called—for whatever reason. I say to the hon. Attorney General that he may suggest motives different from those I may suggest, but Mr. Justice Spence, who heard the case, said that the court had been placed in an unenviable position in not hearing Harbottle, and that the court "would have been assisted by the evidence of these disinterested neighbours," but none of them were called to testify.

It seems to me that if Mr. Justice Spence himself so indicated, it is rather unfortunate that they were not called, and indeed it had relevance.

I want to go further: One of the other aspects of the case which is interesting is that now consigned to history's dramatic confrontations between Fred Fawcett and the Ontario provincial police cruisers—that platoon of three police cruisers which came to arrest him. It is often used as another demonstration of his dangerous tendencies. It is interesting to note what Mr. Justice Spence observed of the manner of arrest at that time. He said:

Two shots at a loaded car in order to stop a man to serve him with a warrant charging him with the serious offence of shooting a hole in the tire, I think it is sufficient to state that those others in the car were very fortunate persons. Constable Ferguson and others guilty of conduct no less reckless, certainly no more reckless, have faced criminal charges—

Throughout the trial of this issue, it has been a startling thing to me that the police officers would take along the platoon of six to carry out a simple surrender and that they would be so wildly reckless in the use of their firearms with three men in the back seat.

Now, again, since all of this relates to that fundamental proposition that Fred Fawcett was somehow a dangerous personality because of the original incident, and since all of these

original incidents are in some dispute, it seems to me, Mr. Speaker, that the case cries out for review. I am profoundly concerned that the indefinite incarceration should stem from such a dubious root. I cannot believe—frankly, that due process of law, of medical process of committal, can be viewed as absolutely conclusive until we know the truth or otherwise of that original incident. As others in my party have done, I shall suggest the manner of getting to that truth as I bring this topic to a close.

Third, Mr. Speaker, there is the affair of psychiatric dispute. That is a delicate and sensitive area and I shall merely raise certain obvious questions. They are raised in an intensely personal, and again a layman's, view.

I think that the attitude of numerical preponderance is offensive. Too much has been made of the vote procedure. I assume the hon. Attorney General may agree with that. Not enough has been made of the substance of the evidence.

As a layman, I would not have thought that because of his initial incarceration all the onus of proof of sanity should lie on Fred Fawcett. This is purely a layman's opinion. I may be corrected by others more skilled and knowledgeable in the field, but I would not have thought that.

I would not have thought that the usual terms of evidence—reasonable doubt or balance of probabilities, would be relevant in this kind of a case. I would not have thought that the adversary concept of legal procedure should thus be used to test a man's sanity.

I would have thought that there should be some other channel or instrument, Mr. Speaker, through which psychiatric opinion could express itself. I think fundamentally that is what we are getting at. I want to say that I feel it to be one of the fundamental weaknesses of the present Mental Hospitals Act legislation of which Mr. Fred Fawcett is a singular demonstration.

Now there are other curious features, by no means conclusive in themselves—let me say that without qualification—but simply further testimony of this confused and confusing case. All these peculiar side oddities have never been resolved, certainly in the public mind.

Mr. Speaker, I would like at this point to read into the record a statutory declaration. It is filed by one Malcolm Clyde Kronby, lawyer in the city of Toronto, under The Canada Evidence Act:

I, Malcolm Clyde Kronby, do solemnly declare that:

1. I acted as solicitor for Frederick

Fawcett from October 16, 1961 to about December 21, 1961.

2. On Sunday, the 12th day of November, 1961, I visited the said Frederick Fawcett at the Ontario hospital, Penetanguishene, Ontario, where the said Frederick Fawcett was then and is now in custody.

3. During the course of my said visit, I inquired of Dr. E. P. Houston, a psychiatrist on the staff of the said Ontario hospital as to the mental condition of the said Frederick Fawcett.

4. Dr. E. P. Houston informed me that in the opinion of the doctors at the said Ontario hospital, Frederick Fawcett was not mentally ill and further, the said Dr. E. P. Houston informed me in response to my question, that the said Frederick Fawcett was capable of appreciating the nature of the charges against him, was able to instruct counsel in his defence and was fit to stand trial.

That is a statutory declaration sworn by Malcolm Clyde Kronby in January, January 12 to be precise, of 1962, relating to the specifics of the conversation with Dr. Houston on November 12, 1961.

Now I also have with me a medical practitioner's certificate for the admission of a mentally ill patient. It is a certificate which is dated November 16, four days after the conversation attested to in the statutory declaration. It is a medical certificate signed by Dr. E. P. Houston.

Now obviously, Mr. Speaker, this is just another one of those unusual aspects in this perplexing case. The truth is, the fact of the matter is, that Frederick Fawcett was remanded for examination at Penetang. I believe the date to have been October 18, 1961—which means that when his lawyer Malcolm C. Kronby visited him at the hospital on November 12, 1961, he had already been there for a period of over three weeks; quite sufficient time to have psychiatric diagnosis made.

Indeed, we know from other testimony, that many psychiatrists were called in during that period of time. At that day, on November 12, Malcolm Kronby, according to his declaration, engaged in a conversation with Dr. E. P. Houston which indicates that the said Frederick Fawcett was capable of appreciating the nature of the charges against him, was able to instruct counsel in his defence and was fit to stand trial. Four days later, on November 16, Dr. E. P. Houston is one of the two practitioners signing the certificate for the admission of a mentally ill patient: Frederick Fawcett.

Mr. Speaker, this is just another aspect which I think is worthy of review. I think it is just another aspect which justifies the proposition of review. I have very recently, in fact this week, spoken to Malcolm Clyde Kronby. He is willing to testify again to the validity and truth of that incident and that exchange.

And that, I suggest, Mr. Speaker, throws even further light on this peculiar affair of Frederick Fawcett.

But there are also aspects of the admission form which I want to indicate on the record because, Mr. Speaker, some of these aspects puzzle me and I think that they are worthy of exploration.

Under the various reasons for certifying the mentally ill patient—the reason Frederick Fawcett was put in Penetang—the Crown land feature is referred to.

His firm, unshakable belief that because he is on Crown land he is not bound by any laws passed since Confederation.

Mr. Speaker, that may be very well and true, but the fact is that Mr. Frederick Fawcett, on the witness stand, testified that if the Crown land factor were argued in court he would abide by the court's decision.

It is well known by all those involved in the case that Frederick Fawcett's point of dispute with the township of Euphrasia related to a road allowance. It began several years before the Crown land issue was raised. He refused to pay taxes several years before the Crown land issue was raised and, in fact, Mr. Speaker, the Crown land issue is simply just another facet of which, perhaps, too much has been made.

Secondly, Dr. Tuchtie, who was one of the four psychiatrists who found Mr. Fred Fawcett in need of incarceration at Penetang, did not even know of the road allowance aspect of the case, of the refusal to pay taxes over the road allowance rather than the supposed Crown grant—until the new hearing in 1965. This is despite the fact that Dr. Tuchtie had interviewed Frederick Fawcett at least three times in the previous three and a half years.

After all, it was generally agreed that Frederick Fawcett had a legitimate claim on his township, it was generally agreed that Frederick Fawcett had a legitimate excuse. It was not something odd and eccentric that a farmer should be quarrelling with the township over road allowance, and withholding his taxes for that purpose. Mr. Justice Spence said at the time:

The plaintiff regarded, and perhaps very rightly, this conduct of the township coun-

cil as being prejudicial to him and being unjustly discriminatory towards him.

Now on the same certificate for the admission of a mentally ill patient there is a separate section head which reads as follows:

Other facts, if any, indicating mental illness communicated to me by others.
State from whom information was received.

In the forms signed by Dr. Houston, there are such other facts which are indicated.

(1) The facts of the warble fly inspector on the property communicated by the OPP, and (2) the refusal to allow the tax assessors on the property and the shooting at their car—attested to by the tax assessors. These are listed on the forms as “indicating mental illness communicated to me by others.”

Let us take a very brief look at these two things, the warble fly inspector and the shooting of the tire.

First, everyone now knows that rather peculiar episode of the warble fly inspector. The warble fly inspector arrived one day on Frederick Fawcett's farm and said, in effect, “I want to inspect your cattle,” and Frederick and Harold Fawcett replied in their congenial way—the hon. member for Brant (Mr. Nixon) will help me if I go wrong on this—“Our cattle are out on the back pasture, we don't want to take the time to bring them in today, and besides, Mr. Inspector, you don't seem to be sufficiently clean, you may yourself be a carrier of germs. Come back tomorrow.”

Charges were laid at this offence to the warble fly inspector and his acts—I cannot remember the precise time, but charges were laid. They were not laid against Fred Fawcett, let it be said, they were laid against his brother Harold Fawcett. The case went to court, was originally found on behalf of the warble fly inspector, but later the appeal court reversed the decision, found on behalf of the Fawcett brothers, and as a result this government in its intelligence and understanding, amended The Warble Fly Act.

It is rather interesting, Mr. Speaker, and incidentally that is a historically true sequence of events, it is rather interesting, that the episode should be included in a certificate admitting a patient to Penetang hospital—that that particular warble fly incident is something which indicates mental illness “communicated to me by others.”

One necessarily views the whole process with a somewhat jaundiced outlook.

As to one of the other contentions, the shooting of the tire and the tax assessors; I think I have already demonstrated this morning that that had never been judged in

a court of law, so how can it be accepted as evidence indicating mental illness?

Now, Dr. Tuchtie—I am sorry to single out Dr. Tuchtie, but it has to be done again—testified in the process of the 1962 hearing as follows:

I can see Fred as my neighbor, living next door to me, and I can see being entirely friendly with him, and Fred being entirely friendly and helpful to me.

Mark this, Mr. Speaker:

But I wouldn't want to be a tax assessor or a warble fly inspector.

I am inclined to ask Dr. Tuchtie in the most friendly possible way, why not? In the warble fly inspector incident, according to the courts, Fred and Harold Fawcett were well within their right. And the tax assessor incident has never been proven in a court of law. So how does one establish anything concrete with that kind of aside or suggestion? All of which goes to suggest nothing that is precisely conclusive, nothing that is beyond dispute or analysis; but sufficient uncertainty to merit review.

I am going to leave that particular aspect of it aside for a moment, Mr. Speaker. I shall also leave aside the completely contradictory element—that element of contradictory evidence where one group of psychiatrists state categorically that Mr. Fred Fawcett is mentally ill and has to be confined to Penetang, and another group stating categorically that he is not mentally ill.

I will go to one other area which I suggest to the hon. Attorney General—and I wish the hon. Minister of Health (Mr. Dymond) were here as well—requires urgent remedial attention.

Unintentionally, I am sure, we in this Legislature—and I am sorry, Mr. Speaker, but I must place the onus on the shoulders of the hon. Attorney General and the hon. Minister of Health in particular—I suggest that we in this—

Hon. Mr. Wishart: Mr. Speaker, I wonder if I might ask the hon. member once again, to allow me to correct him on a statement of, I think, law, a finding of law. I heard the hon. member say the tax assessor incident had never been proven in a court of law. Is he referring to the incident where the tax collectors were held off, were alleged to have been held off by Fawcett for some three to four hours with a gun?

Mr. S. Lewis: No. Is the hon. Attorney General referring to the Ontario provincial police incident?

Hon. Mr. Wishart: No, the holding off of the tax collector by Fawcett through the afternoon with a gun, with a rifle.

Mr. S. Lewis: No, I am talking about the original incident relating to Messrs. Howey and Seabrook, who alleged that Fawcett assaulted them in the process of their requesting the tax, and then shot the hole through the tire. I believe, Mr. Speaker, that that is beyond dispute. And I am glad the hon. Attorney General reintroduced it because I think it again confirms the fundamental contention that in fact that central issue upon which everything else rests, and from which everything else led, has in fact never been proved in a court of law.

I wanted to go back to another aspect which worries me profoundly. I think that this Legislature is allowing—and I put the onus to some greater degree on the hon. Ministers involved—the psychiatric profession as a profession to hazard serious disrepute in the public mind. I personally think that is profoundly unfair, largely unfounded and not at all to be desired.

I do not know what a man-on-the-street interview would do, but certainly in the public press, and in the general discussions, psychiatrists have not come off very well in all of this. The situation breeds unfortunate allegations and unfortunate suspicions. I think it incumbent on the hon. Attorney General and the hon. Minister of Health to come to the defence of the psychiatric profession.

There has been the suggestion made, for instance, that Fred Fawcett cannot, or will not, be free, because we have now developed a vested psychiatric opinion from which there is no deviation. With it comes the implication that a man's liberty is sacrificed for three and a half years because of an inflexible decision which cannot now be reversed; because there are face-saving features involved in this vested psychiatric opinion. It is something which many people have whispered abroad in this land, if I may put it that way.

Secondly, there has been the obvious suggestion that we should call a panel of outside experts—it was made by my colleague the hon. member for Woodbine. I suggest to you, Mr. Speaker, that the Opposition in this Legislature has been reluctantly forced into that avenue as one of the only alternatives. But no one, let me assure hon. Ministers opposite, considers it particularly desirable because, necessarily, the unhappy implication is that the psychiatrists in Ontario are somehow incapable of arriving at their own decisions. I suggest that unless some kind of reasonable decision is made, the

Opposition is put into the position where it has no other alternative but to make this suggestion.

I want to say that an even unhappier suggestion, to put it bluntly, was made by Mr. Sidney Katz in the *Toronto Daily Star*:

At least three of the four psychiatrists who certified Fawcett was mentally ill at his trial are employees of the Ontario government serving on the staffs of mental hospitals. Their salaries are paid for by the government.

Now, not only is the profession inevitably denigrated by such categorical implication, but also, of course, in particular, those psychiatrists serving in Ontario hospitals, those psychiatrists serving under this government through The Department of Health. I think that is a sad and sorry pass to which to come. This government must necessarily rise to the defence of their own psychiatrists. I do not think it is defensible that the hon. Attorney General and the hon. Minister of Health should retire to the wings while the battle rages on the stage and public opinion consolidates, as it has.

Finally, Mr. Speaker, the last point I want to make in this analysis of the case is the affair of the supposedly "dangerously ill" Mr. Fred Fawcett. He was found to be so, within the meaning of the Act again, on February 8, 1965. He was returned to Penetanguishene hospital for the criminally insane by Mr. Justice Fraser, albeit let it be pointed out by Mr. Justice Fraser, with very considerable regret.

I want to suggest to the hon. Minister opposite that in the public mind that is the least plausible of all: this question of the dangerously insane Frederick Fawcett. One is moved to ask just who is the paranoid Euphrasia township man; criminally dangerous within the confines of his farm; a threat to public safety? What do we know of him?

Point number one: For 45 years Fred Fawcett lived without untoward incident. He had an unblemished record for 30 years as a farmer in Euphrasia township.

Point number two: For the entire three and a half year period of his incarceration in the Ontario hospital, it was the unanimous opinion that he was a model inmate, not to say gentleman. Indeed, Mr. Speaker, he was frequently regarded as one of the ward helpers during the period of that incarceration.

Point number three: For nine months at Queen Street Ontario hospital he wandered freely through Toronto. Never a whisper of

danger or irresponsibility, never a missed curfew, regarded by all as a lovable and friendly employee of the ward and generally the embodiment of a model person at 999 Queen Street at the time.

Point four: For a full month, back on the farm in the summer of 1964, Frederick Fawcett was again a model of mature and adult behaviour—back on that farm where his dangerously insane behaviour was supposed to manifest itself.

Point number five: At the end of 1961, 171 neighbours—the press has been saying 117; it is not, it is 171—signed a petition on behalf of Fred Fawcett indicating that they were happy to have him on his farm; that they had no fear of his presence in Euphrasia township.

Some of them had known Fred Fawcett literally for decades, and they signed the petition. If I understand the facts of the case, Mr. Speaker, the petition came to the dean of this House, the hon. member for Grey South (Mr. Oliver) and he recalls in the further recesses of his mind I suspect, that back in January, 1962, he turned that important, vital petition bearing on the dangerously ill aspect of Fred Fawcett over to The Department of the Attorney General to, I think, Mr. W. C. Bowman—

Mr. F. R. Oliver (Grey South): Mr. Common.

Mr. S. Lewis: Mr. Common; I am sorry; the hon. member is right.

I would ask the hon. Attorney General, if I may be so bold and interrupt my own presentation, where that original petition is? What has happened to that original petition of 171 friends and relatives and neighbours of Fred Fawcett?

I am perfectly willing to be corrected; but a short time ago I understand it had been misplaced in The Department of the Attorney General.

Everyone remembers having it—the hon. member for Grey South; the member of The Attorney General's Department to whom he gave it; the members of the civil service hierarchy in that department—but the petition has just vanished.

It is yet another singularly interesting aspect of this case—

Hon. Mr. Wishart: May I ask when this petition came to The Department of the Attorney General?

Mr. S. Lewis: In January, 1962, but it was handed into the hon. Minister's depart-

ment by the hon. member for Grey South. I believe if he wishes to—

Hon. Mr. Wishart: January, 1962?

Mr. S. Lewis: He has concurred, I believe.

Mr. Oliver: Yes.

On this point, Mr. Speaker—if the hon. member will allow me—the petition was handed to me by Fred Fawcett's sister with the suggestion that I should take it to The Attorney General's Department. I did this; handed it to Mr. Common, whom I thought in turn would hand it to Fawcett's lawyer. I thought that would be the procedure.

Some time after, I asked Mr. Common if he still had the petition and Mr. Common's answer was that he still had it in his possession. Now I am not sure of the date of it, but it was sometime after January, 1961, so that it was handed to the deputy Attorney General and he confirmed that it was in his possession sometime after that.

Mr. S. Lewis: I have reason to believe—and the hon. Attorney General can check it out—that a journalist in the very recent past asked for that petition and that indeed an individual member of The Attorney General's Department made a search for that petition and it could not be found. I would be glad to supply precise names, but I do not think it is absolutely necessary and I do not think it is absolutely vital to the heart of this case, except that the petition was a testament of what the neighbours felt about Fred Fawcett. It is, in some odd way I suppose, another characteristic of this entire affair.

Hon. Mr. Wishart: I am indebted to the hon. member because I must say, at this moment, that this is the first time that I have heard of this document which apparently came to the office in 1962. I shall certainly be glad to have every effort made to see if it can be located.

Mr. S. Lewis: I thank the hon. Attorney General. I hope he will forgive me a small, fragmented smile. It is a very interesting fact that a petition germane to Fred Fawcett's incarceration is not even known by the hon. Attorney General in 1965, three years after it came to his department, and bears to the case, I think, very pertinently.

Point numbers one, two, three, four, five and now six. Again in 1965, Mr. Speaker, scores of people in Euphrasia township are in the process of doing the same thing, signing another petition on behalf of Fred Fawcett. Signing names of the very people

who supposedly will be harmed by his return to the farm.

Point number seven, which I think is final and crucial, is that the overwhelmingly unanimous opinion of all; even of those psychiatrists who testified against Fred Fawcett, of his neighbours, of his lawyers, of the psychiatrists who testified for him, of all the people who have been interviewed by Allan Anderson in the *Telegram* and by Sidney Katz in the Toronto *Daily Star*, is that Fred Fawcett was, by and large, an amiable, helpful, friendly, intelligent, decent, hard-working Euphrasia township farmer. He was perhaps eccentric on occasion; so are we all. He was perhaps obstinate on occasion; so are we all.

But the public, let me assure the hon. Attorney General, finds it difficult to be persuaded that he is so dangerous as to justify incarceration in Penetang, with some incurable, psychopathic criminal offenders, sexual offenders; and many in his own ward, I am told, who have committed capital crimes.

I appeal to the hon. Attorney General that this particular lapse in logic and in judgment is very difficult to defend.

What is Fred Fawcett to do? His problem seems to be an insoluble jig-saw.

The sole place on earth where he could disprove the dangerously ill designation is perhaps forever closed to him, namely, his farm. The totally admirable behaviour of the last three and a half years have been attributed, by the psychiatrists involved, to Fred Fawcett waiting while litigation is pending.

How does Fred Fawcett remove himself from this maze?

Alan Anderson of the *Telegram*, writing in one of his articles said, and I quote, and I thought it was a neat summary:

That is the difficulty facing Fred Fawcett. There is not a single thing he can do to satisfy the government doctors of his sanity.

If he behaves reasonably, he is cunningly biding his time. If he goes to court, he is disputing their benevolent decision. If he argues with them, he is obviously deluded. If he agrees with them, they do not believe he is telling the truth.

Fred Fawcett is in a difficult position, indeed. As a layman, I plead with the hon. Attorney General opposite, that some alternative be found and I have three concrete proposals to make.

First, Mr. Speaker, in line with my hon.

colleague from Woodbine, we in the New Democratic Party urge an immediate public inquiry under The Public Inquiries Act into the facts or otherwise, truth or otherwise, of that original incident which has never been tested in a court of law, and which we profoundly believe is the basis of all that has followed. It should therefore be subject to complete and total and open public scrutiny. Everything demonstrates that need, and the hon. Attorney General has it within his power under The Public Inquiries Act, to demand such an inquiry immediately.

I would say to the hon. Attorney General, and again I am speaking as a layman that it seems to me that the technicalities of legal procedure should not prevent the presentation of any available evidence in a case of this kind. I believe that there must be some other way of dealing with this kind of matter. That so many peculiar questions should go unanswered is surely intolerable.

There should be no impediment to calling everyone and anyone who has any bearing on the case—Ralph Harbottle; the four men who were in the car when the OPP shot at Fred Fawcett; any other people who related to that original incident and the one subsequent to it, should be called. This is the way the case should be handled. Legal technicalities in judging a man's eventual incarceration should not be allowed to prevail, particularly if they inhibit the presentation of important and relevant evidence.

I may say, Mr. Speaker, that later it may be worth broadening the terms of inquiry if it seems desirable. The hon. Attorney General would well do it at the outset, to examine the entire Fred Fawcett affair, not only in respect to Frederick Fawcett himself; but in respect to the important social issues involved—namely, the need for rewriting The Mental Hospitals Act. So that is our first claim and requirement.

Secondly, Mr. Speaker, I suggest to the hon. Attorney General that a new review procedure is urgently required for those who feel themselves wrongly incarcerated and, as well, a review of present committal procedures, granting indefinite certification by two physicians.

The normal review procedure within the Ontario hospitals hierarchy, certainly at Penetang, has appeared to be unsatisfactory. The hon. Minister of Health has said that he will not use his review committee of three in this case. I suggest strongly to him that some new review procedure is required. I notice that the hon. Attorney General also has the Canadian mental health association

paper on his desk—the *Law and Mental Disorders*. I want to read into the record what that association says about a review board, on page 20:

In order to permit the simplified and expeditious practice of requiring only one physician to participate in certification, it is necessary to build in a device for the protection of civil liberty. The method found workable both in the United Kingdom and three Canadian provinces is the review board. While this may appear a rather elaborate tribunal, it should be noted that if the board sits in the hospital this makes it easier for the patient to appear without the stigma of public exposure of his problem in court. It can act more quickly and is a readily seen protection for the patient.

This is fundamental: "Experience has shown that the number of appeals is not excessive."

And then this eminent little paper, which is signed by several psychiatrists and lawyers who are studying the field, enunciates one or two principles and I shall simply read them into the record, because they are pertinent:

Principle 14. Provision must be made for a review board to be appointed by The Attorney General's Department for each designated facility or group of facilities in which patients under certification are retained. Each review board is to consist of three persons not employed by the treating facility or government, one of whom shall be a solicitor, and one of whom a physician. Each board will review cases applying to it for consideration.

Principle 15. Each time a patient is certified or recertified, he and his next-of-kin or other responsible person will be notified in writing of their rights to a hearing before the review board as to the justification for the patient being detained.

Principle 16. A patient or his next-of-kin or other responsible person dissatisfied by the decision of the review board may appeal this decision to the courts and must also have direct access to the courts on the question of detention.

Now, Mr. Speaker, again I am not a person expert in these fields. I make no claim. I simply say that it has become evident to everyone that The Mental Hospitals Act needs some amendment, that the review procedure desperately needs amendment. I understand that there has been some discussion of this behind the scenes. I would urge that it be done immediately.

Thirdly, and finally, Mr. Speaker, whatever else is decided, surely it can be agreed in

this Legislature, without pronouncing on the sanity of Fred Fawcett or otherwise, that Penetang is not the place for Frederick Fawcett. Let me grant, for the sake of argument, that Frederick Fawcett is a paranoid personality. I would strongly suggest—and I have discussed this with some psychiatrists recently—that custody equivalent to that which existed at Queen Street, when he was there for those nine, free and reasonable months, when there was no violation at all, that kind of custody should be provided for Fred Fawcett and that it should be provided if possible in the near future.

The great irony in Penetang, of course, is, again according to psychiatrists to whom I have spoken, that it may militate against proper treatment for Fred Fawcett. Indeed, Mr. Sidney Katz, in his article, indicated that Mr. Fred Fawcett was not receiving treatment in the clinical sense at all.

From what I understand, again according to psychiatrists, the paranoid personality must itself respond to treatment. It must be receptive for treatment to be workable, and obviously within Penetang hospital, Fred Fawcett will be obsessed by what he believes to be an injustice, or obsessed by what he believes to be the judicial process and all the proceedings of litigation. The treatment possibilities, I suggest, are therefore somewhat thwarted.

With the greatest sense of urgency, I say to this government, I appeal to this government, in heaven's name, at the very least move Fred Fawcett to another Ontario hospital where intensive and adequate treatment can be provided. It seems very, very doubtful on the overall evidence that the Ontario hospital at Penetang for the criminally insane is where this man should be, if he should be anywhere. I am suggesting an alternative.

I also hope that the government will consider action on the other two proposals made.

Thank you, Mr. Speaker.

Mr. L. Troy (Nipissing): Mr. Speaker, when this House adjourned in the late hours last night, I think I had the floor then asking a question. It seems that I never left the place, but be that as it may, I am quite happy though today to be able to speak in this Budget debate at long last. I think both the hon. member for Scarborough West (Mr. S. Lewis) and I were supposed to be on this debate much earlier, but unfortunately we were not able to take part.

This, Mr. Speaker, and hon. members of the House, is April 9. On that day in 1917 the Canadian Corps as a unit, stormed the

heights of Vimy and drove the Germans back from that area and the Germans never held that high ground again. I think on that day Canada as a nation, as we know it today, was born. In this House at the present time there is an hon. member who was wounded on that day, as he fought, I believe, with the 4th CMRs, Canadian Mounted Rifles of the Fourth Division, and he is our very good friend and very popular member of this House, the hon. member for York North (Mr. Mackenzie). I remember reading in one of the journals of this province, a very interesting article by that very lovely gentleman and very fine writer, Mr. Gregory Clark, who at that time, I believe, was also an officer in the 4th CMRs, and the incident of that dugout was very refreshing.

Again mentioning about the day of Vimy and Canada as a nation, it struck me as rather strange that recently, within the past week I think it was, no mention was made in this House by anybody about the death of General Crerar, who was the commander of the Canadian Army—the first commander of an army that fought as a Canadian army in any war. And I thought it was somewhat strange that some reference was not made to that most distinguished soldier.

Some of this address of mine was prepared some time ago. Nevertheless, in view of the fact that yesterday I was on a very important debate, I did not rewrite it. But a minor complaint forced me from the House for a couple of weeks in the month of March and regretfully I missed the wind-up addresses on the debate on the Speech from the Throne.

With all due respect to the permanent members of the press gallery, it was pleasing to me to note as I read the *Globe and Mail* in my hospital room, that Mr. Scott Young, one of the ranking columnists of the *Globe and Mail*, had graced the gallery and his comments were quite refreshing. I must say I sympathize with the hon. member for Yorkview (Mr. Young) and chuckled as Mr. Young pictured the scene in his column.

I missed also that masterpiece of the hon. member for Sudbury (Mr. Sopha) as he closed the debate for our side, and whom one had to see and hear really to appreciate. You do not get the full flavour of his speech when you read it, and he is one member in this House, I am certain, who ever since he stormed these walls some six years ago, commands the full attention of the House. He is the one who pierces even the most hide-bound of the Tories opposite and the odd individuals to my left.

The mention of Mr. Scott Young also reminds me that we do not see him on TV

any more at hockey games at Maple Leaf Gardens. Apparently he is persona non grata with those in authority there. In mentioning the Gardens it also reminds me of the biblical reference about the walls of Jericho tumbling down, and it seemed to me that story applied to the Gardens. As I understand now they are flying a Canadian flag. Apparently at one time they were not going to put it up until the Stanley Cup playdowns were over, but they had so many protests from all across this nation that they had to acquiesce. Probably some day we will have "O Canada" played in the Gardens.

Above all, I missed the raising at long last of our Canadian flag, but I had a rather vicarious thrill when, in absentia, I pictured those who in the weeks before had called the emblem a rag, and more recently a flag of appeasement. It would have done my heart good to see them stand with heads bared as they saluted our national standard.

I missed, too, that comprehensive analysis of the Budget by my hon. leader. His address, I note in *Hansard*, drew commendation from the hon. member for Woodbine (Mr. Bryden), the financial critic of the New Democratic Party, and engendered so much heat on the other side of the House that the fire alarm was triggered into action and the House had to adjourn for a time. Others more competent than I have bolstered the criticism of my hon. leader.

The hon. Provincial Treasurer (Mr. Allan), in his Budget address characterized his presentation as a growth budget.

From this side of the House, sir, the growth seems more malign than benign; no additional taxes to add to our financial burden, but as Mr. Fraser Kelly, of the press gallery, forecasted, we can look for increases in 1966 unless the books are cooked to a frazzle the next term. Mr. Kelly says in his preview of the Budget: "Ontario taxpayers made more, sold more and drank more," I presume he does not mean Adam's ale, "in 1964. So they will not likely have to pay more, at least not much more in 1965. Consider it a windfall." I do not think he was referring to the mine then. Mr. Kelly added, "A godsend, an unexpected piece of good luck, because taxes are almost certain to go up in 1966." And then the heading is: "Good news from the jolly dairyman." Apparently the milk was a bit sour that day.

I agree with the competent and articulate young hon. member for Scarborough West. We were making slow headway, he pointed out, when he first started his Budget address and I guess it is the time of mortification, the days of Lent for the government, and I am

sure that they have recently had some taste of mortification.

I have been able, since my return, to take part in some of the debates of the estimates. As usual, the hon. Minister of Transport (Mr. Haskett) was a target for a barrage of criticism. The Opposition was given a splendid opportunity for a fresh attack this session on this department, and also on The Department of Tourism and Information. We repeatedly pierced the government's defences as they tried to defend that new weapon in their arsenal of propaganda, "managed news." And then that one-act play that I was pleased to attend a la Erle Stanley Gardner—the case of the torn chesterfield, featuring "Fred the Ripper" was an amusing interlude.

Not so refreshing, nay, rather disturbing in its implications as events unfold in the republic to the south, where the barb is directed at the very fine member, and certainly an admirable representative of his race and hon. member for Etobicoke (Mr. Braithwaite). I just noticed a little note here that the remarks made by hon. members on that day will echo around the world. It was from a letter to the *Globe and Mail*, signed by Mr. S. Black, international information service. They made a sad commentary as men and women of all creeds marched in the cause of freedom. It seems, too, that if that attitude is abroad, "Pacem in Terris" is a dream.

I have a note here that I wrote at that same time. My son, who is now a member of the Community of St. Paul, marched with the thousands at Selma. He told me that the march there drew no visible resistance from the municipal authorities, but frightening though was the almost implacable hatred so visible in the faces of those who watched the march. The strange part of it is that the next day—St. Patrick's day—he was in Boston where there was a march by the Freedom Council, and there in the cradle of liberty, where the revolution was born, he had an unpleasant experience. On that day, the animosity was viciously vocal—another evidence of man's inhumanity to man.

Why did these young students and others parade? Why are they going from Canada to Selma and other places? I suppose that we must reflect on the words of John Donne who many years ago said: No man is an island and whatever affects a human being in any part of the world affects all mankind. The tragic part of it was the bludgeoning of the minister from Boston, Reverend James Reeb, and his subsequent death—a tragic thing for all mankind because we are all involved in a thing like that.

Mr. Speaker, I welcome this change of pace that the Budget debate offers, although those who preceded me in the debates on the estimates have made critical observations and many suggestions that are of obvious merit. Yet we have difficulty in piercing that sort of crustaceous cover which encompasses Ministers of the government. At times I feel that I and my colleagues in the Opposition and in the NDP are beating our heads against a stone wall, and certainly I felt frustrated as we discussed the theatres branch of The Department of Tourism and Information some weeks ago. Freedom seems to be the shibboleth, the password of this branch, but freedom without proper safeguards soon merges into licence and eroticism becomes a dominant theme in our society. The only hope then is that society realizes as a whole, the dangers that loom ahead and that the media of communications will realize the awful power that they have in moulding men's minds.

As I pointed out earlier, a number of influential dailies in the United States refuse to accept advertisements for films. To me, those who check the advertisements are failing us in their duty. Enticed by these lurid advertisements people flood our picture houses. I am reminded of a sign, as I mentioned before, that master of showmanship, the late P. T. Barnum had a sign up in one of his tents which read: "To the egress," and the gullible people flooded through there thinking that they were going to see one of those shows you see sometimes at circuses at maybe 50 cents a ticket—thinking they were going to see something that would give them a titillating experience, they flocked in the direction of the sign and where did they find themselves? In the open air.

Rumour has it—he is not here at the moment—that the hon. member for Waterloo North (Mr. Butler) has been offered a contract as a gag writer for one of the so-called comedians—one of those sick comedians who do not brighten, but darken the American scene—and in his flight of fancy—I do not know how many hon. members were here at the time—certainly as he concluded though an otherwise acceptable address, was as funny as the proverbial crutch on television shows. I understand that the hon. member has been approached by that great comedian, Mr. Jack Benny, to write his gags, but—

An hon. member: It was the hon. member for Waterloo South (Mr. Reuter).

Mr. Troy: Waterloo South? Pardon me. I must apologize to that distinguished hon.

member of the Legislature for Waterloo North.

An hon. member: He is not here now, anyway.

Mr. Troy: I apologize even more humbly because he happens to have been a member of the Algonquin Regiment.

But back to my main theme. My target here is The Department of Highways and it is very unfortunate that the hon. Minister of Highways (Mr. MacNaughton) is not here. For the past six years—ever since I came to this House—Highway 63 which links North Bay with the province of Quebec at Timiskaming has been brought to the attention of successive Ministers of that department, including the hon. member for Grenville-Dundas (Mr. Cass)—the former member for Northumberland who is now, I understand, in faraway Florida—and the present hon. Minister.

For a number of years now his planning staff has been designing highway improvements in the North Bay area but regardless of what changes were to be made, no new route was likely to be constructed to the built-up areas that border the north shore of Trout Lake. That artery, in a winding fashion, level crosses the tracks of the Ontario Northland Railway. This crossing is adjacent to a large housing development which includes a subdivision housing several hundred people who were brought to our area following the installation of the Bomarc launching pad and the SAGE complex.

The municipal authorities have repeatedly pointed out this problem both to the hon. Minister and to the members of the Ontario northland commission. Very recently, as I mentioned one night, speaking earlier—I do not know how I was able to get it into the debate—a young air force officer from the air station at North Bay and one of his twin daughters were killed on that crossing, and I was immediately called by the reeve of the township, asking me to impress on the hon. Minister, the necessity for quick action at that crossing.

Later the hon. member for Wentworth East (Mr. Gisborn) asked a question of the hon. Minister with reference to that tragic accident. The hon. Minister answered that planning would be carried on with all possible acceleration. I later sent a note to him asking if that meant that the highway would be on the schedule for 1965. Now hon. members must remember that in April, last year, the hon. Minister said that improvements around the area of North Bay would

be done in 1965. Then some weeks ago, the hon. Minister informed the people of the North Bay metropolitan area that the work had been postponed until 1966. I sent a note asking him if this answer meant that construction would be put back into 1965, and his answer was: "Not necessarily. I cannot say precisely when until I am in possession of more information which I have requested, but certainly we hope to correct this situation with the greatest possible minimum of delay." Well, those are superlatives in a very high order.

I want to read into the record an editorial of the Daily Nugget from North Bay, dated March 17th. As I said, the government through its Department of Highways waited. The caption of this editorial is, "Death didn't wait."

There was no delay on the part of the grim reaper. Just six days ago the *Nugget* published a story in which The Ontario Department of Highways said that it had decided that a reconstruction programme on Highway 63 leading eastward out of North Bay would be delayed until the spring of 1966. Originally it had been planned to start the project this year.

Death did not wait until 1966. It struck not once, but twice shortly before noon today in a train-auto crash at the narrow level crossing on Highway 63 at the point where the road approaches Trout Lake less than a mile east of the city limits.

Granted, reconstruction of the heavily travelled highway this spring would not have prevented the tragedy which occurred today but it points up in a very grim and sad manner the absurdity in permitting level crossings to exist in this day and age when many millions of dollars are spent in making fantastic progress in many other directions.

This newspaper on countless occasions has stated that there should not be a level crossing in this country. This newspaper has also frequently drawn attention to archaic Highway 63, a narrow, winding, hilly road, which daily must accommodate a heavy amount of traffic, as a result of new subdivisions in the lake area, the SAGE complex, the big summer population of Trout Lake and the increasing amount of travel between the city, Redbridge, Feronia and Témiskaming, Quebec. But that little narrow bridge and level crossing located at the foot of a steep slope on a highway less than a mile east of the city is the one spot above all others where death lurks and it came out into the open today.

Mr. Speaker, they said I pressed for action on this Highway 63 many times. Recently I have had a spate of letters from industrialists in the area, from those that use that highway.

Remember, it is the connection between Ontario and the province of Quebec. It was built and completed in the days of the Hepburn government. First it was a gravel road and later on a hard surface was put on it. Now that was about 20 years ago or more, 30 years ago. The reason I know is that I was at the opening of the highway and I know very well that Mr. Oliva Dionne of Corbeil was up there that day and his quintuplets were just two or three years old.

So it was 1937, I think, that it was opened, sometime around then. It was surfaced and there has been no reconstruction of that road in those years, except in the upper reaches.

Now there is a tremendous amount of traffic on that road going north. It is becoming a very dangerous road and this condition has been impressed on the Ministers for years. So I hope that at least one part of it will be looked after—you do not have to improve the whole road to improve the condition at that level crossing. That certainly must be on the record this year!

The report of the select committee on youth was presented this morning and I know that certain reference was made to community colleges. Much has been said already in this House and no doubt much more will be said on the subject of community colleges. There is no question in my mind, and I know the consensus in our party is that since we want to keep pace with changing times the inclusion of such schools of learning is a must in this province.

According to what one reads in the press there is a divergence of opinion among university heads over the role that such institutions should play. My own opinion is that in addition to preparing students for the world of work in the technical and technological field, these colleges should also serve those who are interested in the humanities. There should definitely be a door open to the universities following graduation from the community colleges so those who merit it would be given an opportunity to broaden their range of knowledge.

It is quite heartening to note that Dr. Murray G. Ross, a fellow native of the Maritimes who is president of York University, champions that concept. The liberal arts must have a place in these institutions and graduates a place in further training in our universities. Any other course would, in my opinion, be a retrograde step.

Naturally, we in North Bay are very much interested in community colleges. We at one time tried to get a charter for the North-eastern Ontario University. That was spiked. We then tried to get a degree granting charter for the North Bay college. That was also spiked. So we are quite interested in that particular project.

Also we are quite interested, when the hon. Minister of Education (Mr. Davis) comes before us with his estimates, in the North Bay teachers college. Time goes on and if it is not reconstructed or a new one put up, it will be a worthy symbol for the hon. Minister of Tourism and Information (Mr. Auld) as one of the archæological sites.

Now, on regional development we have had a spate of words by hon. Ministers of the Crown on this subject, but very little action. In my area we are really doing something about it. The prejudices and obstinacies that existed before are, I am happy to relate, gradually disappearing. Already the hospital boards of our two general hospitals are doing what the hon. member for Scarborough North (Mr. Wells) had suggested about regional councils. Harmonious relations now exist and the first step for combining facilities to meet the needs of our area have been taken. The boards, with the approval of the Ontario hospital commission, have planned a joint laundry service. True, this is not a major move, but certainly it is a breakthrough.

I look forward eagerly to the statement of the hon. Minister of Education on secondary schools and community colleges and elementary schools. I am sure, too, that he believes that the road to higher education should not be barred to those with the desire and the capacity to achieve it. I say again, I hope that the efforts of my own community that have been pursued for many years for an institution of higher learning will be rewarded.

Our secondary school system in Nipissing is expanding yearly, with additions planned this year for existing institutions and the opening next September of a new composite school in the township of Widdifield to service that growing community.

I was unable to be present in this House when the estimates of The Department of University Affairs were presented by the hon. Minister of Education. A perusal of the debates on that occasion has shown me that the hon. member for Brant (Mr. Nixon), the major critic of our party on that most important subject, made his usual able contribution to the debate.

My reference to education at this time

has recalled to my mind the loss that The Department of Education has suffered particularly, and the civil service of this province generally, in the sudden passing of the director of education, Dr. Stanley Rivers. I want to add my words of sympathy to those no doubt already expressed to his bereaved wife and family. My association with Dr. Rivers dates back to the days when he was on the staff of North Bay teachers college. Then as now, the students had to use the facilities of one of our secondary schools for recreation and games. I hope that the reconstruction of that ancient pile, the North Bay teachers college, is planned early.

Speaking of demises, I must also refer to the recent death of Dr. Frank Wallace, MA, LL.D., who had been for many years the principal of the North Bay collegiate institute and vocational school, and before that the North Bay collegiate. When I first came to North Bay as a teacher, Dr. Wallace was the principal. He was a very fine representative of the teaching profession and was honoured some years ago by Queen's University with the degree of LL.D.

I share many of the views on education of the hon. member for Ottawa East (Mr. Racine), which were expressed in this House earlier in this debate. We in Nipissing, as well as in many parts of northeastern Ontario, have a large Catholic population. Many of my constituents, by obligation, have to pay taxes in the two minor fields of education and provide voluntary support to Catholic secondary education. It goes without saying that were there not a separate school system in Ontario, the cost of education would be much higher to the already overburdened taxpayers. Here I might emphasize that other jurisdictions are, in addition to la belle province, accepting their obligations to minorities by contributing to the costs of denominational high schools.

Earlier in this session I attempted to put a question on the order paper. It was not accepted by the Speaker. The question was: Is it the practice of this government to have translated into French all Acts of this House as provided in a motion ordered in the session of 1792-94, for the benefit of the some 700,000 French residents of Ontario? It was not accepted, but it was most interesting when I was away, as I say, the Speaker in his wisdom rejected the question; but while I was absent from the House, I read that the hon. member for Woodbine had submitted a resolution on this subject. I had searched the archives and I found this extract that said in part one, page 23, 1792-94:

On a motion made and seconded, ordered

that such Acts that have already passed, or may hereafter pass, the Legislature of this province be translated into the French language for the benefit of the inhabitants of the western district (Windsor) of this province and other French settlers who may come to reside within this province, and that A. MacDonnell, Esquire, Clerk of this House, be likewise employed as a French translator for this and other purposes of this House.

So the hon. member for Woodbine had given a release expanding on this problem.

It is interesting to note also that the hon. Prime Minister (Mr. Robarts) had been to Quebec province and was there at the time of the Carnival. He also, as a guest at dinner, spoke about bilingualism in the Laurentian University, and what his ideas were about bilingualism in this province, about bilingual signs and so on, although it seems to me that there is no further question about bilingual signs. The former Prime Minister of this province said that the deletion of the word "only" in the particular clause that covered signs, meant that you could have bilingual signs in the province.

Talking about bilingualism, he referred to the bilingual university, Laurentian University. Then I note in the press that students from that university came before the commission on bilingualism and biculturalism recently in Toronto and they pointed out they were two cultures. There was no such thing as any harmonious agreement between them. The French students sat in one place, the English students in another. There was very little communication which you would call bilingual. This is a very tragic situation to me, at a bilingual university, and there should be some way that, if necessary by edict or otherwise, English students be told to sit with their French compatriots and the French with the English.

There is another strange thing, too, in the city of Ottawa. I noticed in the offices of the Ontario hospital services commission that if you speak the French language and speak very little English, you have to bring an interpreter. I notice in *Le Droit*, "ici on ne parle que l'Anglais"—English only spoken here. If you are French speaking you must bring an interpreter there if you want to be heard. A strange thing in the city of Ottawa, where there are so many French Canadians.

Recently, we have had quite a disturbance in the home of the aged at North Bay. I had asked the hon. Minister of Public Welfare (Mr. Cecile) if he would conduct an investigation of charges that were made of maladministra-

tion of the Home. He said he would not do so unless the president and the chairman of the board itself would order an inquiry. But I think in justice to the home itself; in justice to the municipalities that support that home; in justice also to those who have relatives in the home, that an inquiry should be held. I notice the editorial in the North Bay *Nugget* says it would clear the air. Also, the city of North Bay apparently supports that idea and so does the township of West Ferris.

In my home city we expect to have a fairly active construction year, but the city received a severe setback recently because of an antiquated bylaw which prevented the erection of buildings beyond a certain height. The planning board, operating on a bylaw 20 years old, has made it known that it has no other course than to reject a permit for a proposed five-storey medical centre on one of our commercial streets because it contravenes this outmoded zoning regulation. Because of previous experience and the ramifications involved in the revision of a bylaw governing buildings, a period of two years might be needed in correcting this situation, which, to say the least, is ridiculous. My fellow citizens are concerned and disturbed enough by the loss of defence personnel, and the possibility of the CNR and CPR run-throughs, to be submissive to any threat to our multi-million dollar construction programme. Already there are 17 buildings in the city more than 35 feet in height, but the city council reluctantly turned down the application.

In the past 20 years, 14 amendments have been made to the bylaw, until two years ago, the planning board were allowed to make use of certain discretionary powers to allow buildings to be constructed beyond the legal height when it was felt it might be good for a certain area of the city. Because of certain changes in provincial legislation, we no longer have the authority to break the bylaw. While the committees of adjustments may deal, I believe, with minor variances, neither the council nor the planning board nor the committee of adjustment are permitted to authorize major changes.

Of course there is always an out to this setback clause, but apparently the planners of this centre feel that if this procedure were adopted a valuable parking space would be lost. I hope that if an application comes from this city to the planning board and then on to the municipal board that quick action will be taken.

The North Bay defence installations which include the Bomarc launching pads and the

SAGE complex and the RCAF station have been in the news in recent weeks. Mr. Kenneth Drushka, writing recently in the *Globe and Mail* magazine quotes Mr. Arthur Pape, a past president of the students' union for peace action as saying:

The main interest in the community [meaning North Bay] was not one of concern for peace, but for the best economic interests of the town.

As the North Bay *Nugget* editorial queried:

Has it ever occurred to such people that the very existence of defence installations such as those at North Bay are in the interests of peace? These are the deterrents which, at the moment, are imperative in the face of aggressor nations. After all, the city of North Bay was selected as a key centre in the defence of this continent and just because it was, there was no protest staged at that time.

We welcomed the personnel of the armed services and their families. We have taken into our hearts and our city the officers and men of the United States Air Force. Not only have all these contributed to the economy of our area but they have fitted into our community life and become real citizens of our community.

May I assure this House that an area that gave so many sons and daughters to the armed services of this nation in World War I and in World War II and in Korea, with the honour roll of the fallen a long one, is as concerned as any part of Canada, and as any group in our universities or anywhere else, in its desire for peace.

We know, as the well-beloved Pope John stated to the world some years ago, "All is lost in war; nothing is lost in peace." In a sentence, Mr. Speaker, we in our area are not money-hungry warmongers.

Almost daily we find and read in our news stories about contraceptive pills or literature promoting the use of these pills or other contraceptive devices. At the present time, the Catholic Church under the order of His Holiness Pope Paul VI, is giving this problem wide and profound study and a group of people of high repute in many fields is presently studying this matter; but I point out that to us Catholics birth control is not only social in its significance, but religious and moral as well.

In the meantime, while the Church group is carrying out its duties, the position of the Church remains unchanged. I have before me a certain number of extracts from papers. One is: "Toronto Does Give Birth Control

Data"; and another says "OK Birth Control Device for Families on Welfare." Another is "A Pussy-Footing Politician" and refers, I presume, to—I do not know which politician it refers to, maybe the ones over there because they are in power and I believe that under the criminal code the dissemination of birth control data is against the law. Is that not right?

This article from the Toronto *Daily Star* says:

Toronto board of health decided "to shout out loud" and make public the fact that its health workers are providing birth control information to women who want it.

The medical officer of health, Dr. Boyd, revealed that for some time his nurses and officials have been risking prosecution by advising on birth control methods.

Section 150 of the criminal code makes it an offence to sell advertising or to give instructions about any contraceptive device.

Alderman Horace Brown is quoted as saying, "If I have to break a foolish, unnatural illegal law to do this, then I will willingly go to jail. We should tell the world what we are doing and be proud of it."

I do not know if one should be proud of breaking the law. If there is a law in the books that the people of this province think is illegal, unjust and should not be there, they should make strong representation to the federal government to have the law changed.

We—as far as the people of my faith are concerned—I think we agree, all of us, with the statement of Cardinal Cushing on birth control when he said that Catholics do not need the support of civil law to be faithful to their own religious conviction, but they do not seek to impose by law their moral values on other members of society. So as far as the people of my faith are concerned, if there is a law about birth control pills on the books that is OK; but in the meantime it seems to me to be hypocrisy to have a law on the books and do nothing about infractions.

The hon. member for Wellington South (Mr. Worton) has submitted a resolution on the order paper in regard to divorce.

Mr. Speaker, some of us in this party happen to be Catholics and have very definite ideas about divorce. But again the same principle applies. We do not want to pass, as Cardinal Cushing said in his statement, impose by law, our moral values on other members of society. I think many will agree that the laws governing divorce are very defined and very limited and the resolution

of the hon. member for Wellington South will be strongly supported, I think, by people all across this province.

Some hon. members: Hear, hear!

Mr. Troy: Again I go to my local newspapers for inspiration and I find the heading is "Hope for Better Progress in Liquor Laws." I am glad to note that the editorial writer on my local newspaper believes, as I do, that these laws are "grotesque." I must not attribute that word to the editor of the North Bay *Nugget*, the word is from a Toronto newspaper editorial, but he agrees that the description is fitting indeed.

It is encouraging that the Ontario government has let it be known, I think, that it intends to do something about the liquor laws, but I would point out that what did we do when the liquor control board came before our committee but get bogged down into such questions as the legal age at which young people would be permitted to go into beverage rooms or to consume alcohol in their homes.

We must come to grips with this liquor question, I think, and as long as liquor is government-controlled it should be controlled equably and realistically. So I certainly hope that something will be done before this session is over about liquor laws.

Again, I find that my local newspaper says that many vital debates are ahead. It is now almost Easter time and we have not yet brought before the House medical insurance legislation, we have not completed the electoral redistribution, we have not any legislation on community colleges, we have not rewritten The Child Welfare Act, or revised The Liquor Control Act, or legislation on tobacco and other very important matters—so we are getting somewhat behind.

As a little interlude here, I would like to—I do not see the hon. member for Prince Edward-Lennox (Mr. Whitney) here—but some hon. members may recall during the debates on the estimates of The Department of Tourism and Information that the hon. member for Prince Edward-Lennox posed a question to me. Now at the time I did not know what the hon. member was driving at and I informed him and the hon. members of this House, who seemingly were somewhat mystified also, that I would take the hon. member's question under advisement and would answer him later.

After reading his question later in *Hansard*, I am still uncertain of his purpose but I hope this statement will satisfy him and the

other hon. members. It had to do with the promotion of the tourist industry and he asked was I one who wanted to promote "See America First." Well, I do not promote that slogan "See America First." My general slogan to the people of this province as they consider tourist areas for their vacation is "See Ontario."

But, and it is a big but, my particular slogan coincides with that of the Nipissing regional tourist council whose slogan was blazoned at our information booth during the Canadian National Sportsman's show last month, at least in the month of February. That slogan was "Go north, go Nipissing"; and 10,000 people had shopping bags with those words "Go north, go Nipissing." I hope they go shopping up north, where nature is bountiful and the people are friendly.

I hope to see you, Mr. Speaker, and the other hon. members of the House on the route of the voyageur.

Mr. K. Bryden (Woodbine): All the Cabinet Ministers were up there to see you at the last election.

Mr. Troy: That is right. The voyageurs then had a rough time. Now, in *Hansard*, I find a question of the hon. member for Fort William (Mr. Freeman).

Mr. Speaker, I have a question for the hon. Minister of Lands and Forests. Would the hon. Minister explain to the House the reasons for his department's refusal to grant timber limits to existing and prospective new woods industries in the Sioux Lookout area?

And the hon. Minister (Mr. Roberts) answered:

I know of no refusal to grant timber licences or timber supplies to existing Sioux Lookout industries. As a matter of fact, within the immediate past Lac Seul Land and Lumber Company has obtained considerable areas to meet their requirements of its expanding modern sawmill at Hudson, ten miles from Sioux Lookout, at which plant a number of people who live in the town of Sioux Lookout are employed, I believe it is as many as 50. In the past, there has been expectation not only locally, but in our department, that a pulp and paper mill would be established in the vicinity of Sioux Lookout. However, despite most exhaustive feasibility and economic studies by the entities contemplating the mill, this has not been the case. There has been, however, considerable expansion at the Lakehead.

And he goes on and:

Supplies to meet such expansion have, in part, been provided in the Sioux Lookout area. This in turn has resulted, and should continue to result, in considerable opportunity for local employment. Curiously enough, there seems to be a shortage of labour right across northwestern Ontario at the present time which I am sure the hon. member for Fort William will be pleased about, that it means full employment.

And with regard to prospective new industry, the department is always ready and willing to do business with bona fide customers to the extent of the availability of wood.

The answer I do not think satisfies, or would not satisfy the people of Sioux Lookout, Mr. Speaker, because—I presume he has seen this bulletin from Sioux Lookout, which is dated March 22. I presume that the hon. member for Fort William sent him across that article. There are letters from Mr. Moore to the hon. Minister, and then letters to him from Mr. S. D. Saunders, the president of the Sioux Lookout chamber of commerce, then from the hon. Minister to Mr. Saunders and so on. But I will just read the final one: “coup de grâce,” it says:

As things now stand, there is a narrow 12-mile wide strip running north and south which serves as a line of demarcation between the W. A. Seaman limits to the west, and those of the Great Lakes Power and Paper Company to the east. Outside of its function as a separation between the two timber limits, it will never serve any other purpose. We have no complaint that ample limits have not been provided to keep the Hudson mill in full operation. This is a local operation and benefits the whole area, but we see no reason for the government action in granting further reserve of 4,314.6 square miles to the Great Lakes Paper Company. We have been told that this was necessary because further limits were essential to satisfy the banks who were advancing the money to the Great Lakes Paper Company for additions to the Port Arthur mill. When Sioux Lookout Forest Products asked for extended limits so that they could raise money, they were flatly refused. Why should government policy change so radically in such a short time? There must be a reason and we can only wonder as to what it is. Obviously the Roberts government believes in following Bible teachings to the last degree and we quote: For he that hath to him shall be given, and he that hath not, from him shall be taken even that which he hath.

Mr. Bryden: That is their philosophy, all right.

Hon. A. K. Roberts (Minister of Lands and Forests): Will the hon member just allow me to make a comment there?

Mr. Troy: Well, I would rather, sir, that you—

Hon. Mr. Roberts: Well, the hon. member is making a statement that needs clearing up, and one of the hon. members this morning did what I thought was a very sensible thing, he cleared as he went. I took it that he was honest in his purpose, and if this hon. member is the same perhaps he will let me clear it.

I would like to say this, that the situation in regard to the Sioux Lookout as far as the timber allocations are concerned at the present time, having in mind the overall picture, is certainly as good as it possibly could be, and should reflect beneficially to the Sioux Lookout area as well as elsewhere. A very large expansion at the Lakehead by the Great Lakes Company was entirely dependent on getting the required additional areas so that the total amount of wood that would be necessary for this expansion would be assured. That was done in the way that was indicated, part of it from areas in the Sioux Lookout district. That will reflect very definitely in Sioux Lookout itself as a result of cutting operations and shipping and work in that area, as well as elsewhere.

With regard to any other or local industry, there has never been anything refused in the form of an application for wood in that area. The whole question has been one of availability, and you cannot make wood available to more than a certain number of people in the area. The mill at Hudson has taken care, to a very great extent, of the situation, and is resulting in a larger local production than has been the case for a long time in the past.

Now, just a matter of hours ago, I received a phone call from the general manager of the Marathon Company informing me that they were about to enter into an agreement with Wellwoods of Canada Limited, which will assure some 45 million square feet of plywood a year on a \$2 million investment, to take place at Long Lac, which will benefit areas in the Geraldton district part of the north in a way that I am sure everybody will be glad to hear.

Mr. Troy: Thank you very much for your interjections there, because it gives me an opportunity then to reply later. I just want to say that this is fine, that you are expanding the Head of the Lakes area, and in

Marathon, too, but you have taken away. There is no possibility then of the small mill in Sioux Lookout, I think.

Hon. Mr. Roberts: My friend is—

Mr. Speaker: Order. I think perhaps we are getting into a discussion here when we are really on the Budget debate, and I would ask the member for Nipissing as the time is nearing one o'clock, if he would perhaps conclude his remarks.

Mr. Troy: I accept that because I am just down the last mile and you always run better the last mile. I will move the adjournment of the debate.

Mr. Speaker: I thought perhaps that if the member had just five or ten minutes he might have completed his remarks in that time.

Mr. Bryden: The hon. Minister of Lands and Forests is obeying an order—

Mr. Troy: No, Mr. Speaker, I want my hour in the sun.

Mr. Troy moves the adjournment of the debate.

Motion agreed to.

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, on Monday, we will resume the estimates of The Department of Energy and Resources Management.

Hon. Mr. Roberts moves the adjournment of the House.

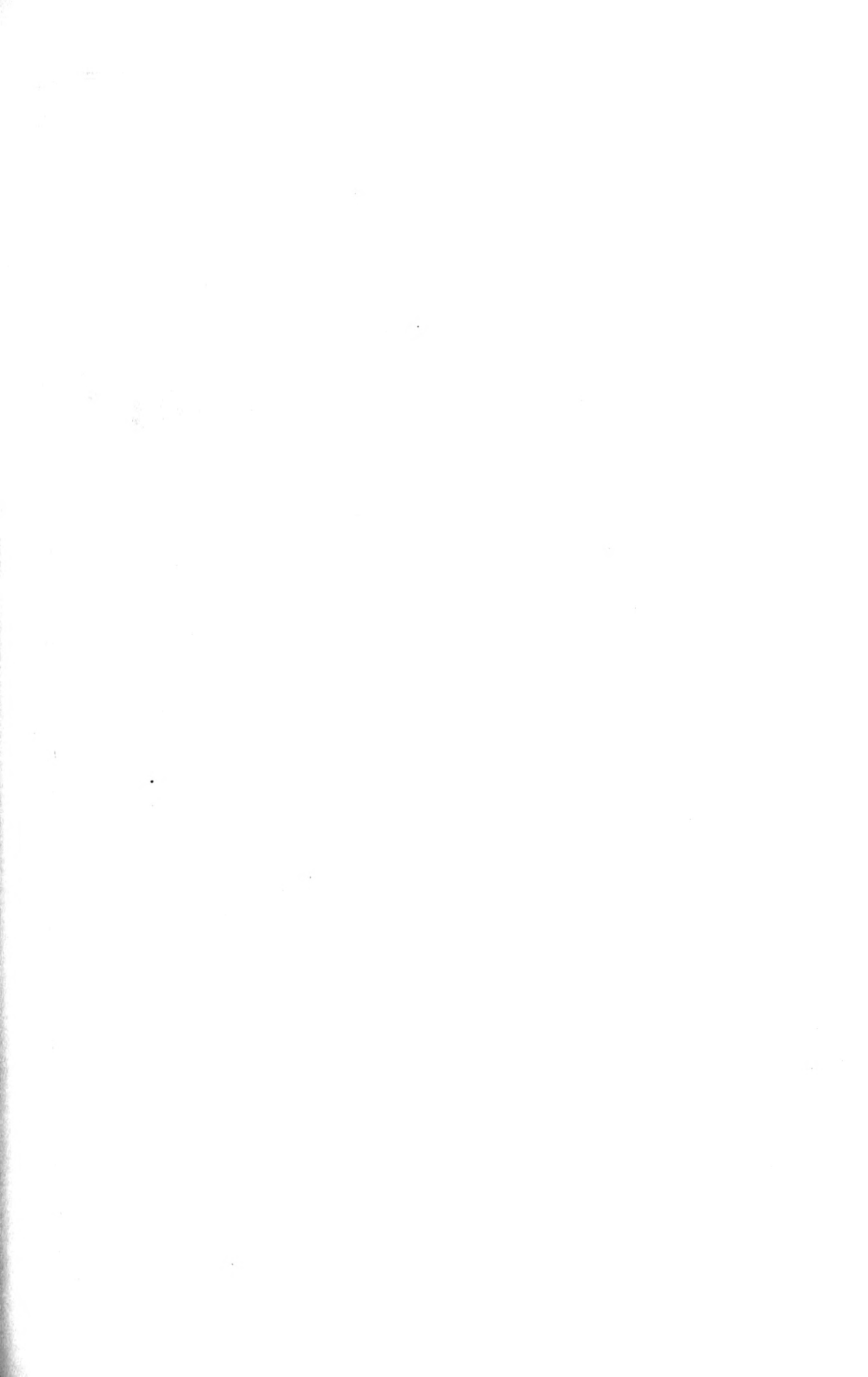
Mr. K. Bryden (Woodbine): Before the motion is put, Mr. Speaker, may I ask the hon. Prime Minister two questions? First, does he anticipate that the House will embark on any new estimates in the few days remaining next week, and secondly, what night sessions does he envisage at the moment?

Hon. Mr. Roberts: The next department after this is Economics and Development. As I see the order paper and what we have before us, I would not think that we would touch that department before the Easter recess. However, I cannot give you any guarantee, but that would be my opinion.

We will sit Tuesday night, and I am aiming at the 6 o'clock Wednesday afternoon adjournment until Tuesday, April 27.

Motion agreed to.

The House adjourned at 1.00 o'clock, p.m.



No. 73



ONTARIO

Legislature of Ontario

Debates

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Third Session of the Twenty-Seventh Legislature

Monday, April 12, 1965

Speaker: Honourable Donald H. Morrow
Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

MONDAY, APRIL 12, 1965

The House met at 3 o'clock, p.m.

Prayers.

Mr. Speaker: We are always pleased to have visitors to the Legislature and today we welcome as guests, in the east gallery, students from Riverdale collegiate institute, Toronto.

Petitions.

Presenting reports by committees.

Motions.

Introduction of bills.

THE GENERAL SESSIONS ACT

Hon. A. A. Wishart (Attorney General) moves first reading of bill intituled, An Act to amend The General Sessions Act.

Motion agreed to; first reading of the bill.

Hon. A. A. Wishart (Attorney General): Mr. Speaker, a brief word of explanation. There are two sections in the amending bill as presented; one to bring the sittings of the general sessions of the peace in Essex county from the third Monday in November to the first Monday in October. That is to have it coincide with the non-jury sittings. The other amendment is to enable the chief judge of the district and county court to require additional sittings of the court at such time as he may specify.

THE ONTARIO HOUSING CORPORATION ACT, 1964

Hon. S. J. Randall (Minister of Economics and Development) moves first reading of bill intituled, An Act to amend The Ontario Housing Corporation Act, 1964.

Motion agreed to; first reading of the bill.

Hon. S. J. Randall (Minister of Economics and Development): Mr. Speaker, by word of

explanation, this changes the fiscal year end of the corporation from April 1 to January 1 in line with the fiscal year end of Central Mortgage and Housing Corporation, with whom we are working very closely.

THE SHERIDAN PARK CORPORATION ACT, 1964

Hon. Mr. Randall moves first reading of bill intituled, An Act to amend The Sheridan Park Corporation Act, 1964.

Motion agreed to; first reading of the bill.

Hon. Mr. Randall: Mr. Speaker, by way of explanation, the tenants in the Sheridan Park corporation would like to exchange properties in some instances and it is not provided in the Act. Also, the success of selling the properties out there is to date very encouraging and we may want to option other properties at a later date. These are the reasons for changing the Act.

PUBLIC BEACHES

Mr. D. A. Paterson (Essex South) moves first reading of bill intituled, An Act to require and regulate lifesaving equipment and services and other safeguards for the public at public beaches.

Motion agreed to; first reading of the bill.

Hon. J. W. Spooner (Minister of Municipal Affairs) begs to present the third annual report of the Ontario municipal employees' retirement board for the year ended December 31, 1964.

Mr. G. Bukator (Niagara Falls): Today, Mr. Speaker, I would like to ask a question of the hon. Prime Minister (Mr. Robarts), notice of which has been submitted.

What action does the hon. Prime Minister intend to take in response to the appeal to him of the Greater Niagara ministerial association to ban racing at Fort Erie on Good Friday?

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, in reply to the question, the schedule which included this date was, of course, granted by the Ontario racing commission. It occurred only because of the lateness this year of the Easter season. Normally, Good Friday would not be involved.

However, upon checking into the matter I find out that racing is carried on pretty widely on this date in other parts of North America; and I am assured that racing will not begin on this date until after the time that the morning church services will be concluded.

Mr. Bukator: May I ask a supplementary question? Does the hon. Prime Minister not believe that this is opening the door of free enterprise just a little too far?

Hon. Mr. Robarts: Mr. Speaker, I can only say that all the movies are open on Good Friday, and every form of public entertainment that we have in this province will be operating on Good Friday.

Mr. F. Young (Yorkview): Mr. Speaker, I have a question for the hon. Minister of Education (Mr. Davis), notice of which has been in his hands for some days.

In view of the circumstances following the accident at Yorkdale vocational school recently can the hon. Minister assure the House that school principals in Ontario have full power to take whatever action is necessary in cases of emergency?

Hon. W. G. Davis (Minister of Education): Mr. Speaker, the principals do have this power presently. There is no necessity to consider legislation. The powers to look after emergencies of this nature are in the hands of the principals at this time.

Mr. D. A. Paterson (Essex South): Mr. Speaker, I have a question of the hon. Minister of Tourism and Information (Mr. Auld).

Will the hon. Minister advise if the Canadian flag is being reproduced on The Department of Tourism and Information tourist promotional literature now in production? If not, will the hon. Minister advise if this will be done in future productions?

Hon. J. A. C. Auld (Minister of Tourism and Information): Mr. Speaker, to my knowledge the Canadian flag does not appear in any of the newly produced pieces of departmental literature simply because at the time the literature went to press, most of it early last fall and winter, the new Canadian flag was not officially adopted.

I would say in answer to the second part of the question, Mr. Speaker, that it is quite likely that the new Canadian flag will appear in literature, inasmuch as the photographs and material are changed from year to year.

Mr. Paterson: Will the hon. Minister permit a supplementary question?

Would the hon. Minister consider reprinting his main folder this year, the "Friendly, Familiar, Foreign and Near" brochure that is going to the United States and having them imprinted with the Canadian flag?

Hon. Mr. Auld: Mr. Speaker, I do not know whether this is feasible, but we will look into it. I might just say that it may well be possible to circulate with the folder the new Canadian flag piece of literature which the federal government has produced.

Mr. L. Troy (Nipissing): Mr. Speaker, I have a question for the hon. Minister of Education, a copy of which was submitted last week but which he probably will be better able to answer today.

Has the hon. Minister during his term of office succeeded in recruiting research graduates at the Ph.D. master or honour degree level at salaries ranging from \$7,200 to \$5,250, according to the degree?

If he has, does he consider this salary commensurate with the responsibilities of the appointment?

Hon. Mr. Davis: Mr. Speaker, there are really two or three points to the hon. member's question. As I am sure he fully understands, recruitment is the responsibility given to the civil service commission under The Public Service Act and the determination of the salary levels are those to be recommended to the Treasury board.

Since I have been Minister, personnel of this nature have not been sought by The Department of Education, but I think I should point out that in the present competition being run for us by the civil service commission, three candidates with honour degrees, two with masters' degrees, one with a Ph.D., and one other candidate who is close to completing his master's degree, have now applied. This came as a result of this one advertisement in the *Globe and Mail*.

I should also point out to the hon. member—and perhaps this was not mentioned at the time—that the maximums, which are also of some interest in the advertisements, the maximums in these categories are \$6,300, \$7,500 and \$9,000, respectively.

Mr. Speaker: Orders of the day.

Clerk of the House: The forty-eighth order. House in committee of supply; Mr. W. G. Noden in the chair.

ESTIMATES, DEPARTMENT OF
ENERGY AND RESOURCES
MANAGEMENT

(continued)

On vote 604:

Mr. D. C. MacDonald (York South): Mr. Chairman, I have some fairly extended remarks I should like to make on this vote. I could have dealt with them in my introductory remarks, but I felt that they might come more appropriately under the estimate dealing directly with conservation authorities.

Let me, Mr. Chairman, at the outset say that I know of no one who does not support the objectives of our conservation authorities. As the agencies which are seeking to cope with the sins of omission and commission in managing our river valleys, they are, in my view, among the most important public bodies in the province today. Unfortunately, however, I think the procedures which have been used in land acquisition have created bad public relations. Even more important, I think that in the process, the basic civic and property rights of the individual have been seriously impaired. I want to review the general situation in this connection and, to begin with, I want to go back to the whole episode of the Pittock dam, the major project of the Upper Thames River conservation authority.

I recognize that the government has appointed a three-man tribunal which is going to be looking into this problem, negotiating with each of the landowners involved and making a recommendation back to the government. Our hope would be that this would provide a solution. I must say that my wondering as to whether or not this procedure is effective, has tended to grow rather than to lessen.

I recall that the hon. Minister of Agriculture (Mr. Stewart) was quite enthusiastic about this procedure when we were debating the amendment to The Expropriation Procedures Act. He said that it had worked effectively with expropriation in connection with pipelines in Middlesex and west of there, but I was interested to learn, in checking more recently in the Woodstock area, that some eight to ten weeks after this three-man tribunal was appointed by the hon. Prime Minister (Mr. Robarts), there are some people who have not yet been approached by

the tribunal; whether or not there is anything like genuine negotiations going on is a matter of personal judgment.

However, I leave that because, I think, as I stated when we debated second reading, that we would just have to wait and see what experience holds in the use of this particular kind of agency.

However, in dealing with this whole episode, I think the thing that disturbs those involved, as well as a growing number of people across the province, is the attitude of the authority involved. For example, Irwin Hartley, the Oxford federation of agriculture president, stated in the debate that took place at the Ontario federation of agriculture convention last November that the agency was guilty of what he described as "an overbearing attitude."

Stan Down, the chairman of the farmers' committee which has been battling their cause through many months, is quoted in an article in the *Rural Co-operator* as stating that the people were "bullied and threatened" by the authority.

Wilfred Bishop, director of the hog producers, and a farmer well-known in Oxford county, has contended that if they did not accept the assessed value that had been placed on their property, they were told that it would cost them some \$3,000 in legal costs to be able to appeal through to the Ontario municipal board. As Mr. Bishop stated in the debate at the OFA convention, this was nothing but a "veiled threat."

There are comments from such well-known men as Charles Munro, a farmer in Oxford county, and now vice-president of the Ontario federation of agriculture, stating that the federation had sought to make its services available to the authority in trying to resolve this difficulty as far back as a year ago. "We had never even received a reply," Mr. Munro has stated.

I raised the proposal in some of my public statements that if the government or the authority wanted to create a feeling of goodwill with the people involved, they should make available the fee appraisal figures which had been sought, somewhat reluctantly, but ultimately, by the authority because there was a bit of a cat-and-mouse game going on between the authority and the owners involved. They did not know if the prices being offered then were in accordance with the fee appraisal figures or whether they were higher or lower. The comment of the then chairman, the hon. member for Oxford (Mr. Pittock) in this House with reference to making these figures available was: "Why should we? We

paid for the appraisals. This is a private and personal matter." In other words, appraisals that were secured by the expenditure of public moneys were considered a private and personal matter, and were not made available to the people involved.

Mixed in with all this overbearing attitude—and to substantiate it I have quoted about half-a-dozen well-known and respected people, most of whom are residents of Oxford county—is another factor. This is one of the most disturbing things about this whole problem, Mr. Chairman; the authority seems to change its mind as to exactly how much land it wants in many instances and the normal difficulties of having your property taken away from you forcibly were augmented by these reversals of decision that constantly took place.

I want to put a few of these on record to show you the kind of situation that is being faced by these people. As I will point out in my later remarks, this is characteristic of the actions of those who have had to cope with the expropriating or the land acquisition procedures of other conservation authorities, too.

For example, I have here a set of, in effect, sworn statements. They are not legally sworn statements; they were prepared authoritatively by each of the people involved when this committee of farmers in Oxford county made their presentation to the McRuer commission. They point out the extent to which the civil rights of the people involved were being violated. From these statements, which are now on public record with the McRuer commission, I am going to draw the attention of the hon. members of the House to some of the things that happened.

For example, in the case of one farmer by the name of John Thornton, the first approach of the authority was to take his whole farm; the offer was something like \$40,000. On October 21, 1964, they received a letter from the Thames authority, stating that they now wanted only 90.6 acres and offering a price of \$19,500. They also wanted a 16-acre field to use as a borrow area. Quite frankly, Mr. Chairman, I do not know what a borrow area is.

Mr. W. D. McKeough (Kent West): A gravel pit!

Mr. MacDonald: A gravel pit?

Mr. McKeough: They borrow the earth from it.

Mr. MacDonald: Oh, good. Mr. Thornton was later told by the consulting engineer

that the authority no longer needed the borrow area. Two weeks later, Mr. Chairman, on November 4, they met the representatives of the authority in their solicitor's office and agreed to accept \$23,000 for the 90.6 acres. The solicitor sent a letter off accepting the deal. But within a few days, he received still another letter from the authority saying that they were reverting to their original proposal and were going to take the whole farm of 150 acres.

One of the recommendations in the Ontario federation of agriculture's resolution passed at its annual meeting was that there should be some sort of a public hearing in which an agency which was going to expropriate public lands should have to prove why they were needed, and what land was needed. I, for one, do not pretend to be enough of an expert in this to know exactly how that kind of a public hearing would operate, but I think the case that the Ontario federation of agriculture had in mind is well proven. When one thinks of the added difficulties that these property owners had by being faced with a rapid succession of changes; and, as I shall show later, these changes took place at the strangest stage in all of the negotiations, so that they never knew exactly how much of their land was going to be taken by the public agency.

For example, another case out in the Woodstock area was that of Alfons Ciskowski, who was a tobacco farmer. Here is a case of a man who was going to have—indeed, I will read the four or five paragraphs here, because this is almost unbelievable:

The land buyer from the Upper Thames valley told me they wanted 60 acres and offered \$22,000. I told him at that time that he was taking my best tobacco land and I could not consider losing that acreage with all my buildings and machinery left. The land buyer came back and said that they now wanted 80.25 acres for the same money. He said that some of my buildings would be flooded and I would have to move them. I told them if they took the best half of my 168-acre farm, then they should take all of the farm. They said they did not have to and that they could take any part they wanted. The buyer then came back and offered \$10 per acre for all the damage incurred on my farm, for all time.

In other words, a \$10 per acre payment, in perpetuity, for damage that his farm might sustain because of flooding.

I told them that one acre of tobacco was worth more each year than the entire

offer. I was told in the fall of 1964 that they had changed their mind and no longer required my land, that they would remove the expropriation order from the registry office. On checking an official map made by the engineers I find that more land than they offered to buy would be flooded, that I could not reach one field to work because of the lake created in between.

In other words, at the peak flood period, his farm was going to be cut in half by a lake.

Here the whole farm was going to be taken—there are variations in the picture, but ultimately the whole farm was to be taken by expropriation—and at some stage, it was suggested that he take \$10 per acre, in perpetuity, for the damage he might sustain. Incidentally, when he asked—this is not in his statement, but I know it from my investigations up there—what procedure could be taken if this was not satisfactory and he did not accept it, they said he would have to sue sometime later when the damage was sustained, and take his chances in court.

I submit, Mr. Chairman, that no property owner should have to contend with that kind of vacillation in policy, and that kind of treatment, from a public authority. The statement of Ross Hewitt, the key point in it, which he protested before the McRuer commission, was that he did not agree with the “big stick” methods being used—that if he did not accept the offer that was being made, he would have to go to the court of arbitration.

Here is another statement, from W. G. Goodwin. Let me quote one paragraph:

On July 17, 1964, I made a written request to the UTRCA, to retain part of my property that I felt was not needed by the UTRCA. This request was voted on by the authority and rejected. On October 12, my solicitor informed me that the UTRCA was willing to let me retain my house and the acreage not needed by them.

In other words, a reversal of policy.

But on October 21 I had found an alternative house and purchased this with possession to be taken on October 31, 1964. Since I had invested considerable money in this new location, I moved on October 31.

So here is a case of a man who asked the authority to let him keep part of his land with his home. The authority said no. He goes off and buys another house and, just as he is going to move into this house, the authority says he can have his home. I repeat,

I do not think any person should have to contend with this kind of conduct.

Let me quote from the statement of Ted C. Hewitt to the McRuer commission:

I located alternative property on March 25 and was to make a large payment on May 25. When the date for this payment arrived I tried to borrow money from the Canadian Imperial Bank of Canada on the strength of the expropriation of my land, and was refused. I then had a talk with the manager of the Canada Permanent and was told that he would not loan on the strength of the expropriation and, if I settled, he would advance the money. I had then to locate somebody to give me a personal loan. The contractor was given my house as part of his contract.

Mr. Chairman, just let me interject: While all these negotiations are going on, the seeking of alternative homes, the contractor was given his house as part of the contract with the UTRCA.

And while I was still living there people kept coming around, peering in the windows, and walking all over. I was never given the chance to purchase my house and to move it. I was told if I did not co-operate I would be evicted on 24 hours' notice.

Little wonder that responsible people in the community referred to the “overbearing” attitude.

The next one, Mary Chester:

When the land buyer arrived I asked if they would only take the land they needed and leave my buildings. There were indications that they would do this. On October 27, I visited Mr. McCall at Fanshawe and asked about keeping 40 acres and my buildings. He agreed that this was possible. On October 30, I was talking to the UTRCA officials in my solicitor's office. They offered to trade me 40 acres of land and buildings on another property for my 50 acres and buildings. I was given no time to make a decision as the buildings were to be sold the next day. When I was reluctant to decide in such a hurry I was told to get out. The buildings were sold the following day.

Well, that speaks for itself.

Finally, there is the case of Stan Down, who is the chairman of the farmers' committee out in this area and who has been leading the battle for some equity in their negotiations. I think, without reading from Mr. Down's statement, it can be put very simply.

They came to get his whole farm—300 acres. He, in the first instance, found another farm with which he was satisfied. He put a \$5,000 payment down on this other farm, to pay the rest when he actually took possession. When that date came, on May 1, he had not been able to close any deal with the authority and therefore was not in a position to make the rest of the payment. When he went back to the farmer, the farmer had come to the conclusion that the farm was worth more, so the whole deal fell through and he got his \$5,000 back. In other words, the farm, which would have been a satisfactory alternative, was lost to him because of the fact that the authority had not completed the negotiations and the farmer was still “up in the air.”

However, he then went out and found an alternative property, with a home on it. He got only two weeks' opportunity to remodel this home before he moved in, and he moved in on October 1 last year. Then, Mr. Chairman, believe it or not, after he had moved into an alternative home, which he had bought and renovated, the authority came back to him and said that he could retain part of his farm, including the buildings. And this is the proposition with which, I understand, they are insisting he must now go along.

This kind of thing, I repeat, Mr. Chairman, is absolutely intolerable in my view. And if this is the kind of thing that is happening, then I think the Ontario federation of agriculture is correct in their resolution when they say that any public authority that is going to be expropriating lands and forcefully taking lands, should have to justify the land they require through some sort of a public hearing. Then everybody will know that it is really needed, and there will not be the switching of plans with such frequency as happened in the instance of the Pittock dam project.

Mr. Chairman, I leave the Pittock dam, but not the Upper Thames valley conservation authority, for one moment; I want to place on record another instance of the kind of thing that, apparently, the authority has been guilty of over a number of years.

I have here, as a result of representations that were made to me verbally, and I sought them in writing, a letter from Mr. Ed. Bartlett, of 208 Norfolk Street, Stratford, Ontario. I am going to quote the greater part of this letter. It speaks for itself, it needs no comment from anybody else:

We owned the farm on which the Wildwood dam is being constructed. In the fall of 1960 the TVA—

These are his initials, incidentally, if I may interject, for the Thames valley authority.

—published in the local paper that they were prepared to buy land for the construction of Wildwood. The following winter they sent appraisers who came when the snow was deep. There were two different appraisals within a short time, both when the snow was deep. The first appraiser walked as far as the creek, about a quarter of a mile across the farm, and the second, W. E. Nairn, auctioneer, did not go past the house.

The findings of these appraisers were made known to us before spring, about a month after the last neighbour had received his.

The appraisals for all of the neighbouring farms varied tremendously and seemed to have no basis at all. Our next-door neighbour, Ronald Lang, son of county court Judge H. Lang, received \$28,242 for a farm that was proven, at a hearing before the Upper Thames valley advisory board, to be inferior to ours. His farm had 28 surveyed acres of impassable thorn trees and the rest of the land, for the most part, was either stoney or wet. Our adjacent farm was all cleared, had good buildings, the same acreage and was the key farm to the whole project. We were offered \$14,200, which we did not accept.

From then until expropriation was filed, the TVA did not make a further offer. On May 8, 1963, I received a letter from the former solicitor for TVA, Mr. Earl Slater, serving notice of expropriation on us. A search by my solicitor revealed that expropriation had been filed on us December 31, 1962 in the county of Perth and not served on us until May 8, 1963.

If I may just interject here, Mr. Chairman, this is another kind of procedure that I find turning up repeatedly, including the Woodbridge area of the hon. member for York North (Mr. Mackenzie), who is following this rather intently—the fact that an expropriation order is issued and the people whose land is going to be expropriated will learn of it weeks, sometimes months, later. Picking up again on Mr. Bartlett's letter:

On May 13, 1963, we received another letter mailed by Mr. Slater on May 10, demanding possession by May 15, two days later. On May 30 we were served with a notice to appear in court by June 3 for an eviction hearing, which our solicitor had adjourned to June 11. We appeared before Mr. Lang and were ordered out, with no money, by the end of June. At this hearing

we offered to let TVA move in and prepare for the dam if we could live in the house for awhile and keep two south fields away from the dam site for our stock. Mr. Slater stated that the engineers were living in a tent and needed the house. After they were out, they turned the house into offices.

Between the time of the expropriation notice and eviction we engaged Cooper Appraisals Limited, of Toronto, and they sent Mr. Anderson, a qualified appraiser, to put an independent value on our farm. He spent days when everything was growing and his valuation was \$33,200. This appraisal was done at our own expense.

Again, if I may interject, \$33,000 as compared with an offer from the authority of \$14,200.

Months after we had moved, the TVA paid to our solicitor the original offer of \$14,200 on account, so that the mortgage could be discharged. We promptly tried to get a date set for a hearing and finally got it on April 28, 1964, at Fanshawe dam board rooms. Before appearing, we got together with our solicitor and reached a compromise between Mr. Anderson's value and that of the adjacent farm and filed for a compensation of \$28,000. At the hearing on April 28 an advisory board, consisting of three members of the TVA was appointed to hear our case—Mr. Betts, a lawyer, Mr. Jenkins, a mill owner, and Mr. Lynne, a lumber dealer. The hearing lasted from 10:00 a.m. to until almost 11:00 p.m. with evidence heard from both sides. At the closing of the court, the foreman, Mr. Betts, said that they would hand a decision to the TVA within 30 days. On June 6, 1964, the Stratford *Beacon-Herald* published the fact that the advisory board had reached a decision and filed it with the TVA. The TVA said they would deal with it at the end of June and make it public.

On June 26, 1964, we received from the TVA a copy of the advisory board's findings, which awarded us \$22,000 of the \$28,000 we were seeking, but stated in an accompanying letter that they would not accept this.

Now let me pause, Mr. Chairman. The advisory board set up was made up of three members of the TVA; they come up with a figure; it is reported back to the TVA board which then refuses to accept it altogether as Mr. Bartlett said:

This, to me, is the most dumbfounding action in the entire proceedings. The hearing was tried at the expense of public funds and our own expense and the board were

all members of the TVA and yet the authority refused to abide by its own board's decision and now wants to go on to the municipal board at more cost to the public and to us. Our solicitor wrote them November 20, 1964, and asked them to get it before the municipal board as soon as possible and have heard no more.

I should add, this is as of January 9 this year. Conceivably, something may have had happened since then.

But, Mr. Chairman, or the hon. Minister of Agriculture, or anybody else in this House, whose responsibility it is surely to protect the civic rights of individuals in this province—not only their civic rights but their property rights—I defy anybody to defend that kind of treatment of an individual over a protracted period. So much for the Upper Thames valley conservation authority.

After much of the public debate and discussion that has gone on in the press, radio, TV and newspapers, Mr. Chairman, on last January 18 a committee of conservation authority chairmen met and released a statement. Mr. Chairman, this statement was apparently sent to all of the municipal officials in all of the various municipalities that are involved in any one of the conservation authorities across the province of Ontario. I found myself the recipient of many copies of this, including two or three copies from representatives in the Metro Toronto area. The thing that interested me about this, Mr. Chairman—

An hon. member: Who was on the committee?

Mr. MacDonald: It is a committee of the conservation authority chairmen. This would be all the chairmen, presumably, of all the conservation authorities. The secretary is S. Goldring, and the statement is over his name. I want to read the first two sentences of this to show you the worries of the conservation authorities. Quite frankly, I can understand their worries, because their public image, unfortunately, is being damaged. But it is being damaged because of their actions and their procedure in land acquisitions.

The press coverage of the differences between the Upper Thames authority and those owners involved in the acquisition of land for the Gordon Pittock dam project has attracted the attention of the members of the legislative assembly. This controversy is an isolated instance of dissatisfaction in the many years of the work of authorities and the many projects of inestimable good to the communities.

I shall stop my quotation there, because that is the point I want to draw to the attention of the House.

In effect, the chairmen were suggesting that what happened in the Gordon Pittock dam case was an isolated instance. Tragically, Mr. Chairman, that simply is not so.

I have quoted the case of Ed Bartlett in Stratford; I now want to draw to the attention of the House the kind of thing that has been happening in the conservation authority that I am most interested in—the Metro Toronto and region conservation authority.

I want to give to the House information with regard to the kind of thing that has happened in three areas. One is the so-called Summerville area, which is just west of Highway 27 on Dundas Street or Highway No. 5, in a bend of the Etobicoke creek. Secondly, I want to give some information to the House on the kind of thing that has happened in the Woodbridge to Kleinburg area, farther up the Humber river; and finally I want to deal with some of the problems of my own constituents in the Eglinton flats.

Dealing first with the Summerville area, I want to draw to the attention of the House two cases. The first is that of Mary and Julia Card, whose address is 2179 Dundas Street East, Cooksville. These two ladies became the owners of 6.5 acres fronting on South Creek Road just half a mile west of Highway 27 on Dundas Street, a property that had a motel on it. There was some acreage at the back which could be used and which they intended to use, for expansion of their motel site.

When they bought this property, the title was searched by a lawyer of some 30 years' experience, E. G. Black, QC. He said that the title was good; there were no encumbrances; it was zoned R-3 which would allow them to build multiple dwellings. Some little time later they went to get a building permit to carry on with their development plans, and, to their utter amazement, they discovered that unknown to them the back portion of their property had been zoned green belt.

Now, Mr. Chairman, I have come across the comment of one lawyer who was involved in many of these expropriation problems, and his comment I think is a very good one. He describes this kind of action as a "slander on the title" of the property. In other words, when a property that could be used for any other purposes becomes zoned as green belt its value overnight just dips and his phraseology is it is a "slander on the title."

When they began to inquire as to how and when the back portion of this property had, to the knowledge of no one in the area, been zoned as a green belt, they discovered, Mr. Chairman, that it had been zoned by accident. I do not pretend to know all of the details of this. It is a very bizarre set of circumstances.

Apparently the then planning director in the area had drawn up some plans including this green belt zoning and had placed it before appropriate officials of Toronto township, within which this area lies. These people were not aware of what was in the documents and they signed them. These responsible officials in the municipality first learned that they had been responsible for zoning this as green belt only when the landowners involved came to them and in effect said, "Why did you do this? How did this happen without our learning anything about it?"

To prove this, Mr. Chairman, I have here a letter which was sent by the deputy clerk, Henry E. Stewart, to Mary and Julia Card on September 25, 1963, the middle paragraph of which I will read:

As a result of the council's consideration I have been requested to write to you to point out that the township of Toronto, having zoned certain lands green belt in error, is now attempting to correct the error by changing the same lands from green belt to residential, thus placing the same zoning on the land as was on them prior to the error having been made.

So from this official document there is confirmation of the fact that this was done in error. Now, when this went to the Ontario municipal board—whether it went from the Toronto township or whether, as it did in another instance, through the Misses Card, who took the necessary action to go to the municipal board to have this zoning changed, the conservation authority—that is, the Metro conservation authority—objected to changing the green belt designation. They said they wanted to study this whole area in order to reach a decision as to what should be done with it. Despite the fact that the green belt zoning had been put on by mistake, the Ontario municipal board accepted the objection of the conservation authority.

They accepted it, Mr. Chairman, in spite of another fact; that the zoning had been done illegally. If you are going to zone, or rezone something there must be a public hearing, as all members of the House are aware, and property owners within appropriate distances from the area to be re-

zoned have to be notified. This was not done; this was not done because the rezoning was all a mistake. Yet the Ontario municipal board accepted a rezoning that was in error and was done illegally. These people have been stuck with this rezoning for the last two or three years, awaiting the study which has been completed recently by the Dillon firm as to what exactly should be done in this whole area.

Incidentally, before I leave that, Mr. Chairman, just so that hon. members of the House will catch some of the human consequences of this whole situation, I have here, in my hand, two sworn statements from medical doctors, one of them Dr. J. H. Deeth, BA, MD, at 5052 Dundas Street West, Islington, and the other one from Dr. George T. Biro of the Toronto Western hospital, stating that one of these sisters who had bought this property, namely, Mary Card, died of a stroke which was brought on in good part because of the intense worry arising out of this—how shall I describe it—schmozzle; there are many other words that might be equally appropriate.

However, I move on now to a second case in this same instance, that of Mr. Walter Dean, who has property just down the road, close to the bridge on Dundas Street, property which he is planning to use in a development in connection with his business. His problem, in its essentials, is the same as the Card sisters; namely, that he sought to have this green belt designation removed, but even though it was in error he could not get it removed.

There are one or two other interesting things in connection with it, Mr. Chairman, and these are that in a number of instances that have been drawn to my attention conservation authorities have designated an area of flood plain, an area that has been subjected to flooding with all of the consequences that it has on the depreciation of land values; and they have done it when there has been considerable evidence to suggest that they were in error. There was no serious flooding in the Dean's case or certainly the flooding could have been coped with by some minor rechanneling.

For example, Mr. Dean tells me that he has on the back part of his property a shack that does not weigh more than 1,000 pounds. He says it is an eyesore, but he has kept it there as an example of a building that went through all the fury of Hurricane Hazel and was not budged an inch or damaged a bit. Yet the land on which this shack is still situated today, has been designed a flood plain and within this green belt designation.

He also explains, for example, that the flooding over this bridge on No. 5 Highway took place only because of the fact that a little farther up the Etobicoke creek there was another bridge which had become piled up with debris during Hurricane Hazel. Finally that bridge went out and a great flood of water came down the creek and for a very short time some water flowed over the top of the bridge and the road. His contention is that under normal circumstances there would have been no flooding there at all.

Indeed, he points out that if the conservation authority or somebody were to remove the ten feet of silt that still exists under the bridge in Etobicoke creek over Dundas Street the possibility of flooding there in the future, even with anything of the proportion of Hurricane Hazel, would be removed, Mr. Chairman.

But he, along with the Card sisters, one of whom is now deceased, has been in this position now for two or three years without being able to exercise his rights in his property and proceed with business developments because the authority had opposed the removing of the green belt. They had this \$50,000 study which is now going through the process of consideration by the Metro planning board, and through the various committees and executive committee of the conservation authority. How long will it be before it will be clarified? I presume it will not be too much longer but these people have had to suffer these results.

One final point by way of evidence that puzzles people, Mr. Chairman, and appears to be very unreasonable: One of the arguments that was advanced by the authority for the necessity of keeping this as a flood plain and retaining the designation of green belt was the argument that there was not enough capacity for water to go under this bridge.

I have here, sir, a copy of a letter from J. H. Horton, a geographer with the Metro Toronto and region conservation authority, written to the Toronto planning board back on December 7, 1962, in which he points out that in their calculations as to how much water could go under the bridge they made a mistake.

He explains that the maximum discharge, based upon effective opening of 1,344 square feet, is approximately 6,800 cubic feet per second instead of 3,100 cubic feet per second as originally calculated; in other words, that the capacity for water to go under the bridge was more than twice what they had calculated. In spite of this discovery, Mr.

Chairman, the next portion of his letter goes on:

It is apparent from these figures that the discharge capacity of the Dundas Street bridge is not as inadequate as we originally thought. However, I would stress that even with the effective discharge of 5,800 cubic feet per second, this bridge would still be unable to pass maximum flood flows. The net result would still be as indicated in my letter of December 3, that is, the flooding of the whole line Dundas Street frontage due to the ponding at the bridge. Our recommendation remains the same as of December 3.

So he discovers that the capacity under the bridge is twice as much but the recommendation remains the same.

I think you will have to forgive the average man, when he hears about a correction of something over 100 per cent in calculations and yet the same decision is retained. You will have to forgive the average layman for being a bit puzzled by this kind of unreasonable approach.

So much for the Summerville area. I now want to move north to the Woodbridge and Kleinburg areas to give the House a few examples, once again, of the kind of thing that has happened. The first one is that of Ray McAfee, who is an accountant by profession, lives in Woodbridge, and who had six acres the conservation authority wanted to take.

It was five years ago, Mr. Chairman, when he was first given verbal assurances by the conservation authority that they had included a commitment for purchase of this property. During all the intervening period he was unable to get an offer from them. He was not able to do anything else with his property. In other words, it was frozen.

I was interested in a comment in the *Toronto Telegram*, attributed to the hon. Minister, some few weeks ago, where he was credited as saying he too was worried about the effects of land being frozen in this fashion so that property owners would not be able to use it.

Surveyors and appraisers began to appear on the scene last year. Three times during the last three years Mr. McAfee has had a visit from W. E. Jones, who is the director of properties with the Metro conservation authority. On endless occasions he has dropped into the office of the conservation authority, which is in Woodbridge, to seek clarification of the situation. And finally, after five years, an offer came to them for \$4,000 for the six acres.

Mr. McAfee says quite bluntly:

I am not greatly inconvenienced by this, it is not my home; it is a hillside property, I am not working it or living on it, therefore I am personally not sustaining any great inconvenience.

But he said:

They wanted the property; it was they who wanted to take it.

And they are taking it forcibly; and, after five years, they come up with an offer of \$4,000 which, in light of appraisals that he had made—which were not legal appraisals nor scientific appraisals, but comments from friends of his in the real estate and legal business—was far below what he thought it was worth.

Subsequently he got a letter from the authority confirming his verbal acceptance of this offer, and so on—and he contends that he had never accepted any offer at all. He wrote back and said that there had been no offer; and, at the moment, Mr. Chairman, they are in the process of this negotiation—if you can call it negotiation—after five years.

Here is an instance, for example, of Harry Baker, who owns Ridgeview Motors in Woodbridge. It is a body shop located along the Humber River. He received notice a year ago that he was going to be expropriated. He contacted the authority and asked what price. He could not get any commitment. They began to ask him for his financial statements so that they could make up their minds as to what offer should be made. No offer has been made yet.

But it was clear that he had to go. And a man operating a business, with clientele he has built up over the years, cannot suddenly move out without suffering some serious consequences to his business. So he started looking around. He found another garage that suited his purposes, and not too far away, in Thistletown; so he bought it. But he had to buy it by raising capital other than the capital that ultimately, presumably, he is going to get from the conservation authority. At the moment, he still has no offer from the conservation authority.

Here is a case, for example, of Mrs. Alice Sinclair in Kleinburg, whose property incidentally is designated on the maps of the Metro conservation authority as having been flooded during Hurricane Hazel. Mrs. Sinclair, in the course of her negotiations with the authorities, as I shall indicate in a moment, at one point indicated to them this simply was not correct; their map was wrong. She could get witnesses; citizens who lived in the community and had lived there for all

their lives, who went through the whole of Hurricane Hazel, were willing to testify that her property had not been flooded during Hurricane Hazel. But it is so designated, with the inevitable slander on the title.

They indicated to her, because of this map and because of some very general approaches, that they ultimately would want her property. Circumstances changed, and Mrs. Sinclair wanted to move, so she put the property up for sale. Of course everybody who came and looked at the property, and were content with it and wanted to purchase it, once they began to look into the situation, discovered that there was this slander on the title because it was designated as an area that might be expropriated by the authority. She got in touch with the authority to let them know that she wanted to get rid of it, but still got no offer. Indeed, she claims that she got no reply to many of the letters she sent to the authority.

Here is a person, with property rights and wanting to move, who is in effect "frozen," to borrow the hon. Minister's phrase, and not able to exercise her rights at all.

Here is another case, for example; that of Primo and Joe Tasca, father and son, in the Woodbridge area. Their property was expropriated last April; the action for expropriation was taken last April, but they were not notified until August, Mr. Chairman. Indeed, during the summer they got a building permit and built something on their property, not knowing that their property had been subject to an expropriation notice some four or five months before.

This is the kind of action that I mentioned a few moments ago. Why should any government body or public authority, in the quiet of night, so to speak, be able to put an expropriation order against a property and the owners themselves know nothing about it until some time later? Since then they have been negotiating but have not been able—unless in the last few days or the last week or two—to find a solution.

Mr. A. A. Mackenzie (York North): Mr. Chairman, as a matter of privilege, I might say that, in the case of Mr. Tasca, he came to me and I immediately went to the conservation authority. And I might say to you, sir, that since that time everything has been going along, I understand, very nicely. The authority is negotiating with Mr. Tasca and he seems to be quite pleased and content with what is taking place.

Mr. MacDonald: I will agree, Mr. Chairman, that at the present stage the authority—

particularly under the glare of the publicity that has been getting into the papers recently, arising from a meeting that was held by the property owners up in Woodbridge, including some of my residents from Eglinton flats—has started to take some action.

Mr. Mackenzie: Mr. Chairman, I might say to the hon. member that, immediately Mr. Tasca came to me, I went to the authority and the authority could not have been nicer to him.

Mr. MacDonald: The facts, as I put them on the record, still stand, Mr. Chairman.

Here is the case of Hugh Strachan. This is another one in which I just cannot understand how any authority has the right, legally, to do what they did. This land was taken two years ago. They have straightened the river course. Some of the land that was taken has been handed over to the York county roads department and yet, as of some four or five weeks ago, they had still received no offer at all. So that a man, in effect, has property taken, disposed of this way, cut through with the rechannelling of the river and yet no offer is made. Surely in this free country, with the protection of the law, citizens who own property should have some more protection than this. I submit to you, Mr. Chairman, that the proposals in the Ontario federation of agriculture resolution have a number of stipulations that would make this impossible, namely, that before a property owner was forced to move he would have to have some sort of an agreement. I think the OFA said 85 per cent should be paid.

One final case up in this area is that of a piece of property near Woodbridge that the authority had an option on for some time. It was valued at \$29,000 some years ago. The option lapsed. It was bought by another man who developed it into a private park. I have no idea how much money the man put into it, but certainly it is the view of people locally that he did not put anything in to justify what subsequently happened; namely, that he asked \$250,000. The authority offered \$165,000. It was appraised at \$152,000 and it went to the municipal board, which decided at \$165,000 for a property which, admittedly minus some improvements, the authority could have had earlier for some \$29,000.

I want to now come down to the final point, Mr. Chairman, in my review of what is happening in this area. I am dealing now with the protection of the rights of my own constituents; I shall not be any more, but certainly no less, vigorous for them than I

have been on behalf of farmers in the Pittock dam area, or anywhere else.

The situation, Mr. Chairman, in the Eglinton flats was created because of Hurricane Hazel. There is great argument among people in the flats as to whether or not the flooding of those flats was not the product of circumstances that could have been readily dealt with, rather than by some of the elaborate proposals that have been made since.

In other words, the bridge at Scarlett Road over the Humber River became blocked with debris. Because it backed the waters up, these moved into the Eglinton flats which, I think it can be said, are among the prize market-garden areas in Metropolitan Toronto.

As a result of this, action was taken to declare this as flood land. We then got, Mr. Chairman, into the most incredible series of applications to the municipal board in efforts to decide how this area was going to be zoned. For example, up until 1958, York township had no zoning; their first zoning bylaw came into effect in 1958. Because the confusion and the uncertainty was so great with regard to the flats, it was zoned MC2G. If you have never heard of that kind of zoning before do not be surprised, because nobody has ever heard of it before. In short, it was a blanket zoning that covered not only any kind of commercial and industrial development, but also a green belt, because of the designation as a flood area. The green belt zoning immediately slandered the title of all the properties involved. Property values, which might range from \$3,000 to \$4,000 an acre for market gardening to as high as \$40,000 to \$50,000 an acre for commercial or apartment purposes, dropped overnight. The Jane-Eglinton ratepayers' association opposed the green belt zoning, but for five years, Mr. Chairman, on a year-to-year extension basis, the Ontario municipal board upheld the green belt zoning designation while a seemingly endless series of investigations and surveys and reports were being made. Finally, in 1963, the Ontario municipal board refused to act further and its order lapsed. They were not going to extend it any more and, since then, the Eglinton flats has had no zoning at all. They are out in limbo, so to speak. Meanwhile, all planning by the property owners has been in this state of suspended animation. No building permits could be issued by York township. No owner would seek to improve his property, nor even keep up the normal maintenance that a good citizen would; what is the use of painting and repairing the property if the buildings are going to disappear? The net result was either a deliberate

or an accidental depreciation of the value. This has been going on now for seven or eight years—indeed, for ten years, if you go back to Hurricane Hazel.

During this period of uncertainty, I invite hon. members to consider the absolutely inexcusable delays to which the property owners were subjected. I want to illustrate what happened over the five-year period with one case history, that of Mr. and Mrs. Harold Wheeler, at 1160 Jane Street.

On May 10, 1960—I think this is the first date—the Jane-Eglinton ratepayers' association, over the signature of one of their officers, Mr. S. M. Silzer, at 1161 Jane Street, wrote to the authority because there had been some news in the paper regarding a decision of the metropolitan parks committee concerning the flats. The authority wrote back and this was their reply, quoting the relevant paragraph:

The conservation authority has not yet set aside any specific sum for the acquisition of the Eglinton flats. The presentation before the metropolitan parks committee was to obtain approval in principle for the project in order that the conservation authority could finalize its scheme and in this connection have valuations made on the Eglinton flats.

So there is point one, Mr. Chairman. In May of 1960, you had approval in principle of the project. Eighteen months went by. December 14, 1961, was the next time these people, all the while not being able to develop their property, nor use their property as a citizen normally would, received word from the authority, this time over the signature of K. G. Higgs, director of operations. Let me read the letter:

The Metropolitan Toronto and region conservation authority is now in a position to commence the acquisition of flood plain and conservation lands in the valley of the Humber River from a point south of the town of Weston to west of Scarlett Road, including the area known as the Eglinton flats. The authority's staff and agents are prepared to negotiate options for the purchase of these lands.

The authority is hopeful that the majority of the properties can be settled on an equitable basis and that the acquisition programme will result in a minimum of inconvenience to the landowners concerned. Owners operating market gardens can be assured that the authority will be pleased to negotiate terms over a sufficient period of time to permit re-establishment of these operations.

So there we have it. In the last month of 1961 you have the first indication that the conservation authority is now in a position to move. Well, Mr. Chairman, another 16 months went by and in April, 1963, an expropriation order was filed against these properties. Significantly, as so often happens, the people were not informed that the expropriation order had been taken out until some two months later, on June 26. I have a copy of a letter that was received by Mr. and Mrs. Wheeler from the chairman and the secretary-treasurer on June 26, a registered letter indicating that the expropriation order had been taken out some two months before that.

That is 1963. Another 18 months go by, Mr. Chairman, and on December 11, 1964, they received a letter, which reads ominously and sternly from the outset:

Take notice that you are required to deliver up vacant possession on or before the 31st day of December, 1965, to the Metropolitan Toronto and region conservation authority of the lands expropriated from you by virtue of a plan of expropriation dated 24th day of April, 1963.

So you had approval in principle in 1960, you had the first communication in the fall of 1961, you had an expropriation order in April, 1963, and you had an order to get out arriving in December, 1964, with that order to be effective at the end of 1965.

The Wheelers' solicitor wrote to the authority on December 31, 1964, within two or three weeks of the notice that they would have to get out by the end of 1965. I would like to quote that letter:

As previously indicated to you, this firm has been retained by a number of persons whose properties in the Eglinton flats have been expropriated by the authority, a schedule of our clients and the dates of registration of the plans concerned is attached hereto. More than six months from the date of registration of the plans has now expired in all these cases, and since the notice to vacate by December 31, 1965, has now been served on all persons listed in the schedule, may we therefore respectfully request the authority to serve us, on behalf of each of the registered owners, with an offer of compensation in accordance with section 8 of The Expropriation Procedures Act?

Mr. Chairman, the interesting thing is that section 8 of The Expropriation Procedures Act stipulates—this is the Act passed in 1963—that this offer of compensation must be made within six months. This is 18 months afterward—

Hon. J. R. Simonett (Minister of Energy and Resources Management): It is under the old Act.

Mr. MacDonald: As I understand it, the property owners can opt to come under the old or the new Act.

Hon. Mr. Simonett: They are under the old Act.

Mr. MacDonald: Are they?

Hon. Mr. Simonett: Yes.

Mr. MacDonald: They have been led to believe that they can be under the old or the new. I accept the hon. Minister's correction, that if you assume that they are under the old Act then they would not have to have the six months; but if they are under the new Act this offer should have been made within the six months' period. In any case they get a reply from the authority, from W. E. Jones, on January 5, 1965:

Your letter of December 31, 1964, is acknowledged with thanks. We have of this date directed our special counsel, Mr. John B. Conlin, QC, to serve notice on Messrs. John and Edward Nardilly—

This was one notification which had been missed in the serving of the notices. However here is the key paragraph:

We will be discussing the matter of compensation with Mr. Conlin sometime this week and an offer of compensation should be in your hands on or before January 31, 1965.

Mr. Chairman, it is April, and they still have not got an offer.

My question is: How long does this go on? How long do citizens have to have their properties blighted in this way, year after year, with 18 months between each step? Here they are, even with all of the pressure that has been building up, being assured on January 5 that they are going to get an offer by the end of January; and yet by April nobody has had an official offer. There have been some feelers, and the appraisers are in the field; I will concede that.

Indeed, Mr. Chairman, if you think that I am exaggerating this case, I just want to draw the attention of the House to this: People in some of the municipalities which fall under the Metro conservation authority, some officials of these municipalities who are on committees of the authority, became so disturbed that, last January, they sought to have a report from the authority on the status of their whole land acquisition programme—which property had been secured,

which property had been expropriated, and at which stage the expropriation proceedings were.

The authority has not yet provided this report; and the dismay has grown to the point, Mr. Chairman, that, at the last meeting of the Metro executive committee, it was decided, on the motion of Reeve Campbell of Scarborough, supported by Reeve Mould of York township, within which the Eglinton flats lie, that this year's grant of \$800,000 to the Metro conservation authority be withheld until they get a report on the land acquisition programme under the old Act.

Mr. A. H. Cowling (High Park): It is not.

Mr. MacDonald: Well, if it is not, it is because of a change that has been taken since the last meeting, and since I was talking to one of the controllers last night. I understand that a report is coming in on Tuesday.

Mr. Chairman, just let me say this: I do not want to see money cut off the conservation authorities. I reiterate that I do not know anybody who does not agree with the objectives of the conservation authority, including the Humber valley conservation authority, but I think I have documented a solid case that the image of conservation authorities is being seriously impaired, primarily because of their land acquisition procedures. I am desperately fearful—notwithstanding the good intentions of the Metro conservation authority to try to clean up all of these cases by this summer or by this fall, since they have given an order that these people must be out by the end of December of this year—that they are not going to be able to do it. I will tell you why: Because of the confusion in the Eglinton flats, how are you going to assess this property? How are you going to appraise this property?

Hon. Mr. Simonett: How would you appraise this property?

Mr. MacDonald: Just a minute. I have been informed, by the lawyer for this group in the Eglinton flats, that he sat down and had discussions with Mr. Conlin, the lawyer for the authority. These meetings were set up following the meeting I had with the rate-payers, and my discussions with Dr. Lord who said that he would make certain that the lawyers could get together and try to resolve some of this apprehension. I am informed that Mr. Conlin says it is impossible to come to any decision as to what value you place on the land until you get some guidance from the Ontario municipal board as to what

decision they will make in designating the land in the flats.

Is it going to be considered as market-garden land? Is it going to be considered as commercial land? Because I can tell you, Mr. Chairman, if it is going to be commercial, I can take you to a property that is no more than a quarter of a mile away to the south, up on the hill from the flats, where a builder who wants to build an apartment made an offer of \$155,000 to York township, no more than two or three months ago, for enough land to build one apartment building. I suppose it would not encompass more than an acre or two, I am not sure of the exact size of it. So if you get into apartment building, or commercial, the value is \$40,000 or \$50,000 an acre.

Mr. Conlin's contention is that, until he gets some guidance, it is going to be difficult to decide what assessment can be put on it. Indeed, the feeling on the part of some of the other solicitors is that you cannot even come to any conclusion as to what is a likely appraisal figure, until you get some guidance from the municipal board—not in one instance but in two or three instances throughout the flats—because some of it clearly may be used for road construction in the extension of Eglinton Avenue, or some of it may be used for commercial purposes. In other words, two or three different categories of land might emerge from this little area.

Mr. W. B. Lewis (Humber): Mr. Chairman, may I ask the hon. member a question? The land to which you are referring is Black Creek, I presume—and this is not an objection to what you say, it is a little further information—the land you are referring to on Black Creek, I take it, is the market-gardens flats—the low-lying flood lands? Then, in trying to compare the price of the property up on the hill to the property down below—and you did not do that but we will take an example. An Act, I believe, emanating from this Legislature as a result of Hurricane Hazel, prohibits building there in the first place, and more or less establishes the value of that land; am I right or wrong?

Mr. MacDonald: I will tell you how difficult it is to give a frank answer to this question. Let me give you one case, and this is one case in which they have got as close to an offer as any in the case of the Eglinton flats. There is a Mr. Wilson and four other men who have been in partnership for years, with six acres right at the junction of Jane and Eglinton. In 1956 they bought this, after Hurricane Hazel. They went to York township to seek a building permit to build a big

apartment building there. Because of the zoning confusion, and because of the fact that the township said, "If you wait for a couple of years, we will have completed our storm sewers and then you won't have to put in your own pumping system." As good citizens, as Mr. Wilson put it, they waited for the two years. Then they got caught in this prolonged argument as to how it was going to be zoned.

Three or four years ago, after the negotiations first started on the part of the authority, Mr. Whitewood, on behalf of the authority—and, I believe, Mr. Jones, too—came down to meet with Mr. Wilson and his partners in this promotional deal. They had asked \$150,000 or \$155,000 for the six acres which, in terms of construction of this nature, is not exorbitant—\$40,000 or \$50,000 per acre is very common now. The authority offered \$125,000; then they negotiated for a time. Then they separated and each went off into different rooms in the house and they talked it over and they came back. The authority said: "We cannot go any further than \$135,000." So Mr. Wilson and his colleagues said: "It will take years. We will have to go to the municipal board, with lengthy delays. We will accept the \$135,000."

Incidentally, they had started this meeting by saying: "Are you here as errand boys, or are you here to negotiate seriously?" They were assured by Mr. Whitewood that he was there to negotiate seriously. So they shook hands on an agreement of \$135,000.

Their lawyers sent a letter to the authority the next day seeking confirmation of the agreement. He sent another letter two weeks later. Mr. Wilson says they have never had a reply. Mr. Conlin approached Mr. Wilson and his group about two weeks ago and the offer now is either \$3,500 or \$3,700 an acre. In other words, \$20,000 for what they thought was a firm agreement of \$135,000 a few years ago.

Mr. W. B. Lewis: Who is Mr. Conlin?

Mr. MacDonald: He is now acting for the authority. He is the new solicitor; I think there has been a change in solicitors recently.

All I am saying is that the hon. gentleman may be right; that this land is being designated as green belt and you cannot now get up to these big values comparable to the ones up on the hill. But what I am relating to the hon. member is that an agreement that was reached by Mr. Wilson and his friends some three or four years ago, that they thought was a firm agreement, apparently got turned down when Whitewood went

back to the authority, because they never got confirmation of it from the authority.

Mr. Chairman, I wanted to sum up in this way: The government has brought in an amendment to The Expropriation Procedures Act which is going to inject into the existing procedures a committee of negotiation. As I said in my introductory remarks this afternoon, in reference to what is happening with the three-man tribunal out in the Pittock dam case, I reserve judgment as to whether this is going to be effective. But of this I am certain, Mr. Chairman: This committee of negotiations cannot meet the range of abuses that have emerged and have been confirmed in many instances in connection with conservation authorities.

Hon. Mr. Simonett: This is what the people want; this is what they ask for.

Mr. V. M. Singer (Downsview): The people in Metro did not ask for this at all.

Hon. Mr. Simonett: I am not talking about the people in Metro only; I am talking about the people in Ontario.

Mr. MacDonald: Mr. Chairman, let us not get the thing confused. If I may conclude my remarks. They asked for a tribunal out there in the Pittock dam case—

Hon. Mr. Simonett: In many places in Ontario.

Mr. MacDonald: But I am talking about the wide range of changes that need to be made in the expropriation procedures as have been spelled out in the OFA resolution passed at their annual convention last November.

Hon. Mr. Simonett: That is not in my department.

Mr. MacDonald: That is not in the hon. Minister's department? I am saying the government has brought in amendments to The Expropriation Procedures Act that sets up a committee of negotiations, but it ignores all these other things. I suggest to you it is just inadequate and I think that we have an obligation at this level in this Legislature to make certain that somehow or other we lay down, in the law, standardized procedures so that never again can the little people be treated in the fashion that they were at Pittock dam, they were in the case of Mr. Bartlett, they are in the case of Eglinton flats or up in Kleinburg or up in the Summer-ville area. I think this is our obligation. I can do no better, Mr. Chairman, than to quote from an editorial that appeared in the

Globe and Mail on March 9 this year. They were commenting on the hon. Prime Minister's announcement of this three-man tribunal up in the Pittock dam case. They refer to his action as not entirely legal. And then the *Globe and Mail* commented at the time:

Mr. Robarts has produced a poultice for a single sore when he should be rewriting the rules governing all expropriation in the province.

Then they point out that the amendment now before the House in The Expropriation Procedures Act does not deal with all of these other things. And they conclude their editorial thus:

Mr. Robarts should attempt no more ad hoc solutions. The method of proceeding ensures justice only for those who are organized enough to generate political pressure, or wealthy enough to finance long costly processes. The rules governing expropriation in Ontario should be so rewritten and so standardized and made so readily available that they ensure justice for all.

That, Mr. Chairman, is my plea. I submit that if you go back and read the nine-point resolution that was passed by the OFA that this is as good a basis as any for starting a discussion of all of the things needed to standardize the rules and procedures, instead of just injecting this committee of negotiations into the existing procedures. That is not adequate. I do not know whether this government can be persuaded to do it without unnecessary delay through setting up another select committee, the existence of which and the personnel of which we know nothing, Mr. Chairman, other than the fact that the hon. member for Oxford has been appointed to it—I can assure you, with the rather heated reaction of many people in Oxford county, many of them Conservatives too, because the hon. member was responsible for much of what happened up there as chairman of the authority. I plead with this government that they move at this session by amending these procedures. If we bring in a series of amendments and you want to review them to find out what will happen when they are implemented out in the country, let us select a committee to examine them from that point forward. But you have enough evidence now, as the *Globe and Mail* has pointed out, to justify action to standardize the procedures, so that people are not going to have both their property and their civic rights impaired in the fashion that they have by this experience over the past few years.

Mr. W. B. Lewis: Mr. Chairman, I am not going to discuss the merits of the suggestion of the hon. member for York South, but there is one thing I would like to tell this House, and I believe the hon. member would like to know.

I believe earlier he mentioned the Card property on Dundas Street at Etobicoke Creek. This is one property where the conservation authority is not entirely responsible for its being held up. There is going to be a new bridge and a new interchange there for Sherway. The township of Etobicoke, Metropolitan Toronto planning and The Department of Highways are all concerned before a solution can be reached for that property. I would like to make it clear that it is not entirely the conservation authority in that one case.

Mr. MacDonald: Well, Mr. Chairman, I agree and I think I suggested that the Dillon report is now going back to the planning board and I know there are going to be some changes in the highway. The perplexing thing here, Mr. Chairman, is that in some instances the conservation authority is not a free agent. For example, I think it can be said, and should be said in all fairness, that part of the reason for this prolonged procedure over the past few years, as my colleague from Yorkview (Mr. Young) pointed out the other day, is that we have got to examine ways and means by which we can get the necessary finances into the hands of the authority, so that they can buy all of the property that they need in flood plains of this nature, and not have to dribble their procedures out over ten years. If you do it over a ten-year period, inevitably the land is going to be blighted in the fashion it is, and the people are going to suffer the consequences. So the financing of our conservation authorities is a problem. I do not want to appear to be attacking conservation authorities as such, because there is no more enthusiastic supporter for them than I. But what worries me is that they are seriously damaging their own image; this is going to have consequences that will take years to catch up on. Once the public build up a prejudice in this fashion, you cannot remove it overnight.

Mr. Cowling: Mr. Chairman, one of the things about this discussion, as with so many, is that the hon. member opens up what he has to say by telling the House what a great organization operates under the conservation authorities; from then on he begins to tear the authorities apart, piece by piece.

Mr. MacDonald: That is not the case at all.

Mr. Cowling: If you are so interested in the matter of conservation, you should get some of your facts straight before you start to broadcast them here in the House. Of course, you have done that in the past, anyway.

Mr. MacDonald: Why do you not deal with the issue, instead of innuendoes?

Mr. Cowling: I think it is only fair, Mr. Chairman, after hearing this for nearly two hours, that I say something about the Metropolitan Toronto and region conservation authority, as I happen to be a member of the authority. I would not like the hon. members to get the wrong impression about the authority I represent, from what the hon. member has just said. He is speaking about a very small part of the whole situation, and a very, very small part of the great job they have done here in Metropolitan Toronto. If you will bear with me for a few minutes—we have had nearly two hours—I would like just to put you straight on the work we are doing here in the Toronto area.

The Metropolitan Toronto and region conservation authority is a corporate body constituted under The Conservation Authorities Act of the province of Ontario. Incidentally, Mr. Chairman, it was this government which originally set up The Conservation Authorities Act, not anybody else. We started the great programme of conservation authorities in the province, and I understand there are 24 now.

This authority has jurisdiction over 1,000 square miles, including and extending beyond the municipality of Metropolitan Toronto. So when you think of some of these isolated cases, Mr. Chairman—and I am not going to try to answer these specific cases, because I just am not familiar with them—but when you start to think of the few that the hon. member has mentioned, in an area that is 1,000 square miles, I think it will give you some idea that there must have been hundreds and hundreds and hundreds of these expropriations handled very adequately and very amicably.

Mr. MacDonald: What did Metro do?

Mr. Cowling: As I said, you took two hours I would like to take about 15 to 20 minutes, if you do not mind.

There are 23 member municipalities within the region, and 55 persons constitute the membership of the governing body; they are known as the authority members. These members, in addition, are divided into nine advisory boards, each of which is responsible for the study of a particular part of the work

of the authority. The chairmen of the nine advisory boards, together with the vice-chairman and the chairman of the authority, constitute the executive committee.

Conservation, in its broadest sense, is the work of rehabilitating, preserving and developing the renewable resources of a region for the benefit and use of all the people for all time. Because of the distinctive river valley system which exists in the Metropolitan Toronto and region conservation area, the authority has undertaken to procure and use the major valleys. This practice is sound, since the river valleys form river flood plains and cannot therefore be occupied by dwellings and other structures.

Flood control also falls naturally into the sphere of conservation work. In the Toronto area, due to steep gradients, rapid run-off and heavy industrial and residential development, as well as the many roads, bridges and services, the need for flood control has been very urgent.

Because of the tremendous growth in population in the area, open space has become a conservation must. Conservation areas are not to be compared with amusement parks. It is true that they are recreation areas, but no apology need be made for this admission. Conservation without people is sterile and meaningless. A nation can afford a few wilderness areas but certainly not adjacent to a great metropolitan area where land is at a premium.

Conservation also means the planting of trees and shrubs where they need to be planted. It requires thought to be given to fish and wildlife. It suggests education of the young in the ways of nature and in an appreciation of our priceless natural heritage. Without this education of the young, surely the future of conservation would appear to be bleak. Conservation can also afford to preserve a few of the priceless treasures of the past, for who is better able to do this than an authority such as this one?

The authority exists to serve the people living in this 1,000-square mile area. This population continues to grow at the rate of 65,000 a year, and now stands at 1.8 million. Almost one million people made use of the conservation areas and Pioneer Village during 1964.

I would like to repeat that, Mr. Chairman: One million people visited this conservation area. So, when the hon. member talks about the image, and the fact that some of the public may not be happy with what the authorities are doing, I think you could talk to any one of those million people and they would say they are doing a great job.

Although the authority is acquiring land at

a fair rate, the pace is none too swift. We are told now that the population of the region will be four million by the year 2,000. When one realize that the authority is the major public land assembling agency in the metropolitan region, it becomes apparent that our objective of 34,000 acres by 1980 is not too ambitious.

The authority now has 55 members—26 of these are appointed by Metropolitan Toronto and 26 by the other 22 municipalities. The chairman and two other members are appointed by the provincial government. The chairman, as you know, is Dr. Ross Lord. The other two provincial members are the hon. member for York North and myself. During the year there were five meetings of the authority, 26 executive meetings, and 39 meetings of the advisory boards and committees. The members of the authority, executive committee, advisory boards, and other committees, have given unstintingly of their time and talents in the interests of conservation. It would be difficult to find an organization anywhere which has enjoyed so much dedicated voluntary service from citizens, as has this authority.

The carrying out of useful conservation work requires money. The partnership in supplying this money is the province of Ontario and the municipalities—on a 50-50 basis for all ordinary works and the purchase of flood plain lands. In the flood control dams and reservoirs, the government of Canada enters as a partner, supplying 37.5 per cent of the funds, the province being an equal partner, and the municipalities contributing the other 25 per cent.

One of the chief assets of a conservation authority is land. Other institutions may spend millions on buildings and expensive installations, but an authority invests principally in land. Never is an authority such as ours, in a metropolitan area, able to acquire too much land. Other metropolitan centres, such as Cleveland and Chicago, have assembled from 30,000 to 60,000 acres, mostly conservation lands and necessarily valley lands and other marginal areas. This authority ought to assemble 30,000 acres for the future needs of the four million people who will be in the region by the year 2,000.

The Pioneer Village continues to be a major attraction for young and old in the metropolitan area. The attendance during the year was again an impressive figure. Many hundreds of school children could not be accommodated because of lack of time and staff to handle them. During the year an experimental craft project was tried with a number of children. Small groups took part

in such pioneer work as candle-dipping, spinning, and churning butter. I would suggest to any of the hon. members, Mr. Chairman, that they visit that Pioneer Village.

The Albion Hills conservation school continues to be most successful in every way. During 1964, 1,281 students each spent five days in residence, participating in the natural science programme. In addition, 1,171 people spent weekends at the school. All five-day weeks are booked for 1965, in addition to 20 weekends. This is the first conservation school of its kind in Canada.

The authority has accomplished its work over the years by preparing plans and then proceeding with the work as the funds become available. There are a number of plans at present and they are all being proceeded with.

The pollution control and recreation in the metropolitan area—this plan, prepared in 1963, proposes a practical scheme for controlling pollution in the headwaters of the region. It recognizes that the lower reaches of the rivers are in a so-called development area and cannot be completely freed from sewage plant effluent. It does, however, press for a high degree of treatment in this development area. The plan was presented to 17 members of the municipalities, including the metropolitan planning board, and approving resolutions were received from 14 of them. This plan has also been presented to the Ontario water resources commission and we are assured of their sympathetic co-operation.

There again, hon. members will see that the Metropolitan Toronto and region conservation authority is endeavouring to do something about this matter of water pollution.

Here is a report on the management of flood plain lands as an integral part of a comprehensive flood control plan. As we have just heard from the hon. member, some, I suppose all, of the conservation authorities are going about this matter of land acquisition on a hit-and-miss basis. I would like, for the record, to tell you, Mr. Chairman, what our authority is doing insofar as their land acquisitions are concerned.

The Metropolitan Toronto and region conservation authority has undertaken an extensive programme for the management of flood plain lands as an integral part of the comprehensive flood control plan. The purpose of this report is to review this programme in its entirety. The report outlines the rationale of flood plain land management and the historical development of the programme in the Metropolitan Toronto region;

the policies of the authority which have guided this phase of its work; the outline of the legislative controls; the acquisition of flood plain lands; and how the programme is financed.

The Metropolitan Toronto and region conservation authority has jurisdiction over 1,000 square miles, including the drainage basins of the Etobicoke creek, Mimico creek, Humber river, Don river, Highland creek, Rouge river, Petticoat creek, Duffin creek and Caruthers creek. These river valleys are characterized by steep gradients with an absence of natural storage areas; and, as a result, floods are a regular occurrence, caused from: spring floods, severe summer thunderstorms, and hurricane storms in late August to October.

All of these river valleys have, under natural conditions, developed flood plains. The flood plains of the valleys consist of those areas adjoining the river or stream which have been, or may hereafter be, covered by flood water.

Man's occupancy of the natural storage areas of rivers has resulted in damages from floods causing loss of life, loss of goods, and disruption of communities. Invasion of flood plain lands by man has created the need for a variety of flood control measures. The need for such programmes is greater in areas of intensive urbanization, such as Metropolitan Toronto.

Historically, the flood plains of the rivers in the Toronto region have been subject to encroachment from the earliest times of settlement. The early pioneers developed the resources of the river for the production of power for operating mills, and for communities which were spawned around these mills. The town of Brampton, and the villages of Bolton, Woodbridge, Stouffville, and Pickering, are examples of encroachment on flood plain lands which date back to the pioneer period. Many communities in Metropolitan Toronto, such as Weston, Lambton Mills, Summerville, and York Mills, are early encroachments which have been embraced in urban growth.

The historical record of floods of these early communities is well documented and substantiates that the flood plains of the rivers in the metropolitan region have always been subject to inundation and that this phenomena will continue to occur. In fact, the rate of occurrence and intensity of floods will increase as natural storage areas are replaced by houses, industries and pavements.

The more recent encroachments on flood plains have been much less justified than the

pioneer developments and are mainly the results of poor planning and inadequate legislative controls. Examples of these encroachments were: the cottages at the mouth of the Etobicoke creek at Long Branch; the Raymore Drive area on the Humber river; the cottage development of the Highland, Rouge and Duffin creeks—parts of which have now been removed, or are in the process of acquisition and removal. Encroachments of the flood plains is still taking place and will unquestionably continue to take place in the rapid expansion of these Metropolitan Toronto areas.

These encroachments, however, are of a somewhat different nature and are taking place as a result of thorough studies, and are subject to legislative controls. These encroachments consist of roads, sewers, bridges, parks, telephone and gaslines, and other essential urban services.

The Metropolitan Toronto and region conservation authority has developed logical and rational policies for the management of flood plain lands as an integral part of a comprehensive flood control plan and has co-operated closely with the various municipalities, planning boards, and government agencies in the development and implementation of this programme.

The conservation report concerning the—I am not going to read all of this, gentlemen, it might take a little too long—

An hon. member: Go ahead.

Mr. Cowling: If the hon. member says so, I will.

While I am going through some of these pages I cannot help but think of the other side, when they get up and read these reports and go on for two and a half hours and then, at the same time, say that the legislative programme is not moving along fast enough. How they can talk for hours and hours on end and then have the legislative programme continue apace, I have not been able to find out in all the years I have been here.

Mr. MacDonald: What is the hon. member talking about?

Mr. Cowling: I am talking about the way you members talk; that is what I am talking about.

Here is the statement of policy; this is the one.

The authority, in 1961, adopted a statement of policy on flood plain and conservation land. This statement was published and circulated to the member municipalities and the planning boards. The policy, with respect

to the acquisition of flood plain and conservation lands as stated in this report, is set forth herewith:

The policy of the Metropolitan Toronto and region conservation authority is to acquire the flood plain and conservation lands in the downstream sections of the main valley systems under the jurisdiction of the authority. The authority is of the opinion that, for adequate control of these lands for flood control and conservation purposes, it is essential that they be owned by a public agency such as the authority. The ownership of these lands therefore ensures their proper use in order that the objectives of the authority can be achieved.

The flood plain and conservation lands and public ownership can be used for other than flood control and conservation purposes, for they provide an opportunity for the provision of public open space and recreation facilities that are an essential feature of every urban development.

The authority has acquired major acreages of flood plain land in the main valleys within Metropolitan Toronto and proposes the extension of this plan to cover the lower reaches of all the major water courses under the jurisdiction of the authority.

These lands have been acquired under what is known as the water control scheme. The scheme set forth the lands to be acquired, the estimated cost of the acquisition, the purpose for which the lands were to be used, and the scheduling of acquisition. The majority of water control schemes adopted to date have been in the municipality of Metropolitan Toronto, and this municipality has been designated as the benefiting municipality and required to pay 50 per cent of the cost of the acquisition of flood plain lands. The province of Ontario contributes the remaining 50 per cent of the cost. Under the provisions of the agreement entered into on June 14, 1961, between the authority and the province of Ontario, the authority will acquire an additional 7,600 acres of flood plain land over the next ten years. The cost of this land will be shared equally between the authority and the province.

In addition to the acquisition of flood plain and conservation lands, the authority is responsible for the undertaking of conservation measures required for the control of stream bank erosion and for the development of watercourses for flood control purposes. Some water control schemes include these works as part of the scheme, whereas others are undertaken as addi-

tional schemes after the lands have been acquired and developed for the purposes of recreation.

In many instances, municipally owned lands are included in water control schemes. The policy of the authority and the province of Ontario is that where municipally owned lands are within a scheme, they must be transferred to the authority for a nominal sum. The province of Ontario will not pay grants for municipally owned lands included in water control schemes. Most municipalities within Metropolitan Toronto and, in several instances, outside Metro, have co-operated with the authority in the transfer of these lands to the authority. The authority assumes all survey and legal costs involved in the transfer of municipally owned land.

I think that sets out the policy, Mr. Chairman, as to what our authority is endeavouring to do insofar as The Land Act acquisitions are concerned.

There is one other part here which is of interest. It is headed:

MASTER PLAN FOR FLOOD PLAIN AND CONSERVATION LANDS

The authority adopted a master plan for flood plain and conservation lands at a meeting in February, 1962. The plan was submitted to the province of Ontario for approval in principle, and thus has been the basis of the authority flood plain land acquisition. The following is a summary of the pertinent sections of this report:

All land falling within the definition of flood plain and conservation lands has been mapped and classified in one of the following classifications based on the ownership:

(a) Authority-owned lands—lands already acquired by the authority in connection with the water control scheme.

(b) Public lands—all publicly owned lands other than those already acquired by the authority. This includes lands owned by the municipalities and departments or agencies of the province of Ontario and the government of Canada.

(c) Semi-private lands—all lands held by private corporations such as hospitals and golf courses, which are available for open space type of use by some segment of the general public. Under their present use, these lands are not proposed for acquisition.

(d) Private lands—all lands under private ownership which are proposed for acquisition for flood control and conservation purposes.

The following table provides a breakdown of the acreage of each of the four categories of property on a watershed basis:

Master Plan:
Acreages of Flood Plain and Conservation Lands

Watershed	Public	Private	Semi Private	Authority	Total Acreage
Etobicoke	662	1,413	330	8	2,413
Mimico	316	555	132	—	1,003
Humber	667	1,774	266	271	2,978
Don	1,485	790	700	518	3,493
Rouge	157	1,185	11	40	1,393
Highland	247	570	219	377	1,413
Duffin	102	1,158	56	—	1,316
TOTAL	3,636	7,445	1,714	1,214	14,009

The totals will give you an idea of just how much is going to be taken over.

In summary and conclusions:

The management of flood plain land as an integral part of a comprehensive flood control plan is absolutely essential in the Metropolitan Toronto region, one of the fastest-growing urban areas on the North American continent.

The Metropolitan Toronto and region conservation authority, in co-operation with the municipalities and the government of the province of Ontario, has developed rational policies and a logical programme for the management of flood plain lands in the Metropolitan Toronto region, consisting of:

- (1) Regulations controlling the dumping of fill and construction of flood plain lands.
- (2) A programme of acquisition that is essential to ensure that flood plain lands will not be encroached upon in the future.
- (3) An ancillary programme for the development of flood plain lands for outdoor recreation.

The authority, since the signing of the flood control agreement on June 14, 1961, has proceeded to acquire the flood plain lands as proposed in the flood control plan, to the extent of \$3,789,107.18, and to date has acquired 3,152 acres. At the present time, there remains to be acquired 4,293 acres of land.

The pressures for the acquisition of flood plain lands have been very great and, as a result, the authority has found it essential to make commitments beyond what it had previously scheduled to acquire at this particular time. The financing of the acquisition of flood plain lands is further complicated by the fact that the government of Canada did not agree to contribute to the acquisition of flood plain land and,

as a result—from the financial standpoint of the authority—there is a deficiency of funds available for the purchase of flood plain land. Due to the dynamic growth of Metropolitan Toronto and because of the vulnerability of those low-lying lands to periodic flooding, it is unquestionable that the pressures for the acquisition of flood plain lands will continue for the next few years until the majority of the lands have been placed in public ownership. In reviewing this matter, the authority is absolutely confident that its programme is right, and considers the solution to the problem of acquisition of flood plain lands has a top priority.

In reviewing its plan for flood control and water conservation at a meeting held on November 12, 1964, the authority respectfully requested the province of Ontario to assist in finding an immediate solution to the problem, and at this meeting adopted the following two resolutions:

1. The authority request the province of Ontario for a grant of 75 per cent of the cost of the acquisition of flood plain lands.

2. The authority request the province of Ontario to totally finance the acquisition of flood plain and conservation lands to the extent of funds provided in the plan for flood control and water conservation, and to provide for an extended period of repayment of the authority's share on a basis similar to the government policy for small dams and reservoirs as recently announced.

Mr. Singer: What date was that resolution?

Mr. Cowling: November, 1964.

Mr. Singer: And what has the government done about the resolution?

Mr. Cowling: They are working on it.

Mr. Singer: Oh, I see.

Mr. Cowling: What I wanted to say, Mr. Chairman, was to outline the Metropolitan Toronto and region conservation plan and policy for acquiring the lands. I do not say that, in the past, all the acquisitions have been right, that all the dealings have been the way they should be, but I think that in addition to some of the problems they have had, that the authority has made great strides in our province. It is a very easy thing, Mr. Chairman, to tear down and to criticize. I think the hon. members would like to know how I feel about the great job this metropolitan authority is doing here for the citizens of this area and for citizens of all Ontario, as far as that is concerned. Just remember that there were over a million people who visited this area because of this programme.

Mr. F. Young (Yorkview): Mr. Chairman, I think the hon. member for High Park has presented to us a picture of what the Metropolitan Toronto and region conservation authority is trying to do and the good job it is doing. I do not think he has answered the fundamental question of the urgent necessity of financing in order to build up the kind of funds which can, I think, go a long way towards solving the problem which the hon. member for York South mentioned.

Mr. Cowling: I will let the hon. Minister answer it.

Mr. Young: In the report which has just been read, this line is included "on this basis of financing over the ten-year period there is a deficiency of money in the amount of \$7,552,680." This sum is entirely for flood plain lands. In other words, if the Metropolitan Toronto and region conservation authority is going to acquire the flood plain lands which are on the programme for this ten-year period, this extra amount of money must be found somewhere. I think that this government ought to address itself to that problem, particularly in view of the fact that even this programme over the ten years is not going to be adequate. There is great urgency today, as I tried to point out to this House, because building is going forward at a rapid rate. Land is now available at reasonable prices and, while it is true that many municipalities are trying to acquire this land, they are not able to acquire it rapidly enough. I was on a municipal council which was active in this field and over the years. We tried to acquire, and succeeded in acquiring valley land through that township. We paid some-

thing in the order of \$1,000 per acre and we worked it through, very largely, the five per cent land which we were entitled to. We bought other land as well. This was turned over on the basis, which the hon. member for High Park has stipulated, of the dollar. In other words, it was contributed to the authority on this basis. I think this was good business, so far as the municipality was concerned. Some municipalities are co-operating in this way, but others are not. The time is here when we have to face the facts that we are either going to acquire this land now, or we are going to pay much higher prices in five or ten years from now. Or that land is going into other uses, such as institutional, which we see already, and commercial uses of various kinds, private parks and all the rest. If this happens, the land may well be lost forever as far as Metro is concerned. Now I think the government must face this fact and must immediately address itself without delay to the problem of finding the money whereby not only Metro can acquire the land, but much of this irritation, which has been outlined by the hon. member for York South, can be eliminated and ended forever.

Mr. G. W. Pittock (Oxford): Mr. Chairman, I first would like to say thanks to the hon. member for York South for advising me that all the Conservatives in Oxford county are against me because of the Pittock dam and to go along—

Mr. MacDonald: That is not quite what I said.

Mr. Pittock: It was meant that way—with the hon. member for Yorkview in connection with the amount of money that is required. I am not only thinking now of the money required to purchase flood plain land within Metro Toronto, but I am thinking of money required to purchase source water areas and swamp land throughout the province of Ontario. I believe this is just as important as the green belt areas of the urban centres, and maybe more important when you consider water supply in many of the rural areas, where small reservoirs will be the only means of supplying water to small centres and to the agricultural industry.

I know that on some of the watersheds there are thousands of acres of this type of land that could be purchased immediately if the money was available. I think this is a matter of finding some means of providing either the money, or the credit for the authority to secure the money, and go out and get the property.

I would like to mention, too, the 800 volunteer workers in the 34 authorities across the province of Ontario. We have talked of the group in the conservation branch, the staff of the branch, which has done an excellent job. I believe there are about two more people in the branch today than there were in 1947 when we had only two authorities, as compared to the 34 today. We need more staff; we need more help across the province, in every one of the authorities.

Getting into the other area of the Pittcock dam at Woodstock and some of the accusations and allegations and other things; the statement was made by the hon. member for York South that Mr. Munro had offered the services of the Ontario federation of agriculture and these had been refused or had not been recognized. I would just like to say to the hon. members that Mr. Munro and Mr. Don Middleton of the Ontario federation of agriculture property department attended a luncheon with the hon. member for Middlesex South (Mr. Olde) and myself the day the letter was sent out by Mr. Middleton and at that time they were assured that fee appraisals would be arranged in the Woodstock area.

I would also like to point out that in the case of the Stanley Downs farm, which has been referred to many times in many write-ups and referred to here in the House, this is a piece of property representing in the area of 300 acres. I do not have the exact acreage here. However, we required something in the area of about 137 acres of river flats, which was pasture land. I believe anyone here will agree the acquiring of 137 acres of pasture land off a farm of that size will upset a dairy operation. We felt it was necessary to purchase the whole farm because of destroying the dairy operation.

However, after the plan was filed the owner undertook to cut down all the mature timber in the woodlot of 37 acres, which was intended as a natural wildlife area at the upper end of the lake as a part of the development of the park. All of the mature timber was cut out of that woodlot. In addition to that, the survey of the engineers to relocate the CPR was carried through another section of that farm and the bench marks were cut down and it had to be re-surveyed.

The hon. leader of the NDP has mentioned several times the fact that we had fee appraisals and people were short of money. The Act said that we were required to pay 50 per cent. We allowed and paid 85 per cent in every case where we were unable to reach an agreement for purchase.

One of the things I think the hon. leader of the NDP has forgotten to mention is the fact that after the fee appraisal was asked for the 85 per cent we had paid on that particular farm was in excess of the amount of the fee appraisal. These are things that are sometimes passed up, for some reason or other, or maybe forgotten.

The hon. member for High Park has mentioned the acquisition of flood plain land. There are other authorities with similar projects acquiring flood plain land in all of the urban centres of the municipalities which they represent and I think that we should move on this as fast as possible.

On our particular watershed, representing Oxford county which is one of the counties in the 1,325 square miles of our watershed, the run-off of our watershed since January 1, is approximately ten times the amount of water we would be able to use in 1965. This is not unusual, this is about the normal run-off; but this year we have had an extra runoff and on March 25 we heard some remarks made by the representatives of the western counties relative to flooding at the mouth of the Thames. In the survey of the Upper Thames it was found that we required 110,000 acre feet of storage to prevent flooding in the city of London and the municipalities of the Upper Thames.

In 1946 a vote was held which included all of the municipalities from the mouth of the river to the upper reaches. That vote was defeated because it was felt by certain representatives of the western counties that if London city was protected the lower reaches of the river would be protected without cost. This has not proven out in exactly that way, although I feel it could have. Had we had all the municipalities with us we would have had this work completed much sooner.

We have now completed the construction of about 60,000 acre feet of that 110,000 acre feet of storage and have another 13,000 to 14,000 acre feet under construction. This, along with another dam north of St. Mary's and approximately 100 sites for small reservoir storage, would complete the 110,000 acre feet of storage required on the Upper Thames.

I think that if we could some day bring together the municipalities of the Lower Thames and the municipalities of the Upper Thames into a complete unified group we would have a much better job; there is no doubt that we are supplied, on the Thames watershed, with ample water year by year if we will conserve what we have. This, I can say, should be of benefit to everyone the

full length of the river, from the upper reaches and all the tributaries in all of the streams of the three branches of the river.

I would like to compliment The Department of Agriculture on the job that they are doing so far as farm pond programme of construction is concerned. At the time the farm pond programme was transferred to The Department of Agriculture from the conservation branch I felt it was a setback because this was an important part of the conservation programme. However, The Department of Agriculture has been moving along and doing an excellent job in building farm ponds and as I understand it many ponds are being built in areas other than those covered by the conservation authorities.

Mr. Chairman, I would like to make these few remarks to acquaint hon. members of this House with the fact that we are sure we have enough water if we will arrange to conserve it and use it where and when we need it.

Mr. A. E. Thompson (Leader of the Opposition): Mr. Chairman, we have heard considerable criticism of the methods of expropriation. All of us on this side of the House have been concerned about abuse with respect to individual farmers whose land is being expropriated.

We have also been deeply concerned with what we feel has been the most awkward position in which the hon. member for Oxford has found himself. He is in the position of being a member of the Legislature as well as being chairman of a local conservation board; and he is in this awkward position because when there is an expropriation procedure, the local people would want to turn to an impartial member of Parliament who stands, as the hon. Prime Minister himself has said, as an ombudsman, a guardian against the injustice of big government to the individual. Here was the unfortunate situation of the hon. member for Oxford wearing two hats, being both a member of Parliament and the chairman of the expropriation board.

We notice—although he has resigned as chairman—that he has not resigned from the board; and it is on these two counts that I would ask the hon. Minister to tell us what is the government's policy.

You have listened to complaints from us, and from the hon. leader of the New Democratic Party, with respect to expropriation. You, I am sure, have heard complaints with respect to this awkward position in which the hon. member for Oxford found himself—and he has resigned but is still on the board. Is

that satisfactory to you? Is this a policy which you would continue, where a member is also part of the board of a conservation agency?

Hon. Mr. Simonett: Mr. Chairman, the answer is definitely "yes"; he may serve on a board, if he so desires.

Mr. Pittock: Mr. Chairman, I would like to say that on March 12 I resigned as chairman of the authority and also as a member of the board of the Upper Thames river conservation authority. I am not a member of the Upper Thames river conservation authority. And I would like to say that, also—hon. members may be interested to know—since I resigned on March 12, I have had the same number of contacts from the citizens as before: absolutely none.

Mr. Thompson: Mr. Chairman, I am interested in the answer of the hon. Minister.

I assume then that there might be a situation where any member of this Legislature, particularly government members, may serve as the chairman of the local conservation authority as well as being a member of Parliament. Does the hon. Minister see no difficulty or conflict in this?

Hon. Mr. Simonett: Mr. Chairman, as far as I am concerned, and I think I speak for the government, there is no conflict of interest serving on a board. Many of our hon. members are serving on many boards; there are many Opposition members serving on boards.

Mr. Thompson: Can the hon. Minister tell us which boards? Would he clarify that?

Hon. Mr. Simonett: The conservation authorities have nothing to do with this government—the actual work of the authorities.

Mr. Thompson: Would the hon. Minister name some? He infers that many—

Hon. Mr. Simonett: Many of them serve on different boards.

Mr. Thompson: Name one.

Hon. Mr. Simonett: I wonder, Mr. Chairman, do they serve on hospital boards? They serve on many boards they could serve on; club boards, many things, Hydro boards—

Interjections by hon. members.

Mr. H. Worton (Wellington South): This brings about a question I would like to ask.

When the hon. Prime Minister set up this tribunal to appraise or look after the conservation problem with regard to the Pittock dam, how many occasions had this been asked for before by conservation authorities?

Hon. Mr. Simonett: Mr. Chairman, to answer the question, I cannot say how many times, but I know that during the past year many landowners, whose land had been expropriated, have mentioned to me that they would like some tribunal to at least be a mediator between the expropriating body and themselves, to see if they could arrive at a price before a decision was made that they must go directly to OMB.

Mr. Worton: Has the hon. Minister done this?

Hon. Mr. Simonett: We have not done it before; this is the first in conservation authorities.

Mr. Worton: This is the thing that concerns me. I opened up a Department of Public Works report and I saw that the same gentleman who was appointed in the Pittock case has appraised some 94 properties in the past year to the tune of nearly \$2 million. What concerns me is why this gentleman was not brought in earlier, rather than have all this conflict going on.

Hon. Mr. Simonett: Of course, Mr. Chairman, The Department of Public Works appraisers were appraising for that department and that department only.

Mr. Worton: It says a conservation authority, Mr. Chairman—Appraisals, conservation authorities, 96 parcels, to the tune of \$1.9 million.

Hon. Mr. Simonett: Mr. Chairman, The Department of Public Works reviews all appraisals before a plan is finalized and we okay it for grant purposes.

Mr. L. Troy (Nipissing): Mr. Chairman, is the hon. member for Kent West a member of the Upper Thames conservation authority, or was he? Lower Thames, pardon me.

An hon. member: He has resigned.

Mr. Troy: He has resigned, has he? Thank you.

Mr. MacDonald: Mr. Chairman, I was very interested in the comment of the hon. member for Oxford that he has resigned from both the board and the chairmanship. I think perhaps he is wiser in that action than the

hon. Minister in his statements; and I suggest that maybe his stand might be examined by the hon. member for High Park. Whatever the hon. member for High Park may say, the abuses are not just isolated cases. The rights of a good many individuals have been seriously impaired. When one presents it in a quietly documented case, and in the context of the whole job of the conservation authorities, the hon. member gets up and forgets about the rights of individuals which have been encroached upon and goes into what he chose to believe was a defence of the conservation authority, by reading from its annual report or something of that nature.

In other words, you had a beautiful example right there, of this member who should be protecting individuals against the threats of unnecessary invasion of their rights by the Crown, or agencies of the Crown, and who was neither conscious of that invasion or willing to stand up and speak on its behalf.

Mr. Cowling: Just a minute, Mr. Chairma, what about my question to the hon. member? You just do not brush that off and go on with what you are going to say. My question was: In the years I have been here, and a few years before the hon. member was in the House, have you ever heard me not defend the rights of the individual at any time—the so-called little man?

Mr. MacDonald: Right. I can not only cite the example of this afternoon, but I can cite the rights of the little man that are being downtrodden on car insurance every day. You get up and defend the car insurance companies—

Mr. Cowling: If you would give me about 15 minutes, I would be glad to defend—

Interjections by several hon. members.

Mr. MacDonald: Mr. Chairman, I would like to put a question to the hon. Minister. He has said relatively little with regard to this whole discussion this afternoon. His comment was that changing The Expropriation Procedures Act is really not his responsibility; presumably it is the hon. Attorney General's (Mr. Wishart's).

Would the hon. Minister agree that the underlying principle upon which the expropriation legislation is built is that the individual whose property is being expropriated shall not come out of it poorer than when he went in? In other words, he shall not be out of pocket. I listened to the hon. member for Oxford on "Country Calendar"

and, in his own words, he said, in effect, that this is the basic principle of the law. Even in the present administration of the law, what I cannot understand is why you will not be disturbed by the fact that time after time individuals are coming out poorer. They try to get an equivalent property. Take the Eglinton flats group again. Try to find for these people, for example, an equivalent farm of market-garden land like those they have there, with all of the advantages of being down close to markets, labour supply and everything else. The authority is coming up with a figure that is going to leave them out of pocket in re-establishing themselves in a comparable kind of pursuit; I think it is true again out in the whole Woodstock project. There are numbers of instances; our friend Alfons Ciskowski, the tobacco grower, is going to be out of pocket, and yet nothing is done about it. The principle of your legislation is not upheld.

Mr. W. B. Lewis: Mr. Chairman, again back to "he goes out poorer than he came in." I take you back to the terrible days of 1954 and Hurricane Hazel when Ramore was wiped out completely. The people who were left alive found their houses were demolished. They were compensated, I think you will agree with me, equitably. You are vitally concerned with the properties inside the Metropolitan Toronto conservation authority—you do not say that, but I think that is what you are thinking about. I think the hon. member for York South will find that if you continue to say that the people will not come out poorer than they went in, I do not think you have any problems there. I am referring to Black creek.

Mr. MacDonald: Well, I hope you are right.

Mr. R. F. Nixon (Brant): Mr. Chairman, I would like to ask the hon. Minister what facilities he has in his department for supervising the activities of the various authorities? How much is left to their discretion, and does he have inspectors who go around to see from time to time what the state of their business is?

Hon. Mr. Simonett: Mr. Chairman, we have a field man, but we do not have one with every authority. We have a field man who looks after, perhaps, two or three, if it is a small authority. We do audit their year's work. Of course, as you know, as a department we do not get into land acquisitions, and that portion of their operations. As I just told the hon. member, The Department of Public Works approves of the appraisals

for grant purposes and then all authorities are audited by our department.

Mr. Nixon: It seems to me that the hon. Minister, or a least the conservation branch, must assume some of the responsibilities for the difficulties we have been hearing about this afternoon and which, apparently, are going to continue. That is, in the month-to-month operation of the authorities, and the overall plan that the authority may have for the acquisition of property; the development of flood control dams and recreation facilities should, surely, come under the general survey and consideration of the department, or at least the conservation branch. I was wondering if there was any plan to increase the number of inspectors that would be available. Even if on an advisory capacity, there should be some uniformity in these various authorities.

Hon. Mr. Simonett: Mr. Chairman, when you come to land acquisition and appraisal there is no uniform method to use. I think you would agree with me. Take, for instance, a family living on a farm in a home that is in the third generation. How does an appraiser start to work? Is he going to take the value of the house as he sees it? The value per acre of land? Yet to the man living there, it has a lot more value than any appraiser could see in it. This is the point that the hon. member for York South was coming to. How do you arrive at an appraisal satisfactory to the owner, and still to the keepers of the public purse? There must be a way in which we have to negotiate. Do you think that the government should administer the conservation authorities, do all the administration work, and then say to the municipalities: "We will collect so much from you or from the authority?" If you think that would be good business, I doubt if the municipalities would go along with that. They are putting up some of this money and they like to feel that they have their authority. The same is true in reverse. I think I would have to agree with them and I think you would as well. If you take the work from the members of conservation authorities throughout Ontario today—and there are many who, for very little remuneration, are doing a good job for the area they are in—they are doing a good job for this government; we could not hire that kind of person without spending a lot more money.

Mr. Nixon: Mr. Chairman, I feel that if the departmental inspectors were on the job, it would be possible for them to advise the branch and get them working in co-operation

with the local authority before the situation blew up into the proportions that we had in the Upper Thames authority. I do not believe, at the present time that it would be advisable for the government to take over the direct responsibility of the development of a conservation authority. But, as in many other departments, they have abdicated almost all their responsibility. As a result of this, we have the difficulties which have been discussed here this afternoon.

Now, if inspectors are there for any purpose at all, it would surely be to keep an eye on the development in the authority, so that you can step in as the Minister and give some assistance without having to wait until the chairman is in a real mess—

An hon. member: Hear, hear.

Mr. Nixon:—and you have to take him into the back room of your office and tell him to straighten it out one way or the other, and send down a so-called special tribunal. There is surely some more efficient way short of that in which the hon. Minister can assist in the development of conservation without taking over the complete responsibility.

While I am on this subject, I would like to know what your inspectors tell you about the working out of the problem in the Grand valley, involving the duplication of authority in our conservation commission and conservation authority. I know I have asked about this several times, but I would like to hear from the Minister about the state of this problem at the present time. It has been hanging fire for a number of years, and through the jurisdictions of a number of Ministers. In our area we are interested in what leadership the hon. Minister is going to give in solving the problem.

Hon. Mr. Simonett: Mr. Chairman, may I say that it is just over one year ago since I became the responsible Minister for conservation authorities. Since that time, I have met several times with the Grand valley commission and the Grand valley authority. I have received, within the past week, a brief from the Grand valley conservation authority.

Mr. Nixon: The past week?

Hon. Mr. Simonett: Within the past week. I have been in touch with them and advised them that as soon as this House rose, I would get both parties in and discuss both briefs in the hope that we can arrive at one authority. I would say to you, sir, if you think I am Superman or anything like that, you do not push people around and tell them to be where you want them to be on certain

days, especially this type of people. They like to have a couple of weeks to think about it. I will say that negotiations are going along well. I would ask you to leave it with us for another year. If we fail then, I would be very happy if you would get up and criticize us.

Mr. Nixon: Actually, this was discussed when your immediate predecessor had the responsibility; he gave me a similar answer, which I did accept at that time, that it was under consideration and that he had every expectation that something would be worked out. Well, nothing has been done. I certainly would not stand here and imply that you were a superman. Even though you have not been able to do it in a year, I would expect that within another year something would be done.

Now both of these organizations act with authority given to them by legislation from this chamber. I would not suggest that we would take the step of simply removing one of the laws that actually brought them into operation, but they do double up on their responsibilities. I feel there is a real vested interest in both sides to maintain their own authority and it is going to take, perhaps not a superman, but a Minister with initiative and authority to get those men together and work out the problem.

Mr. J. P. Spence (Kent East): Mr. Chairman, a few days ago we received the Lower Thames valley conservation report which I looked through just a little while ago. It is a very fine report.

As the hon. Minister is aware, there was flooding on the Thames in March this year. Of course we heard different reports.

In 1947 there was quite a flood on the Thames river. I was a member of county council at that time. The county council of Kent set up an ice jam committee and set aside so much funds for this committee to hire an ice breaker to break the ice jam at the mouth of the Thames in Lake St. Clair and this, we thought, averted a number of floods. Since this conservation authority has taken over they did not have any authority to hire this ice breaker, although we understand this year they went ahead and hired an ice breaker.

Could the hon. Minister inform us if there are funds available, or can an authority hire an ice breaker; because, as we look through this report, ice has been one of the factors that has caused flooding in many years. There were rumours or reports around that they could not. We would like to know, Mr.

Minister, if there are funds available under this authority to hire an ice breaker when there is flooding at the mouth of the Thames.

Hon. Mr. Simonett: Yes, Mr. Chairman, there were funds available, up to \$8,000. Made up of \$4,000 from the government and \$4,000 from the authority.

Mr. Singer: Mr. Chairman, some of the things that the hon. member for York South was complaining about involved, substantially, dealing with properties which the conservation authorities are forced to expropriate but on which they could not take any action. This has been a long-heard complaint and it seems to be continuing, notwithstanding the best desires and intentions of the authority to take up the lands as they have money available.

I was particularly interested when the hon. member for High Park happened to read that there was a resolution passed in December of 1964 by the Metro conservation authority outlining the fact that the Metro conservation authority recognizes full well this difficulty and recognizes full well that individual property owners are suffering because of the action they have been forced to take. So the conservation authority comes to the government with this resolution and says: In order to enable us to do our jobs properly will you make financial arrangements to allow us to do it?

I have not heard from the hon. Minister that any consideration has been given to this resolution. I would like to know whether the government is ignoring the resolution or whether, in the words of the hon. member for High Park, it is looking into it. The government is always looking into everything; but if the government is concerned about alleviating individual hardship then I would think the hon. Minister would be prepared to announce that he has taken some action in connection with this request.

Hon. Mr. Simonett: Mr. Chairman, may I say that the government is not ignoring the request of any authority to check into their grants. I might say we have not made any change in the grant schedule right now. I think if the hon. member listened to the Speech from the Throne, and I have said it here and the hon. Prime Minister has said it, that we are going to set up a committee to study The Conservation Act. Surely—we have lived with it now for ten years—surely we can wait another eight months and see what they have to recommend. I would hope that, being a select committee, they will hear from

these people who have problems, they will hear from the conservation authorities, they will hear from the municipalities and then come out with recommendations. I am sure that this government will study them and do something about this problem.

Mr. Singer: The hon. Minister apparently was not listening too closely to the resolution, or it has not come properly to his attention. The request was not for additional grants. The request was for a method of temporary financing in order to enable them to acquire these lands and alleviate the hardships on the individuals who were being hurt by the present actions of the conservation authority.

Hon. Mr. Simonett: We still have to change the Act. It is the same thing.

Mr. Singer: I wonder how long one has to look. When are enough years enough? What is enough pain and difficulty in individual hardship and suffering?

In every one of these fields we get another promise that another committee is going to be set up which in due course will bring in a report which is going to be investigated by another committee, which in due course will bring in another committee's report. We had one this morning, a brand new one we did not even know existed. Apparently there is a committee of anonymous Cabinet Ministers who are going to investigate The Liquor Licence Act.

Hon. Mr. Simonett: Has this anything to do with this vote?

Mr. Singer: We could not even find out who was on that.

Hon. Mr. Simonett: Has this anything to do with this vote? Let us get on with the vote.

Mr. Singer: No, no!

There are all sorts of committees investigating every sort of thing, but we never get any action. It must be obvious to the hon. Minister that these individual hardships do exist; and that when a person owns a piece of property on which an expropriation notice has been filed he is suffering if he cannot deal with this, if he cannot sell it, if he cannot use it for building. If the conservation authority has not got the money to take it away from him, then the individual is suffering. Surely the hon. Minister should have something more concrete than he has given us this afternoon to answer the resolution the hon. member for High Park read into the record a little while ago.

Mr. Troy: Mr. Chairman, I was quite surprised to hear the hon. Minister say that he saw no conflict of interest when a member of the Legislature is also a member of a conservation authority. It seems to me that would create great problems as to how a person could properly represent the authority and at the same time represent his constituents. Apparently the hon. member for Kent West and the hon. member for Oxford must have seen such possibilities and realized they could not represent their ridings properly as members of the authority.

Mr. McKeough: Mr. Chairman, on a point of personal privilege, the hon. member for Nipissing is impugning motives to me which are just not there.

Mr. Troy: What motives? I just said apparently the hon. member for Kent West saw the possibility that there might be a conflict of interest, that he might not be able to represent—

Mr. McKeough: Mr. Chairman, on a point of privilege, I saw no such possibility at all.

Mr. Troy: The fact is that he quit; and the fact is also that maybe he saw he could not possibly represent his constituents. I agree with others that have felt rather amazed that the hon. Minister would not see any conflict of interest.

Hon. Mr. Simonett: Mr. Chairman, I said before there is no conflict of interest as far as we are concerned if a member feels that he wants to devote his time here and not to another board. I think that should be his decision. I might say to the hon. member for Nipissing that the people in Nipissing did not think that he represented them very well the other night when he spoke about tearing up the tracks to Moosonee.

Mr. Troy: Who was the hon. Minister's informant? He said that the people of Nipissing did not think very much of me—

Hon. Mr. Simonett: I read it in the paper this morning.

Mr. Troy: I read in the paper the statement of the acting chairman of the Ontario Northland Railway. Naturally, he was—

Hon. Mr. Simonett: Does the hon. member think that they like it?

Mr. Troy: I do not know!

Hon. Mr. Simonett: I do. I was talking to some of the people up there and they think it is a bad idea.

Mr. Troy: That is all right. The hon. Minister took the wrong time to make mention of that anyway.

Mr. K. Bryden (Woodbine): Mr. Chairman, I think it should be said that the people of Nipissing thought quite a lot of the hon. member when in the last election the government sent about half the Cabinet up there to tell them to elect somebody else.

Some hon. members: Hear, hear!

Mr. Thompson: Mr. Chairman, we on this side know of the sincere interest in conservation held by the hon. member for Oxford over a number of years. I would like to know from him: Was it a conflict of interest which made him resign from this area in which he had a real interest, which made him decide that he could not do both jobs? Am I correct in assuming that?

Mr. Pittock: Mr. Chairman, I certainly did not resign because of any conflict of interest.

Mr. Thompson: But I asked, sir, why the hon. member did resign.

Hon. Mr. Simonett: Mr. Chairman, that has nothing to do with the estimates.

Interjections by hon. members.

Mr. Thompson: I wonder if the hon. member would clarify for the House why he did resign.

Mr. Pittock: Because of personal reasons, and because I found I had many other things to do.

Mr. D. A. Paterson (Essex South): On vote 604, Mr. Chairman: I have tried to follow these debates as best I could but there is one area here which I am not sure has been covered. Apparently back on October 17, in the press report, the 32 conservation authorities in force at that time asked the province to provide interest-free loans to speed up authority land acquisition, mainly because their zoning was not effective enough and that because of lack of funds, they were losing certain lands. What action has the hon. Minister taken on this particular request?

Hon. Mr. Simonett: Mr. Chairman, I think that point has been covered, several times this afternoon. The government has not taken any action at the present time but we are hoping that some action will be taken as soon as we get some recommendations from a select committee that is going to be appointed.

Mr. Paterson: I would like to ask a few questions regarding erosion. I believe that is under this vote.

Last year in the House it was reported by the hon. Minister of Mines (Mr. Wardrope) that no more permits would be issued for taking gravel out of Lake Erie. At the time of this statement, he indicated that there were four permits in existence; is this situation still in effect, and when do these permits expire?

Hon. Mr. Simonett: Mr. Chairman, I am unable to answer that question; it should be put to the hon. Minister of Mines.

Mr. Paterson: On January 26 last, at a meeting of the Essex-Kent regional tourist council, it was announced that the geography department of the University of Western Ontario would make a study of Lake Erie's erosion problem and make recommendations for a more realistic utilization of the shore line. Is this department helping finance this proposed study, and are the department's statistics and facilities available for the study?

Hon. Mr. Simonett: Mr. Chairman, the answer is "No." We are not financing any study.

Mr. Paterson: Mr. Chairman, is the department considering studying erosion problems? Last October, to follow up on this, the federal authorities approved an expenditure of \$100,000 to carry out investigation and preventative work to control erosion on the east side of Point Pelee national park. Has this department ever made similar funds available to study specific areas suffering serious erosion problems?

Hon. Mr. Simonett: The answer is "No."

Mr. Paterson: Never in Scarborough Bluffs, nor anywhere there?

Hon. Mr. Simonett: No.

Mr. Paterson: Last year I attended a meeting in the hon. Minister's office, with the hon. member for Kent West and representatives of Essex and Kent counties, concerning erosion. It was suggested at that meeting that ARDA become involved in this programme. Has the hon. Minister had any talks with the federal ARDA authorities concerning erosion problems?

Hon. Mr. Simonett: Mr. Chairman, the answer is "No." I would think, though, that the hon. Minister of Agriculture has no doubt discussed this matter with the federal ARDA authority.

Mr. Paterson: At that same meeting we were discussing the problem of erecting groynes or similar structures along Lake Erie in particular, and there was a great amount of difference in the estimates per hundred feet for these groynes. Has the hon. Minister done any further study in this regard, to come up with proposals for municipalities as to the cost of doing this type of work?

Hon. Mr. Simonett: Mr. Chairman, I am not sure that I got the hon. member's question. Is he talking to me about erosion now? Are we coming up with a programme to share with the municipalities? The answer is "No."

Mr. Paterson: Is the hon. Minister doing any study in this regard, to make recommendations to the municipalities?

Hon. Mr. Simonett: The answer is "No."

Mr. Paterson: One last problem in my area, which is not in a conservation area: There are several streams in which there is a great deal of bank erosion. Is there any one department in the province which is responsible for this, or is this strictly a municipal problem? Who has the authority—

Hon. Mr. Simonett: The hon. member is talking about local streams, I take it. I would think it would be the municipality, or the property owner through whose property the stream flows.

Mr. B. Newman (Windsor-Walkerville): Mr. Chairman, I have one further question, and that is concerning the conservation of Peche Island in the Detroit river. Has this department made any study toward the eventual conservation of the island as a wildlife sanctuary?

Hon. Mr. Simonett: The answer is "No."

Mr. Troy: In section 6 of this vote I noticed, "Grants to Municipalities for Municipal Camping Areas." A couple of years ago the government provided \$200 million to cover the period of the next 20 years, for the purchase of shore line, and other lines needed for outdoor recreation. Would the department of the hon. Minister have anything to do with the administration of those funds?

Hon. Mr. Simonett: That comes under The Department of Lands and Forests.

Mr. Newman: Mr. Chairman, does the hon. Minister co-operate with The Department of

Education in attempting to sell conservation to the students at our secondary schools?

Hon. Mr. Simonett: Yes, we are co-operating with anyone to sell conservation at any time—not only with The Department of Education but with anyone.

Mr. Newman: Has the hon. Minister's department issued any pamphlets to the boards of education of any municipalities, so that students could be made more aware of the need and values of conservation?

Hon. Mr. Simonett: Mr. Chairman, at the present time we are not issuing any pamphlets. I think two or three, or several, years ago there was an extended programme; and it was thought by someone a couple of years ago that we should cut out some of our publications.

We have some money in our estimates this year to increase that, and we are planning on, I believe, two films under The Conservation Authorities Act—two different films which we hope to produce this year in order that we might sell conservation to groups and schools.

Mr. Newman: Will the department assign someone to go around with the films? I am particularly interested in the secondary school level.

Hon. Mr. Simonett: Yes, this will be done through our field staff and conservation authorities.

Mr. Thompson: Mr. Minister, I was interested in your reply that you co-operate with everyone. Could you tell us how you co-operated during the past year with The Department of Education? What specifically did you do in the past year?

Hon. Mr. Simonett: Mr. Chairman, what specifically did we do in conservation? I doubt if there are too many people in Ontario not sold on the idea of conservation. Our field staff is out there; they are holding meetings; they are out in the province of Ontario holding meetings. The Department of Lands and Forests are holding meetings, talking about conservation. The only point when we sell as a conservation authority is when someone asks us to form a conservation authority within their area. But I doubt if there is anyone in conservation, or Lands and Forests, who is not selling the idea of conservation—or even anyone in this government.

Mr. Thompson: Yes, but you are not answering my questions.

Hon. Mr. Simonett: Yes, I am.

Hon. W. A. Stewart (Minister of Agriculture): Mr. Chairman, I will answer the question for the hon. leader of the Opposition—

Mr. Thompson: Thank you.

Hon. Mr. Stewart: —because I can name specific illustrations, if he wants it.

Mr. Thompson: Good, I hoped the Minister could.

Hon. Mr. Stewart: I am sure the hon. Minister knows this, because he authorized it to be done.

Mr. Thompson: Why did he not say it then?

Hon. Mr. Stewart: This is in the particular authority of which I am a party resident. The high school students are taken out on tours by the conservation authorities branch, are given tours on erosion problems, as was mentioned by the hon. member for Essex South. They are given tree-planting demonstrations, they are encouraged to plant trees on their own farm. This is an integral part of the conservation authorities branch in the department of my hon. friend the Minister and The Department of Education, right down the line.

Mr. Thompson: I am delighted to hear that.

Hon. J. P. Robarts (Prime Minister) moves that the committee rise and report progress.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of supply begs to report progress and asks for leave to sit again.

Report agreed to.

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, tomorrow I would like to deal with second readings of government bills on the order paper, House in committee of the whole House for certain bills that are there and when that is complete we will return to these estimates.

I move the adjournment of the House.

Mr. K. Bryden (Woodbine): Mr. Speaker, before the motion is put, may I ask the hon. Prime Minister if he still plans that there will be some discussion of the report of the select committee on municipal law before the Easter recess?

Hon. Mr. Robarts: I was not aware of any particular desire for this to be debated immediately and I had not really planned for it prior to the Easter recess. We have ample work to keep us going here until the Easter recess. If the hon. member would like an assurance that it will not be called prior to Easter, I would be happy to give it to him.

Mr. A. E. Thompson (Leader of the Opposition): May I ask the hon. Prime Minister, will we be sitting earlier on Wednesday

morning? Will there be a night session on Wednesday?

Hon. Mr. Robarts: I will be in a better position to answer that question tomorrow. If we can finish without a night session, there will not be one, but I would like to have the flexibility to continue on Wednesday evening if it is necessary.

Motion agreed to.

The House adjourned at 6.05 o'clock, p.m.



No. 74



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Tuesday, April 13, 1965

Afternoon Session

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LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, APRIL 13, 1965

The House met at 3 o'clock, p.m.

Prayers.

Mr. Speaker: We are always pleased to have visitors to the Legislature and today we welcome as guests, in the west gallery, students from Oak Park junior high school, Toronto and St. Raymond's separate school, Toronto; in the east gallery, Riverdale collegiate institute, Toronto.

Petitions.

Presenting reports by committees.

Hon. A. A. Wishart (Attorney General): Mr. Speaker, I have received, from the joint committee on legal aid the report which I have the honour to table at this time. In doing so, I should like to make some reference to the committee. It may be helpful if I briefly summarize the views and conclusions which are set out in the report.

I should like to say, Mr. Speaker, that much credit is due to my predecessor, the hon. member for Grenville-Dundas (Mr. Cass), who appointed a joint committee on legal aid in July, 1963. The committee was composed of members of the law society of Upper Canada, nominated by the treasurer, and of members of the civil service of Ontario, appointed by the Attorney General. It was, therefore, a joint committee of the government and the law society of Upper Canada. The appointees of the Attorney General were as follows: William B. Common, QC, then the deputy Attorney General for the province of Ontario, as chairman; Mr. Merion Borczak, the director of welfare allowances of Ontario, from The Department of Public Welfare; Carl E. Brannan, secretary of the Treasury board of the government of Ontario; and R. A. Cormack, QC, of the criminal law section of The Department of the Attorney General.

The members nominated by the treasurer of the law society of Upper Canada were: Gregory T. Evans, Esq., QC, of Timmins, Ontario, a bencher of the law society. I

should mention here that Mr. Evans, as he was then, was later appointed a judge of the Supreme Court of Ontario and was replaced by Mr. Ralph D. Steele, QC. Another member appointed by the treasurer of the law society was Mr. Isadore Levinter, QC, of Toronto, a bencher of the law society and chairman of the legal aid committee of the law society; and, in addition, Mr. Robert Frank Reid, QC, of Toronto. The law society made available to the committee, Mr. Andrew Lawson, QC, barrister and deputy secretary of the society, who acted as secretary of the committee. The change in the personnel of the committee was caused by the appointment of Mr. Evans in November, 1963, to the Supreme Court of Ontario; and he was succeeded by Mr. Ralph D. Steele, as I have mentioned.

The terms of reference of the committee were as follows:

1. To inquire into and report upon the existing Ontario legal aid plan.
2. To investigate and report upon legal aid and public defender systems in other jurisdictions.
3. To consult any person, organization or association, and to receive their views and proposals regarding legal aid.
4. To conduct public hearings and receive deputations, briefs, and representations in respect of legal aid in all its aspects.

The committee held public hearings in major centres throughout Ontario. There were 90 written submissions received in reply to a questionnaire sent out by the committee and many eminent persons appeared before the committee at its invitation.

Information on legal aid was obtained from other Canadian provinces; from England, Scotland, Australia, New Zealand, and other Commonwealth countries; from the United States of America and elsewhere; and many publications were studied. Members of the committee visited the states of New York, California, Illinois, Maryland—and England and Scotland—in order to study the actual working of legal aid systems in those places.

The committee took part in a conference of 33 county and district directors—that is, directors of counties operating the legal aid plan in Ontario. The conference was held under the auspices of the law society and represented the whole of the province of Ontario.

It is apparent, I think, at once to anyone observing the report and perusing it, that the committee has worked very well and most faithfully. Its study of this matter of legal aid is perhaps one of the most thorough and comprehensive studies ever done on the subject and I commend it to all hon. members of the House. I feel confident, from my own perusal of it, that it will be a landmark in this field and in this subject of legal aid.

A great deal of credit is due to the members of the civil service of Ontario who served on the committee, and we are greatly indebted to the members of the law society of Upper Canada who contributed greatly to the work of the committee.

The report, Mr. Speaker, concludes with a section known as part IV, which is a summary of the views and conclusions arrived at by the committee and these views and conclusions are stated as follows:

1. The present plan of legal aid in Ontario should be discontinued.

2. A new plan of civil and criminal legal aid should be established embodying the following features:

(a) The financing of the plan in all its aspects should be borne by the provincial government.

(b) The administration of the plan should be the responsibility of the law society of Upper Canada.

(c) Lawyers participating in the scheme should receive remuneration on the basis of 75 per cent of a solicitor and client bill, in both civil and criminal proceedings.

(d) Lawyers involved in the administration of the plan, namely, the local committees, should be compensated on a fair and reasonable basis.

(e) Administrative personnel should be paid, whether full or part time and whether they are or are not lawyers.

3. The administration of the plan suggested should be done by the law society and the views are as follows:

(a) A separate legal aid department should be established by the law society with a provincial director as its head.

(b) Local legal aid committees with local directors should be appointed by the law

society throughout the province; such local committees and directors should be separate from the local law associations; the administration of the plan should be the responsibility of the provincial director through the local directors and their committees.

(c) An independent advisory committee representing the bench, the bar and the public, should be appointed; the functions of the advisory committee would be to advise the provincial director from time to time and to consider and comment upon the annual report of the law society in respect to legal aid.

(d) The law society should make an annual report to the Attorney General on the operation of the legal aid plan, which report should be tabled in the Legislature.

(e) Provisions should be made for an independent audit of the operation of the scheme; it is suggested that the audit be conducted by the provincial auditor or by a private firm of auditors.

4. Legal aid in civil matters.

Under that heading, these views and conclusions:

(a) Legal aid in civil matters should be available in all courts including the division court.

(b) The exclusions now existing under the voluntary plan should be continued, subject, however, to the removal of the present bankruptcy exclusion.

(c) Domestic proceedings and other matrimonial causes should be specifically included.

(d) Subject to the discretion of the local director, legal aid should be available in: the family court, the administrative tribunals, and in bankruptcy matters, as mentioned above.

A fifth area is legal aid in criminal matters and the views and conclusions stated under this heading are as follows:

(a) Legal aid in criminal cases should be available for all persons charged with indictable offences.

(b) Applications for a sentence of preventative detention should be specifically included—for example, habitual criminals and dangerous sexual offenders.

(c) Subject to the discretion of the local director, legal aid should be available: In summary conviction cases under the criminal code and under provincial statutes where, upon conviction, there is the prospect of serious loss of liberty or economic

jeopardy; in cases where the applicant has been previously convicted, provided that the local director is satisfied that the particular circumstances justify the granting of assistance, and in the juvenile court.

The next area is headed "Appeals," and the conclusions with respect to these are as follows:

6. (a) Legal aid in both civil and criminal matters should extend to all proceedings by way of appeal, including such matters as: certiorari; motions of quash; habeas corpus; prohibition.

(b) Appeals would include appeals to: The Court of Appeal for Ontario; the Supreme Court of Canada; a county or district court judge hearing an appeal by way of trial de novo; a Supreme Court judge; and proceedings in the nature of appeals to, or from, administrative tribunals.

(c) Where legal aid has been granted in either civil or criminal proceedings in the court of first instance, it should be extended to appeal proceedings subject to the approval of the local committee; an appeal certificate should only be granted in those cases where there is a reasonable probability of success.

(d) In considering the question of appeal, the appeal committee should consider: A written statement of the prosecutor or plaintiff's counsel; and a written statement of the defence counsel or defendant's counsel; where no counsel appeared at trial, the committee should consider whatever information it is able to acquire.

(e) An appeal should lie from the local appeal committee to the provincial director against the dismissal of an application for an appeal certificate.

(f) Where an appeal certificate is granted, a transcript of the evidence should be furnished without charge subject to any order of the appeal court which might permit less than a full transcript.

(g) Legal aid in appeals should not be restricted to cases where legal aid was granted in the first instance; where, in the first instance, a lawyer had been privately retained, legal aid should be granted for an appeal, if eligibility could be established.

The next area deals with the financial eligibility of an applicant and the conclusions are stated as follows:

7. (a) In both civil and criminal matters, the applicant for legal aid should be required to pay what he can; free legal aid should be granted only to those who can demonstrably pay nothing.

(b) The question of financial eligibility should be determined by The Department of Public Welfare who should designate eligible persons in accordance with the ability of the applicant to pay part or none of the cost of the proceedings; the department should not be restricted by pre-existing categories or financial limitations but should be free to determine, according to formulae developed by the department, who are eligible for legal aid on a free basis and who should be required to contribute part of the cost of proceedings; all questions relating to a maximum contribution, and the payment of contribution in a lump sum or by instalment, should be determined by the department.

(c) In criminal matters, legal aid should be granted immediately on application without any eligibility test; thereafter, eligibility should be inquired into if there is an adequate opportunity for an investigation into financial circumstances; if there is not, legal aid should continue to be granted on a free basis unless it becomes apparent that the applicant is able to pay the whole or a part of the cost, in which event the welfare authorities should be called upon to make an investigation; where adequate opportunity does arise during the course of criminal proceedings, an investigation of the same type carried on in civil cases should be carried out by the welfare authorities.

(d) In civil cases, once the applicant has established financial eligibility, the local committee would then be in a position to consider whether a certificate should be granted, and this question should turn on whether the applicant has, in matters of first instance, a reasonable cause of action, or, in matters of appeal, there exists a reasonable probability of success.

The next heading is entitled "Volunteer panels," under which is the conclusion:

8. The law society should be requested to organize and supervise panels of lawyers who volunteer to participate in all or part of the legal aid plan, both civil and criminal.

The next heading is "Freedom of choice of counsel"; it is the view and conclusion there, as follows:

9. (a) The principle of freedom of choice of counsel should be maintained in that applicants in both civil and criminal matters should be free to choose among the lawyers appearing on the panels; and

(b) It should be made an offence for any lawyer, save the provincial or local

directors, to do anything directly or indirectly to influence a choice of lawyer by a person to whom a legal aid or defence certificate has been granted.

The next heading is "Remuneration for lawyers"; conclusions are stated as follows:

10. (a) Lawyers affording legal aid services should be compensated on the basis of 75 per cent of a normal solicitor and client bill, excluding disbursements.

(b) All civil legal aid bills should be submitted to taxing officers for taxation on this basis and, if necessary, a solicitor and client tariff should be established.

(c) Criminal legal aid bills should be settled by the provincial director to whom, at the end of the case, the lawyer should send his file and a detailed statement of the services provided.

(d) The guiding principle which should be adopted in respect to remuneration in both civil and criminal cases is "fair remuneration for work necessarily and reasonably done"; the law society should be requested to develop a tariff applicable to criminal matters for the assistance of the provincial director.

(e) An appeal should lie from the provincial director to the taxing officer at Toronto; and

(f) The advisory committee should be empowered to review the policy of the provincial director regarding criminal legal aid accounts.

Under the heading "Advice," the following conclusion was determined:

11. Legal aid clinics should be discontinued and a provision for advice under the proposed plan should be similar to that under the legal aid and advice plan in England; to entitle an applicant to such advice, he should be required to make a declaration as to his entitlement.

The conclusion, under the heading "Public defender," reads:

12. A public defender system should not be established.

Under the heading "Immediate legal aid," we have the following:

13. A duty roster of solicitors should be established in all areas where jails or lock-ups are established and a sufficient number of solicitors should be on call after business hours to meet the demand for legal aid in criminal matters.

14. Courts of first appearance should be established in Metropolitan Toronto and those other areas where the volume of

criminal business would justify their existence.

Under the heading "Release on own recognizance," the conclusion there stated:

15. Consideration should be given to reducing the number of persons held in custody after arrest and before their first appearance in court, by their release on their own recognizance.

Under the heading, "Bail applications after arrest" there is this conclusion:

16. More justices of the peace should be available to ensure that persons in custody after arrest be given ample opportunity to apply for bail or release on their own recognizance within a reasonable time of their arrest.

Under the heading, "Remand to engage counsel," the conclusion under that heading reads:

17. The mandatory seven-day remand to engage defence counsel, as proposed by the county of York law association, would require an amendment to the criminal code and consequently this matter should be referred to the Minister of Justice.

"Legal officers for juvenile and family courts" is the next heading. The conclusion there is that:

18. Municipalities should be encouraged to provide for the full- or part-time employment of a legal officer, to assist these courts.

Under the heading, "Law schools":

19. The participation of law schools and law students should be made an integral part of the proposed legal aid plan whenever possible.

Heading No. 20 is, "Contributions by legally aided persons." The conclusion there stated is:

20. The collection of contributions made by legally aided persons should be the responsibility of the law society and not that of The Department of Public Welfare; it should be made a disciplinary offence for any lawyer or other person to accept any remuneration except that provided by the proposed plan; a lawyer participating in the plan should be prohibited from collecting any contribution made by a legally aided person except the nominal fees for advice as provided in the proposed plan.

21. If the need for a new legal aid plan is accepted, the government of the province of Ontario should request the law society of Upper Canada to propound such a plan.

Mr. Speaker, I would anticipate that this report would form the basis for legislation in the field of legal aid to be presented for

the consideration of the Legislature as soon as there has been sufficient time for a proper study of the report and for the preparation of legislation arising therefrom.

Mr. Speaker: Motions.

Introduction of bills.

THE ONTARIO ENERGY BOARD ACT, 1964

Hon. J. R. Simonett (Minister of Energy and Resources Management) moves first reading of bill intituled, An Act to amend The Ontario Energy Board Act, 1964.

Motion agreed to; first reading of the bill.

Hon. J. R. Simonett (Minister of Energy and Resources Management): Mr. Speaker, the amendments to this bill have to do with accounting procedures. In section 1, new provisions set out yardsticks which the board must use in approving or fixing rates. In sections 2 and 3, clauses (g), (h), (i) and (j) of section 35 (1) are transferred and appear as clauses (b), (c) and (d) of section 27 (1) as re-enacted, to give greater administrative flexibility.

THE MUNICIPAL ACT

Mr. F. Young (Yorkview) moves first reading of bill intituled, An Act to amend The Municipal Act.

Motion agreed to; first reading of the bill.

Mr. F. Young (Yorkview): Mr. Speaker, in explanation I might say that at the present time, municipalities under section 377 of The Municipal Act are not allowed to pay more than half—

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, I just wish to say that unless an explanation is asked for, when it is not a government bill there is no procedure by which—

Mr. Speaker: Yes, I was going to say that if no one asks for an explanation of the member's bill, then he does not give the short explanation of it.

Mr. K. Bryden (Woodbine): Mr. Speaker, I would like to ask for an explanation of it.

Mr. Young: Mr. Speaker, since the explanation has been asked for in the regular way, at the present time municipalities under section 377 of The Municipal Act are not allowed to pay more of the premiums of fringe benefits—

Hon. Mr. Robarts: He is still not in order, Mr. Speaker.

An hon. member: Is he in order or is he out of order?

Mr. Young: This means that no municipality can now pay more than 50 per cent of such premiums. My bill would eliminate this feature of the Act; it would allow municipalities and employees to bargain up to the full cost of premiums for fringe benefits.

THE MENTAL HOSPITALS ACT

Hon. M. B. Dymond (Minister of Health) moves first reading of bill intituled, An Act to amend The Mental Hospitals Act.

Motion agreed to; first reading of the bill.

THE OPHTHALMIC DISPENSERS ACT, 1960-1961

Hon. Mr. Dymond moves first reading of bill intituled, An Act to amend The Ophthalmic Dispensers Act, 1960-61.

Motion agreed to; first reading of the bill.

THE PHARMACY ACT

Hon. Mr. Dymond moves first reading of bill intituled, An Act to amend The Pharmacy Act.

Motion agreed to; first reading of the bill.

Mr. Bryden: Mr. Speaker, does the hon. Minister plan to make an explanation of that last bill?

Hon. M. B. Dymond (Minister of Health): Mr. Speaker, I had not planned to make one.

The first bill—to amend The Mental Hospitals Act—is to change the name of the class of patients now known as “voluntary patient” to “informal patient,” bringing them into line with patients in general hospitals, and to bring the Act into line with recent jurisdictional changes in The Mental Incompetency Act.

The amendment to The Ophthalmic Dispensers Act is designed to widen the standards under which a person may qualify for registration as an optician.

The amendment to The Pharmacy Act is to add new provisions to the Act that will strengthen the disciplinary procedures of the Ontario college of pharmacists.

Mr. S. Lewis (Scarborough West): Mr. Speaker, I have a question for the hon. Minister of Economics and Development (Mr. Randall), notice of which has been given.

What precise arrangements have been made for the relocation of the 84 households in Alexandra Park that must vacate by mid-June?

Hon. S. J. Randall (Minister of Economics and Development): Mr. Speaker, the city of Toronto has appointed a relocation officer who has the overall responsibility of arranging for the relocation of families and persons who are displaced as a result of the Alexandra Park urban renewal scheme. Arrangements have been made to utilize the resources of the Ontario housing corporation, the housing authority of Toronto and the Metropolitan Housing Company. In addition, the relocation officer receives listings of available private rental accommodation. To avoid duplication of effort, all applications for government-assisted housing are reported by the relocation officer to the Metropolitan Toronto central housing registry. The registry then directs the application to whichever housing agency has the accommodation available of the size required, in the area preferred by the applicant. We are advised by the relocation officer that approximately 36 of the 84 householders that must vacate by mid-June will require some form of government-assisted rental housing. The remainder have indicated that they will purchase elsewhere, or that they prefer to rent privately owned accommodation.

I might state that one of the first cases we have had to deal with through the corporation has been for a large family requiring five bedrooms and it has found accommodation.

Mr. S. Lewis: May I ask a supplementary question of the hon. Minister? For the 36 households requiring some form of public housing, are there any specific prospects in view? I gather that the housing corporation does not intend to purchase units until the end of June so that there will be a gap here that is not going to be filled in the foreseeable future.

Hon. Mr. Randall: No, I would not think so. With the knowledge that these people are going to be looking for accommodation by that time, the corporation is now working toward finding accommodation for those people who will need it. These agencies here in the city of Toronto already have some facilities available for providing housing, and if they need assistance, they come to the corporation and we provide added assistance.

Mr. D. C. MacDonald (York South): Mr. Speaker, I have a question of the hon. Prime Minister, notice of which has been given to him.

Who are the members of the Cabinet committee that is studying reform of liquor laws and regulations?

Hon. Mr. Robarts: Mr. Speaker, I would say this, that the personnel of various committees of Cabinet varies from time to time. They are established on a completely informal basis, and as they report to the full executive council, it takes collective responsibility. The names of individual members of any Cabinet committee at any given period of time, in my view, is of no significance.

Hon. T. R. Connell (Minister of Public Works): Mr. Speaker, before the orders of the day, I would like to make a statement on behalf of the hon. Minister of Agriculture (Mr. Stewart) whose voice has, but I certainly hope temporarily, left him.

I would like to make a brief statement, which I am sure the House will appreciate is of considerable importance to our dairy industry, which plays a vital part in the well-being of our provincial agricultural economy.

Hon. members of the House who represent rural ridings have full appreciation of the impact that our dairy herd improvement association programme has had in contributing to this important segment of our agricultural activity. At present, 59 county associations are taking advantage of the programme, with approximately 34,000 cows under test representing 1,300 herds.

Recognizing the value of the programme, I am pleased to inform the House that steps are being taken to increase the number of herds being tested. This will be accomplished by the institution of pilot programmes in the Guelph and Kemptville areas and in Bruce county. Dairy-cattle owners in the Guelph and Kemptville areas are being offered an opportunity to enroll in what might be termed an owner-sampler programme. Under such a programme the herd owner reports the weight of milk produced by each cow in the herd and collects a composite milk sample on one day in each month. The DHIA supervisor in the area will pick up the samples and take them to Kemptville or Guelph. In each case, the sample will be tested for butter fat by the infrared milk analyzer.

This technique has proved to be the most efficient and economical method of testing for butter fat. Using this method, it is possible to analyze more than 500 samples of milk

per day for each of four analyses: fat, protein, lactose and solids not fat.

Following the test, The Department of Agriculture will process the production records, using the data processing equipment located at the Ontario agricultural college, with the herd owner receiving a monthly report on the production of his herd. It is anticipated that during the first pilot project, approximately 125 herds in each area will be tested in this manner.

By having the owners take the samples, the DHIA supervisor can service several herds each day, rather than service just one herd as is the case when he must be present at milking time to record weights and take the milk samples. It is felt that this pilot project will be of great help in determining the potential of an owner-sampler programme. It will also evaluate the potential value of the infrared milk analyzer for use in central laboratory testing.

Because of improvements in the system of keeping records, the supervisor in Bruce county will be spending less time on keeping records. As a result, he will be able to conduct the testing of milk samples in a number of additional herds enrolled in an owner-sampler programme. It is anticipated that these pilot programmes will be carried out for a period of six to 12 months.

It is also planned to introduce gradually a new record-keeping system in all associations, so that it, too, will be available to every farmer enrolled in the DHIA testing. The cost-of-production report will be available to farmers enrolled on an owner-sampler basis as well as to the regular DHIA members. Cost to the owner-sampler members will be \$1 per cow per year, while on the pilot project.

At the completion of these pilot projects it is planned to reorganize the DHIA programme so that as many farmers as possible will be able to participate in the testing programme.

Mr. Speaker, I am sure that the hon. members of the House will appreciate the value of this service to the milk producers of the province and that it will be a major factor in the continuance of the high quality of our dairy cattle, which is recognized throughout the world.

Mr. D. W. Ewen (Wentworth): Mr. Speaker, next week an event of significant importance to our Canadian citizens of Armenian background will be noted. On April 24, Armenians all over the globe, including those under Soviet domination, will

recall part of their tragic past, and the day has been set aside for church service commemorations.

Historians tell us that Armenia is more than 3,000 years old. Geography places the ancient land of Armenia at the crossroads of the Middle East in Asia Minor, where invasions and movements of civilization and new spiritual forces laid the foundations for western culture. Much is owed to the valiant people who contributed so much to the arts, science, technology and culture through many centuries. We in Canada can proudly state that we have attracted nearly 10,000 loyal Canadian citizens of this race, who with a sense of belonging and utmost appreciation for the liberty they enjoy with us—without restraint, as equal partners with all others—in mutual respect are helping us to forge the destiny of our glorious country.

Mr. Speaker, I happen to know quite a number of these people and feel proud of their acquaintance, because they inspire me in performing my own duties, as a Canadian-born citizen, to do my utmost in serving my country with sincerity and purpose.

During World War I these people fought for coveted liberation and on May 28, 1918, declared independence and created a republic, which only lasted two years. The year 1965 has been accepted by them as a year of dedication and the day, April 24, the day of mourning for those of their kinfolk who have laid down their lives that others might live in freedom, and in the hope of it. On this day the churches will be holding memorial services and on this day the speakers will call to the attention of our young generations, the work of peace and understanding that lies ahead. It is in the Canadian tradition to honour those to whom freedom of worship means more than life itself.

It is appropriate to call this to the attention of the world that suffering of men should not be permitted again. It is especially appropriate to identify the role that every ethnic group can play in building a world of peace and progress, which is the fervent desire of all men of goodwill.

Mr. Speaker: Orders of the day.

THE ENERGY ACT, 1964

Hon. J. R. Simonett (Minister of Energy and Resources Management) moves second reading of Bill No. 83, An Act to amend The Energy Act, 1964.

Motion agreed to; second reading of the bill.

**THE GAS AND OIL LEASES ACT,
1962-1963**

Hon. Mr. Simonett moves second reading of Bill No. 84, An Act to amend The Gas and Oil Leases Act, 1962-1963.

Motion agreed to; second reading of the bill.

THE SCHOOLS ADMINISTRATION ACT

Hon. W. G. Davis (Minister of Education) moves second reading of Bill No. 87, An Act to amend The Schools Administration Act.

Motion agreed to; second reading of the bill.

THE PUBLIC SCHOOLS ACT

Hon. Mr. Davis moves second reading of Bill No. 88, An Act to amend The Public Schools Act.

Motion agreed to: second reading of the bill.

THE SEPARATE SCHOOLS ACT

Hon. Mr. Davis moves second reading of Bill No. 89, An Act to amend The Separate Schools Act.

Motion agreed to; second reading of the bill.

**THE SECONDARY SCHOOLS AND
BOARDS OF EDUCATION ACT**

Hon. Mr. Davis moves second reading of Bill No. 90, An Act to amend The Secondary Schools and Boards of Education Act.

Mr. R. M. Whicher (Bruce): Mr. Speaker, would the hon. Minister say something about this? I have had some correspondence suggesting that this bill is not completely fair to all people who are with the children's aid society. Would the hon. Minister say something about that?

Hon. W. G. Davis (Minister of Education): I have had letters and representations, too, from the children's aid society. I have had one or two meetings with representatives. I think the bill is related to a degree with The Child Welfare Act. All of these bills will be going to committee and I will have some further information for the hon. members at the time the education committee meets.

Motion agreed to; second reading of the bill.

**BURIAL PLACE OF JOHN GRAVES
SIMCOE AND HIS WIFE**

Hon. H. L. Rowntree (Minister of Labour) moves second reading of Bill No. 94, An Act to establish a foundation for the preservation of the burial place of John Graves Simcoe and his wife.

Motion agreed to; second reading of the bill.

Clerk of the House: Thirty-third order, committee of the whole House; Mr. W. E. Sandercock in the chair.

THE TRAINING SCHOOLS ACT, 1965

House in committee on Bill No. 25, The Training Schools Act, 1965.

On section 1:

Hon. A. Grossman (Minister of Reform Institutions): Mr. Chairman, I move that clause (3) of section 1 of the bill be amended by striking out "county, district or" in the first line.

Mr. F. Young (Yorkview): Mr. Chairman, before this matter is dealt with under section 1, it seems to me that this bill should not be discussed at this point, that it rather should go to a committee—I suppose labour, legal and municipal bills is the committee to go to—to be discussed in some detail. A great many people are concerned with this bill and certainly, in discussions with various people working in various fields upon which this bill has some bearing, concern has been voiced about the various clauses in it. It seems to me that these people should have an opportunity to have a look at the bill, to discuss it at the committee stage; then, after that is done, it would be reported back here.

Certainly I think the people in the whole field of children's aid, the field of correction, the field of municipalities who are going to be responsible for the bills incurred by these children—all these should be heard at the committee stage. I would urge, Mr. Chairman, that this matter be referred by the hon. Minister to the appropriate committee for a thoroughgoing discussion, clause by clause.

Hon. Mr. Grossman: Mr. Chairman, I would be interested in knowing which groups are concerned about any of the sections of this bill. We have discussed this with everyone who was interested in it, and any recommendations which have been seriously made to us are being provided by amendments which are being presented today. Insofar as

the municipalities are concerned, any responsibilities attaching to them insofar as this bill is concerned have not been changed. There is no change at all insofar as the municipalities are concerned, so I am at a loss to understand what objection there would be, or which groups would be interested in making any representation. I would be interested in hearing from the hon. member about that.

Mr. Young: Well, Mr. Chairman, I do not think I want to say "groups"—I meant individuals representing these various groups—people who are in these various groups. Perhaps I should put it, people who are working with the children in various areas upon which this bill will impinge. Anyway, no group has made official representation to me, but I do know that there is very great concern among some people in this respect. I would urge that the hon. Minister allow a full opportunity for discussion of the various clauses in this bill.

Mr. S. Lewis (Scarborough West): Mr. Chairman, I believe there has been at least one piece of correspondence received by the clerk of the Legislature from the Ontario mental health association. It was my impression that a letter had come inquiring as to when this bill might go to committee stage. I would think that there are innumerable child welfare agencies in the province of Ontario which would be interested in section 8 (b) of this bill in particular, and should be able to pass comment on it—namely, the question of whether the care of the child by any other agency of child welfare would be insufficient or impracticable. One could get several representations from interested parties in the field. Certainly, if the number of interested groups who came to make representations to the Minister's committee on child welfare was any indication, then this bill could well come before such groups since it does embody rather new principles for The Training Schools Act.

The other aspect which might be raised in this regard, Mr. Chairman, is that, unless I am mistaken, some of the superintendents within the hon. Minister's own department were not involved in the specific formulation of this bill. It might be possible for the hon. Minister, through his senior civil servants, to bring to a committee of the House and to interested parties, information as to their individual viewpoints. I think that a bill embodying such major principles could well come before a committee of this House; and the health, education, and welfare committee is perfectly suited for that purpose.

Hon. Mr. Grossman: Mr. Chairman, I must say that these objections, which have been referred to here, have certainly not reached our ears, and we have had numerous meetings with numerous people. I have before me a press release from the Canadian welfare council in which they give their wholehearted support to the bill. I have others from the children's aid societies, from juvenile court judges. We have met with them; they helped bring this bill to fruition. They helped formulate this bill; and so far as coming before a committee, and having superintendents of training schools there, that is an unheard of thing.

Mr. S. Lewis: I did not say the superintendents. I said that leading civil servants in the department might convey the impressions of these people directly involved in administering training schools. Surely their views are important to this body?

Hon. Mr. Grossman: Mr. Chairman, there is no real reason why I would object to it going to a committee, except in the interests of getting the business of this House done. It seems to me, unless there is good reason for it, that we can deal with it right here. I have had voluminous correspondence; and I have not had any objection, except in one or two instances to certain clauses, insofar as the technical detail is concerned. These have been straightened out. I am prepared to present to the House here, today, those amendments; they are really a matter of clarification. I have them here and they meet any objections we have had from anyone.

Mr. K. Bryden (Woodbine): Mr. Chairman, a year or two ago the hon. Prime Minister (Mr. Robarts), in explaining what he conceived to be one of the major functions, if not the sole function, of some of the standing committees, said that they provided an opportunity for the public to be heard in cases where it was desirable or expedient for that to be done.

I must say, although I have given some study to the matter, that I have not been able to distinguish any principle by which the government decides when it may be appropriate to hear the public. I have looked at the bills that have been referred to committee and compared them with ones that have not been, and sometimes I get the impression it just depends on the mood of the Minister. Some Ministers like to have them go to committee and some do not. As far as The Department of Reform Institutions is concerned, it does not seem to have a committee that deals exactly with its field of

activity. It may be that that is the reason why this bill has not gone to committee.

I would suggest to the hon. Minister, Mr. Chairman, that a bill of this kind, which embodies an important new principle, is one worthy of a certain amount of public discussion before it becomes law. I have no doubt that the hon. Minister has been in active consultation with interested groups, particularly professional groups, in the community for some substantial time, and no doubt at various stages in the development of the policy embodied in this bill. It would also be useful, however, if the members of the Legislature could hear from these people, too. I am not suggesting that the department has not canvassed their views pretty fully, and given as complete consideration as it could to them, but it leaves us, to an important degree, in the dark with regard to some of the new principles that are embodied in this bill we are being asked to pass on.

The hon. Minister said that he has talked to all the interested groups, or all the ones he knows of, and they are quite satisfied. Well, that may be, but it seems to me that this kind of a bill, with the wide implications that it has and with the various areas of interest involved, could very well go to a committee. It has been waiting on the order paper here for consideration in committee of the whole for some substantial time—I would not, off-hand, say for how long, but at least two weeks—and since it has waited for two weeks, I think it could wait a little longer. I do not want to delay it unduly but still there is time for consideration by one of the committees and consideration at a later date in this House by the committee of the whole.

Hon. Mr. Grossman: Mr. Chairman, I hate to put myself in a position where I appear to be hesitant to allow a committee of this Legislature to go into all aspects of a bill. Really, the hon. member again has said that there are people who would be interested to comment and to make representation. There has been no evidence of this at all. Generally, when this occurs one hears from these people in advance and one can generally sense that there is interest on the part of some people from the standpoint of making representation. All the representation I can think of has been made and I have not heard from anyone. We have discussed it, as the hon. member has mentioned, with all of the people who are concerned. Insofar as the principles involved in this are concerned, we had quite a debate on this on second reading. We discussed it in this House. As this is now in the committee of the whole

House we are only talking about the details clause-by-clause. It is just the implementation of the principles we discussed at that time.

I think the hon. member for Scarborough West talked about, for example, other facilities available. We are not closing out any facilities in this; we discussed this at second reading when we were discussing the principle of the bill. We are merely providing a better service in the training schools and other matters that come within the purview of this bill, which does not close out anything, and as a matter of fact, holds out some hope for some additional facilities. But the non-passing of this bill or the changing of it would not add one bed to any particular institution and type of system of any kind.

We have a problem in our department, too. We have a deputy Minister who has been ill for seven months; we have other illness in the department and we are short-staffed. As was pointed out in the estimates, we have a tremendous programme under way. We brought our people down here time and time again, and unless there appears to be a very good reason for going to committee, I would like to see us get on with the business of the House and get some of these things under way in the department. Otherwise, we will be delayed again and we have an extensive programme.

Mr. Bryden: Mr. Chairman, the hon. Minister's concern about delay does not seem to ring very true in view of the fact that I have been informed that this bill received second reading on March 2, which was approximately six weeks ago, and there has been no progress on it between March 2 and today.

Hon. J. P. Robarts (Prime Minister): I think it was held up at the hon. member's request, because this bill was ready to be dealt with—at least as I understood it. That is why it was not called until this morning.

Mr. Bryden: Very shortly after it received second reading, it was suggested that it come forward for consideration in committee, so we will take responsibility for delaying it perhaps one week out of six.

Hon. Mr. Robarts: I do not think it is a question of taking responsibility. All I am saying is that in dealing with this bill in the business of the House, the request was quite normal and ordinary that it be delayed.

Apparently someone in the hon. member's group wanted to look at it and study it and consult, and I am not attaching any blame, if the hon. member understands what I mean. I think it is a normal procedure, but as the

hon. Minister says it has been dealt with by everybody who has anything to say.

Mr. Bryden: Mr. Chairman, I would like first of all to assure the hon. Prime Minister that in future, if we ask him to hold a bill—and he has always been very co-operative in doing that—we will mean only for a day or two, not for six weeks. However, it is the government's responsibility as to when it brings forward matters for consideration by this House. I merely point out that there apparently has not been any sense of urgency up until now.

I would make only one other point. The hon. Minister has indicated that he plans to bring in certain amendments this afternoon which arise out of consultations that he has had with various people who are interested in this bill. I do not know how extensive those amendments are or how important they are, but we receive them without any notice at all. We have now to consider them without notice—we may get a written copy of them, I do not know—but on that basis we have to try to judge whether or not we take the—

Hon. Mr. Grossman: They do not affect the principle, I can assure the hon. member; they do not affect the principle of the bill one iota. They are merely matters of tidying up in some instances where someone suggested that if something was put in one section, as against another, the bill would operate more smoothly and more efficiently. The amendments which are before the hon. members do not affect the principle of the bill at all, and he can see that, I am sure.

Mr. Young: Mr. Chairman, there is just one further observation I would like to make in this respect. Is it a general custom for bills of any contention to go to committee? The people to whom I talked expressed the opinion that they would like to make some representation at the committee stage. They may not have come to the hon. Minister and made representations to him because they felt they could do this at the committee stage.

Hon. Mr. Grossman: If the hon. member will tell me who they are, I can inform him as to whether we have had discussions with them.

Mr. Young: Unless we get to a committee there is no purpose in it.

Mr. S. Lewis: May I just add a footnote to that, Mr. Chairman? This argument is being made in good faith. It was in fact in the interim period between second reading and the time for this bill to come to com-

mittee that certain of us in this group addressed ourselves to aspects of this bill and found it exceedingly complex and difficult to interpret and having very considerable implications. I do believe there are agencies in Ontario and individuals skilled in the field who could clarify these areas of concern in the minds of hon. members generally. Bills containing principles and sections far less important than this in their implications have come before committees of this House as a matter of course. I want to assure the hon. Prime Minister, and the hon. Minister, that this is done in good faith, that the wish for clarification on some very difficult sections—such as sections 8 and 9, where the new centres should be built; where the municipality plays its part, and the age level—is expressed because these are all contentious and important areas.

Hon. Mr. Grossman: Mr. Chairman, with all due respect again, I sense an attempt to get the bill to committee merely to go into a lot of broad general principles that have been discussed and are not affected by this bill.

The hon. member has mentioned about where these new centres are going to be. There is nothing in this bill at all that provides for centres of any kind; I do not know where he would get this information.

I am prepared, Mr. Chairman, to stand up here and defend this bill and explain it. As a matter of fact, if some of it becomes too technical I may have to admit that I am not in a position to do it, but I think that there is nothing in here that I cannot explain.

Mr. Bryden: That is another point for going to committee—

Hon. Mr. Grossman: Let me try to get this bill piloted; there are a lot of other things waiting in the department. There are things awaiting in the department in the realm of private training schools as well as the passage of this bill. We are now approaching the end of April and if we wait until after Easter we will never be able to get some of our work done.

Again, as I say, if I felt there was any body of opinion at all that was concerned about any aspect of this bill, I would not hesitate for one moment to say, "In the interests of getting it all clarified by all people who are interested, I would insist myself that it go to committee." But there has been no suggestion of this at all. We had a great deal of interest in this bill, we discussed it with all these people and the ones from whom we have heard are all happy. There

has also been a lot of publicity on this bill. We have heard from all of them as far as we know and they are quite happy with what has come out of this bill.

Section 1, as amended, agreed to.

Sections 2 to 5, inclusive, agreed to.

On section 6:

Mr. S. Lewis: May I ask a question, Mr. Chairman, on section 6? How often under subsection 5 of section 6 is it expected that the advisory board will be visiting the various training schools to ascertain conditions and report to the Minister? Can he compare it to the practice hitherto?

Hon. Mr. Grossman: We will expect that the board will visit even more frequently than it has in the past, because it had other duties in the past, which did not give it the time to attend to some of this. We are giving more authority with respect to visiting schools and doing a job that was envisaged in the first place for the training schools advisory board to do. The answer is, we envisage that it will be doing more visiting than it has in the past.

Section 6 agreed to.

On section 7:

Mr. Young: On section 7, Mr. Chairman, I wonder if I might ask the hon. Minister regarding the inspection—"Every training school shall be inspected at least twice a year by an inspector"—has this been the custom up to this point?

Hon. Mr. Grossman: The advisory board, by and large, has done this.

Mr. Young: This will be an inspection staff in addition to the advisory board?

Hon. Mr. Grossman: That is right.

Mr. Young: And is the staff now available or appointed, or is this staff to be appointed?

Hon. Mr. Grossman: We have some staff now. We plan on adding to the staff for this purpose.

Mr. Bryden: Well, what staff does the department have now, Mr. Chairman? And what does it expect the full complement will be when it is—

Hon. Mr. Grossman: I could not, at this time, answer that.

Mr. Bryden: Well, could the hon. Minister answer the first part? What staff does he now have available for the purpose?

Hon. Mr. Grossman: I could not say at this time. I think this came out in the estimates when I was asked. There is an inspection staff for the department generally, not specifically for the training schools.

Mr. Young: But this will be specifically for the training schools?

Hon. Mr. Grossman: This has yet to be worked out. I should point out, too, at this time, that with the adoption of the principle by the government of picking up the complete operating costs of the private training schools, this also is going to require a larger degree of inspection. Obviously, when you pick up the complete cost you have to make sure the costs are approved and the operation of the school is in accordance with what the department would expect with the money expended. So this in itself will cause additional staff.

Section 7 agreed to.

On section 8:

Hon. Mr. Grossman: Mr. Chairman, I move that subsection 2 of section 8 of the bill be deleted and the following substituted therefor:

2. Where an application is made under subsection 1 the judge shall

(a) hear the child; and

(b) hear the evidence of or on behalf of the person who has submitted the application and make adequate inquiry into the truth of such evidence.

In explanation of that—I am giving the hon. member a chance to make his notes—it was understood that in each case the judge would wish to interview the child; but clause (a), now introduced, provides an additional safeguard by making this mandatory. No such safeguard existed in the old Act; there was merely a reference to bringing a child to court. I hope that explanation is clear.

Mr. Young: Mr. Chairman, in subsection 1 of section 8, "on the application of any person," I wonder if the hon. Minister would clarify that? Does this mean a neighbour, or is it limited to a parent or relative, or perhaps the children's aid society, or a responsible organization? Does this mean that anybody could make the application?

Hon. Mr. Grossman: I have some notes on this which I think would be helpful. While, previously, section 7 stated: "any person may bring" a child before a judge—which suggested that the child should be regarded as accused or implicated in some way—now

the child, admitted to a training school under section 8, is in no way accused, implicated or labelled. The words used in the new Act, "upon the application of any person," do not mean that a formal application must be made, or that an application under this section must be made, before the court has started to deal with the case. The words only mean that a person, acting in the interests of the child, must state his intention to apply to a judge under section 8. A person may simply be asked by a judge whether he wishes to apply for a court order under section 8. If he confirms, this should suffice. As a matter of fact, we envisage it could be a probation officer, it could be a social worker, it could be someone from the children's aid society—and they would merely go through this informal formality—if I may use that expression.

Mr. Young: Then it is up to the judge to determine whether—

Hon. Mr. Grossman: Yes.

Mr. J. Trotter (Parkdale): Mr. Chairman, I would just like to ask a question: What would the hon. Minister or the department do if a judge should rule that a child is emotionally disturbed? Where would he send the child?

Hon. Mr. Grossman: Without attempting to appear that we are not concerned about this—we went into this the other day, that a great many children, probably the majority of children who are getting into this kind of trouble, are emotionally disturbed to a degree—I do not think I should get involved in what degree that is. I will leave that to the hon. member for Scarborough West as he is an expert on this. He can explain that to the hon. member.

All we are doing at this stage is providing the facilities, the means, by which a child can be admitted to a training school. If, in the opinion of a judge, a training school is not suitable for a particular child, it is up to the judge to make that decision. What he does beyond that is something he is going to have to deal with before this Act is proclaimed. But we are dealing with admission to the training school, and I think the other is a matter of whether this Legislature feels, at some stage or other, that we are not providing the proper facilities for certain emotionally disturbed children. This would be another matter, in my view. What we are talking about now is how you admit a child to a training school.

Mr. Trotter: Mr. Chairman, I agree with this bill. When this bill came before the

House for second reading we said we agreed with it in principle. But this question I have asked illustrates the whole weakness of the bill in that if a child really was emotionally disturbed, even in an extreme state, a judge has no alternative under the present circumstances but to send him to a training school whether he wanted to or not, because there is no other place to send him.

Hon. Mr. Grossman: Mr. Chairman, again I am not too sure this comes in here, but it is an important bill and there are important principles involved and I do not think they should be ignored.

In the first place—I think I used this expression before, I am not too sure—but we are going to arrive at the moment of truth. We are going to find out precisely how many of these youngsters belong in a training school, or do not belong in a training school. I am firmly convinced that there has been a great deal of misinformation—I am not saying deliberate—and a great deal of misunderstanding, about what uses the training schools are put to, what they can be put to, and whether in fact so many of these youngsters do not belong in a training school. If they do not belong in a training school we are now going to find out; in fact, what we are going to find out is that the vast majority, perhaps 90 to 95 per cent, belong in a training school because the youngsters need a controlled setting which is not available any place else. And if it is made available any place else, if it is in a controlled setting, which it will have to be, then it is a training school under a different name.

We may be wrong, but this, as I say, will be clarified, and we are prepared to take this chance. The judge is now going to have to make that decision on the basis of the evidence before him, and not just on opinions which have been bandied about from one person to another. I think this will be helpful in that respect. Because if there are, in fact, many youngsters who are in a training school and who should not be there, we want to make sure; and I think this Act will help bring about a situation where they are not going to be in the training schools.

Mr. Trotter: Mr. Chairman, in order to carry out what this section desires to do, the judge will have to be fairly well informed about the child who comes before him. Right now, in the province of Ontario, you do not have the proper facilities to carry out the necessary investigation of a child, or examine his background; so, in order to make this section a workable section and of some

use, you are going to have to expand the necessary facilities and to retain far more people than you have. Even the city of Toronto—which, at the juvenile court level, is more advanced than most—still has not got nearly what is needed; and if you look at the province as a whole, you really do not have the staff or the facilities to carry out this section.

What I am saying at this point is that I agree with the section; but, as far as this government's ability to carry it out is concerned, if its record in the past is any indication, and from what I have seen in the Budget, that section is more or less going to be a hope for the future, you are a long way from actually making the thing work.

Mr. S. Lewis: Mr. Chairman; on section 8. This is where I wish we were in committee because I, for one, would like to question a number of people in the field. I think there is a basic fact about section 8 which is open to discussion.

I, for one, do not believe that we should be committing children in the province under the age of 12 to training schools. I do not think that The Department of Reform Institutions, with the inevitable corrective emphasis that is put on it, should supervise children under 12. And that is true of section 9 of this bill; no child under 12 falling within the category of section 9 may be committed to a training school. I think that should also be true of section 8 of this bill.

Last year, Mr. Minister, this argument involved some 104 children in the province of Ontario, according to the statistics from your training schools branch. I suggest to you that the money used to bring six or seven workers into your department to service these 104 children, or indeed the expanded facilities you require to service these 104 children, could be far better used to provide money for family counselling agencies to work with the child and the families involved. There is something profoundly wrong with a society which views, in any sense, a child under 12 as needing the corrective emphasis of The Department of Reform Institutions. The word may not be palatable to the hon. Minister, but that is his department.

I admit I am not sure that one can engage in an arbitrary age cut-off. I am not particularly happy about the age of 12, in personal terms, to tell the hon. Minister the truth. But certainly for the consistency of this bill, since it is mentioned in section 9, we should embody that consistency in section 8.

I am not going to move an amendment to that effect immediately. I intend to do so,

but I will hold off until other hon. members have had the chance to make observations.

I do appeal to the hon. Minister: Let us be candid. We know that those who are deemed fit for training schools under the age of 12, will surely be suffering from unhappy environmental backgrounds, severe maternal deprivation, and emotional disturbance of some degree. Such children will obviously better fit into one of the treatment centre areas, or children's aid society group homes within The Department of Public Welfare—if such can be found—but not within The Department of Reform Institutions. I appeal to him to make his own bill consistent. The principle of section 9 should be incorporated in section 8. I will so move later on after other hon. members have given their views.

Hon. Mr. Grossman: Mr. Chairman, I have gone through all of this with the children's aid society people, and we are in agreement that there is no such thing as deciding that a certain group of youngsters, merely because of age, belong with children's aid societies, or with Public Welfare, or with anything of that nature. It is not that simple. Quite frankly, the suggestion, that the money needed to supply six or seven workers for 104 children would be better used for family counselling, is a dream. Everybody in this field has been attempting to find a way to get through to the family; I think we went into this the other day at some length. It is a most difficult problem. While you are trying to get to the family of some of these people, there would be untold damage done to the child.

In the first place there is the presumption that these 104 children come from families with whom you could do something. This is just not the case. There are some instances where we hope that something can be done with them, and there is family counselling being done by the family service agencies.

Generally, when a child reaches the juvenile court, there is no better place for him than a training school. As a matter of fact, the conclusion seems to be now that these youngsters would have been better put in a training school much earlier, given perhaps two or three months at a training school, and then perhaps sent to a group foster home. I have discussed this with children's aid society people, too; the idea that the training school is going to do them a lot of harm is just not so.

The training school, of course, does some harm to some of them, the same as a group foster home will do harm to some of them.

Nobody has the answers to these things. You can plan—I do not want to use the word dream, because I would rather use the word plan—for all of these things, but they are all in the realm of conjecture. You could not, by any means, for the cost of six or seven workers—although we are not concerned at the moment with the cost—put this money into family counselling and accomplish a great deal with the knowledge and the staff available at the present time.

There is great need for the controlled setting of a training school for many children under 12; again, this Act will bring out whether or not that is the case. There is no reason for a judge to send a youngster to a training school, if in fact he does not belong to a training school; and this is what this Act is telling him. This Act is telling him not to send the child to a training school if, in fact, the child does not belong there.

Insofar as the facilities are concerned, at the juvenile courts all the social history on the youngster, all the information that could be accumulated, is generally available to the judge before he makes a decision. Whether that can be improved or not, is another matter. I cannot think of anything in this whole field that cannot be improved; it can always be improved. But this bill is a great forward step, and will bring all these things to a head; I think that an amendment would only confuse the issue.

We have discussed this with the juvenile court judges. We have discussed it with the children's aid society. We have discussed it with the Public Welfare people. And they all feel that this is the way to approach it. Whether a year from today, or two years from today, we find we have to make further amendments, that is another matter. If further amendments are required, we will be ready to make those amendments. This is a move in the right direction and I think it would be better if we kept exactly to the bill as it is here, because it has been digested and redigested, and it has been studied. We have conferred with these people and we have their approval on it as it is now, and I would hate to present them with some changes which have been made at the last minute.

Mr. S. Lewis: When you say "these people"—have individuals from various treatment centres who deal with this age group indicated their approval that, as a matter of course and of choice, children under 12 should be put in training schools? Has Warrendale indicated approval? Has Boys' Village indicated its approval? Has Sunnyside

indicated its approval? Has the Ontario mental health association—which is presently undertaking courses with primary school teachers across the province about delinquent youngsters within this age group—indicated its approval?

Are you suggesting, Mr. Minister, that the children's aid society, as a matter of course and of choice, believes that youngsters within that age group should be placed in training schools?

I suggest to you, sir, that the treatment facilities presently available simply cannot provide it; and, if that is so, as a matter of choice they would not indicate approval. But they have no alternative choice.

Subsection (b) of section 8, as the hon. member for Parkdale has pointed out, is essentially meaningless at the moment. There is no alternative choice, and I think you would be doing a very great boon to this province to incorporate the age category of 12 to 16, in section 8 as well as section 9. Why should it apply differently from one to the other? I strongly urge that the hon. Minister take into consideration that we force the issue—we must force the issue—that we provide the treatment facilities required for children under the age of 12, if it comes to that unhappy pass. No one can state, categorically, that the families cannot be worked with; no one can state, categorically, that detached workers would not be an improvement. But I think the hon. Minister agrees that training schools at that age are unpredictable, at the very best, in their effect on the under-12s.

Hon. Mr. Grossman: Mr. Chairman, insofar as the last statement is concerned, I think all of these institutions, whether they be treatment centres such as Warrendale and Meryvale, are unpredictable. You cannot—

Mr. S. Lewis: Some have had much better results than others.

Hon. Mr. Grossman: Well, that is questionable, too. Nobody can tell you what the rates of success are, because you have to have control groups. It is very difficult to establish control groups because every child is different.

Mr. S. Lewis: There are some.

Hon. Mr. Grossman: I have seen some of them and, as far as I and some of my people are concerned, they are by no means conclusive.

Mr. S. Lewis: How many?

Hon. Mr. Grossman: I should tell the hon. member this: insofar as taking this out of Reform Institutions is concerned, just recently—I could give him other people who have the same opinion, very able people in this field—just recently I had a chat with James Felstiner. He is quite involved, deeply involved, in this work and quite knowledgeable in the field. In his view, it would be a mistake to take it out of this department for many reasons—which I could discuss at some length except that it really does not belong here.

As far as discussing this with people like the mental health association and so on, is concerned, I recently had a discussion with the head of Boys' Village; and, along the lines the hon. member was discussing, we are going to carry out a pilot project in collaboration with Boys' Village just to find out, as precisely as we can, whether some of these youngsters, whatever age group we are talking about, would really fit into Boys' Village better than they would in the training school; if so, this will tell the story as far as it is possible to ascertain.

Insofar as the age is concerned, the hon. member has no doubt done a lot of homework on this—

Mr. S. Lewis: I know the other jurisdictions, Mr. Minister.

Hon. Mr. Grossman: We are quite advanced over other jurisdictions. Now that he has raised it I think it would be just as well to get it in the record. At the present time, the age limit is ten in Illinois; in England it is ten; in the Soviet Union it is 12; in Austria, Czechoslovakia, Germany, Italy, and some of those countries, it is 14; in Denmark and Sweden it is 15; and in Canada—this is what we are trying to establish—here in Canada nationally it is seven. We think that should be changed and we hope that this bill will do a great deal towards raising it.

Mr. S. Lewis: In every instance you have read, it is, you must admit, an age level above that which this bill leaves open.

Hon. Mr. Grossman: No!

Mr. S. Lewis: Under age 12 in this bill, we could still have, as we did in 1964, children of seven and eight committed to training schools. In 1964—the statistics are in your book—admittedly not very many but, it occurred. I think there were 12 children aged nine admitted; 27 aged ten—

Hon. Mr. Grossman: Excuse me, perhaps we are talking about two different things. I was talking about criminal responsibility.

Mr. S. Lewis: You are really on section 9.

Hon. Mr. Grossman: We are talking about criminal responsibility. I did not know to what the hon. member is referring; I am sorry.

Mr. S. Lewis: I shall not pursue it. I was interested in the hon. Minister's observations on Boys' Village. I hope the hon. Minister of Public Welfare (Mr. Cecile) will make a statement to the House in the near future about the pilot project which is planned for Boys' Village. It does fall within The Department of Public Welfare and I think that is precisely the place where this kind of activity should work itself out. I think it is an excellent idea, and I wish it were offered as the alternative to this legislation which is before the House today.

Mr. Chairman, I move, seconded by the hon. member for Riverdale (Mr. Renwick), that:

Subsection 1 of section 8 be amended by inserting, after the word "child" in the second line, the words "of at least 12 years of age and."

Mr. Chairman: All those in favour of the amendment will please say "aye." As many as are opposed will please say "nay."

In my opinion, the "nays" have it.

Section 8, as amended, agreed to.

On section 9:

Hon. Mr. Grossman: I move that clause (a) of section 9 of the bill amended by adding "and" at the end thereof, and that clause (b) be amended by deleting "and" at the end thereof, and that clause (c) be deleted.

Clause (c) of section 9 has been transferred to section 11. This is more logical; this is merely tidying it up. It has no effect on the principle of any of the clauses.

Mr. Chairman: Shall the amendment carry? Shall section 9, as amended, carry?

Mr. S. Lewis: Mr. Chairman, I should like to ask the hon. Minister a question on section 9. Am I to understand, Mr. Minister, that the agencies available to children under subsection (b) of section 8, are also available under section 9? Is it mandatory that, under section 9, the child go to a training school? Would not another alternative welfare agency be available, as it is under section 8? Why are we making this distinction?

Hon. Mr. Grossman: It states here that a judge may order that a child be sent to a training school; it does not say he must send

a child to a training school. It is entirely up to the judge.

Mr. S. Lewis: It, therefore, means, Mr. Minister, that if the child has contravened any statute in force in Ontario, which contravention would be punishable by imprisonment if committed by an adult, then that child, in the wisdom of the magistrate, could in fact be sent to something other than a training school? Such a child could perhaps go to another institution, in another area, under Public Welfare, or Health, or Education? Or would such a child be absolutely confined to a training school by the terms of this bill?

Hon. Mr. Grossman: I do not see how he would be confined because it is permissive; it is not mandatory. It says a judge may order a child sent to a training school. If the judge does not want to send him to a training school, he just does not send him to a training school. Presumably he would give some direction as to where he thought the child should go.

Mr. S. Lewis: I simply wanted to get on the record then that the areas under section 8 are available to children who fall within section 9; because I think, if it embodies that principle, it is an important step forward.

Hon. Mr. Grossman: The answer is, "Yes."

Mr. S. Lewis: Fine.

Section 9, as amended, agreed to.

Section 10 agreed to.

On section 11:

Hon. Mr. Grossman: I move that section 11 of the bill be deleted and the following substituted therefor:

The judge in his order sending a child to a training school shall,

(a) designate the municipality to which the child belongs, if any;

(b) state, where practicable, the name, age, and religious faith of the child; and

(c) provide for the payment of the cost of maintenance of the child in accordance with this Act.

Now, an explanation. This has been changed in order to incorporate clause (c) of section 9, which is fairly clear, which had to do with the provision for payment, and which has been transferred to section 11. This section now clearly defines the information which must appear on the judge's order. It is again merely tidying it up and making it a little clearer.

Mr. Chairman: Shall the amendment carry? Section 11, as amended, agreed to.

On section 12:

Mr. A. E. Thompson (Leader of the Opposition): Mr. Chairman, I want to underline our whole apprehension about this bill, in that we think the principle of the bill is good but you have not got the agencies to really carry out the principle of the bill. Having said that, I would say that the matter of evidence is another case where we do have a deep concern. Evidence with young children, I would hope, does not imply just court evidence, but I think the hon. Minister has suggested that evidence would include a social history of the family and the background as well.

I would suggest, sir, that there are areas of this province, with the deepest respect for the magistrates and the juvenile court judges, in which the magistrate or the juvenile court judge will make a decision but he will not have the facilities to have received a comprehensive presentence report, and will not have the facilities of a travelling psychiatric clinic, for example, in connection with some young child who for various reasons committed some kind of abnormality and came before the court. In many cases a decision is made on the basis of the crime rather than on the social background. Once again I urge that there will be far more comprehensive coverage by travelling psychiatric clinics to give a full and complete picture to the magistrate.

Hon. Mr. Grossman: Mr. Chairman, I have not been reading many of the reports which come in from across the province. There may be some areas where this is true. It has not come to my attention because I find the children's aid societies in most of those areas usually are of great assistance to the court. They generally have a pretty good file on these matters, but whether it is efficient and whether it should be improved is another matter.

I would say this, that the juvenile court judges association now meets quite regularly and discusses precisely these matters, and we meet with them. I think the hon. member will find there are great advances being made in this particular area.

I should also point out, however, that if the facilities are not what they should be at the moment they are not going to be any less under the new bill, so really it has no bearing on them. Whether the facilities should be improved or not is another matter. We hope that all of these facilities will improve.

Mr. Thompson: I think it does very much have bearing on this. When you talk of adequate evidence, which I think is the term used in your section, as far as I am concerned, adequate evidence concerning young children being sent to an institution means a most comprehensive social study. I suggest you have not got the facilities and areas to do that in the children's aid societies in which there was a travelling clinic set up by the department in northern and other areas. I suggest there are children who do not have a really good, incisive, capable look made into their backgrounds and who are sentenced more on the basis of their manageability—or whatever the term is the hon. Minister has used—rather than looking at their—

Hon. Mr. Grossman: The point I was trying to make is that the old Act referred to evidence as well, so there is no change here. It will be hoped, as I have said, that the concern the hon. member has raised is something which will improve itself or will be improved in the future where it is needed.

Section 12 agreed to.

On section 13:

Hon. Mr. Grossman: Mr. Chairman, I move that section 13 of the bill be deleted and the following substituted therefor:

1. A decision under section 8 granting or refusing an order sending a child to a training school may be appealed to the judge of the county or district court of the county or district in which the application was made, but where the judge who made the decision is a district or county court judge the appeal shall be heard and disposed of by any other county or district court judge in the same county or district court district.

2. A decision under section 9 may be appealed to a judge of the Supreme Court.

In explanation, Mr. Chairman, section 13 has been changed to differentiate between appeals under section 8 which require speedy action by another court. Under section 8 most of these will be on request of the children's aid societies, and there has to be some pretty speedy action there because if they wait until the cases get to an appeal court or the Supreme Court, the child may be too old to be handled by the juvenile court.

3. Appeals with regard to the application of section 9 in which the usual practice under federal legislation can be followed.

I should add, Mr. Chairman, that this amendment to the bill has been made on

suggestion by the juvenile court judges association.

Section 13, as amended, agreed to.

Mr. D. C. MacDonald (York South): I am sorry, Mr. Chairman, there is a discrepancy. I was trying to get the amended copy of the Act and that is the reason I was not speaking from my seat. Is there not a conflict here? As I understand it, in section 1 the hon. Minister has struck out something from the definition or the interpretation of "judge." He has struck out "county, district," and has left only "juvenile and family court."

Hon. Mr. Grossman: Or a magistrate.

Mr. MacDonald: Or a magistrate! Okay. Now the hon. Minister has come over to the amendment he has just put before the House. He says:

A decision under section 8 granting or refusing an order sending a child to a training school may be appealed to the judge of the county or district court of the county or district in which the application was made, but where the judge who made the decision is a county or district court judge—

The hon. Minister has struck that out in his interpretation. Under this Act "there ain't no such animal."

Hon. Mr. Grossman: No, it does not say "there ain't no such animal." It means the original judge. However, I will read you a memorandum Mr. Stone has just sent over. He states: "Some juvenile and family court judges are also county court judges."

Sections 14 and 15 agreed to.

On section 16:

Mr. Young: Mr. Chairman, this section, in my view, should be deleted—right down to section 22, as a matter of fact, because—

Hon. Mr. Grossman: What section is the hon. member referring to?

Mr. Young: Section 16. When the child comes into the training school or into the department under its care, then it seems to me the full cost of his maintenance should be borne by the province at that point. These sections provide for the municipalities to be sorted out and the responsibility fixed on the municipality where the boy has last resided or where the mother last resided for a year. If that cannot be determined, then the municipalities are forced to fight it out between themselves or among themselves to decide who in fact is responsible. Therefore, it seems that the simplest way, and the most

efficient and effective way here, is for the province to accept the responsibility. The taxpayer at some level must pay the shot in any case, and it is far better for him to do it at the most efficient level which is at the provincial one. So it seems to me that section 16 should be deleted.

Hon. Mr. Grossman: Mr. Chairman, of course, this is an entirely new principle the hon. member is suggesting. There is no change here from the present Act.

Mr. Young: Then the hon. Minister should bring in a new Act.

Hon. Mr. Grossman: Of course, you are here touching upon the principle which is inherent in the whole business of grants for the administration of justice, and obviously this would have to be taken into consideration in arriving at those grants. I think that until such time as this whole matter may be reviewed we would have to leave it as it is, because presumably this was taken into consideration when the percentage of those grants was established.

Mr. Trotter: Mr. Chairman, I think the point of the hon. member for Yorkview was well taken, for two reasons; one goes beyond this department and one affects this department right on the point.

In this business of trying to decide where a child comes from, there are many problems, such as not knowing whether a child is from a certain town or a certain city. If the department itself took the responsibility it would help many of the administrative problems in trying to handle the child. Even though the hon. member for Yorkview is introducing a new principle, this would certainly be the time when such a new principle could be brought before this House.

I cannot help but say I feel he is so right, Mr. Chairman.

The second thing is that not only the cost of the administration of justice but the cost of this department is involved. The municipalities are becoming so hard pressed that this is one cost that is eventually going to have to be borne by the province of Ontario, because we can see how the mill rate is going up, not only in the larger centres but throughout Ontario. It is an obvious cost that is going to have to be borne out of the Treasury of the province of Ontario.

For those two reasons—one, in the matter of trying to decide where a child comes from, and two, the problem would be solved if the province of Ontario would take over the cost, because it would be great help for

the local towns and villages throughout the province of Ontario—the hon. member is right.

Hon. Mr. Grossman: Perhaps I erred in not bringing out the other very important point in this particular area. The municipalities have the right of recourse to the parent. I think the hon. members of this House will agree that in probably most of these instances where a parent has the ability to pay, he should be made to pay for the child's maintenance. The municipality has the right of recourse to collect this money from the parent. It is much more difficult, of course, for the province to attempt to get the responsible parent to pay toward the cost of the maintenance of the child—

Mr. Trotter: Why?

Hon. Mr. Grossman: Because the municipal officers are right in the location and know where the parents are—

Mr. Trotter: No, but Mr. Chairman, the problem has been—and it is not only in The Department of Reform Institutions but even in some other areas such as welfare—that the various municipalities, because they are hard pressed, try to escape costs and if they possibly can they will say, "No, this child belongs to the village next door or town next door." There have been great arguments even in this particular area, as to whether the child is in the city of Toronto or the township of North York. In the Toronto area this has been solved somewhat, but we still have the problem, if he is in North York or Markham, of who is going to pay. I think this is something that could be solved under this section.

Hon. Mr. Grossman: In many cases the parent will pay for it.

Mr. Trotter: In some cases, yes, but in so many cases where a child is in trouble with the law or comes under any of these departments where the government is involved, the majority seem to involve parents who cannot pay. I do not think it is so much a problem of going after the parents, because if the province really wanted to go after the parents it has far more power than the local village has as far as that goes. The real problem is trying to decide which municipality should look after the child, and this is something that this fails to solve.

Hon. Mr. Grossman: If the hon. member would note under subsection 5, that where there happens to be a difference of opinion,

where it is apparently difficult for somebody to come to any conclusion—the judge has the authority to determine which municipality shall be responsible.

Mr. V. M. Singer (Downsview): Mr. Chairman, this is the same sort of problem we run into in connection with so many of the welfare provisions. When the select committee on municipal affairs was visiting several Ontario municipalities last summer we came into one where one of the local officials told us quite proudly, quite boastfully, that his municipality was not involved in various welfare payments, this sort of payment and so on, because he made it his business to make sure that such people did not stay in his municipality. He had some mysterious means of getting them out.

I think my hon. colleague and the other hon. members who have spoken have a very excellent point here. This sort of responsibility, not only in The Department of Reform Institutions but in The Department of Public Welfare, should be a province-wide responsibility.

Whether or not the parents are going to be held to be liable for a portion of the cost is academic insofar as this discussion is concerned. Some of the most difficult and bitter and involved litigation, particularly in the welfare field, has been concerned with the question of which municipality is responsible for the person who requires welfare aid or reform institution aid. I think as the hon. Minister brings in a new Act he should begin to establish a new principle, the principle of acceptance of provincial responsibility.

Surely the province has just as great facilities, far better facilities, to identify the parent and to make the parent pay if the parent is in a position to afford it. What you would be promoting if you established this principle now, at the beginning, is a situation in which local municipalities would not act in the way that many of them do. Local administrators would not be given the power to try and root these people out, to try and look for technical, legal defences to take into court to say they are going to knock a few dollars off their tax rate because they are not going to pay when another municipality will.

Hon. Mr. Grossman: They could not do that in this area.

Mr. Singer: They could! They could and they will; because there is a question if you look into the technical language on the purpose of subsection 2:

For the purpose of the section a child

shall be deemed to belong to the municipality in which he last resided for the period of a year.

We have great arguments about what “resided” means. Did he reside here because he lived here for a little while and then moved here, or he lived in one municipality? Some of these people may have lived in a half a dozen municipalities over a period of 12 months. This is how you get into court—

Hon. Mr. Grossman: If the hon. member reads the balance of that particular subsection.

Mr. Singer: It reads:

But in the absence of evidence to the contrary, residence for one year in the municipality in which he was taken into custody shall be presumed.

All right, and then you get the autocratic municipal official, and we saw at least one this summer, who says: This is not going to go on in my municipality. As soon as they come as far as the town borders somehow he manages to get them out. What we saw in that particular municipality was no credit to any sort of government.

Hon. Mr. Grossman: It was not in St. Andrew riding?

Mr. Singer: No, no; it was quite remote from the whole municipality of Metropolitan Toronto.

I think the only way in which this can be properly controlled is by the government. I think this should be the beginning of the recognition of a principle which I hope the hon. Minister's colleague, the hon. Minister of Public Welfare, will adopt in his legislation.

Mr. Bryden: Mr. Chairman, the hon. Minister has gone to all the trouble of consolidating and revising this statute and bringing in a shiny new bill which, as he says, has been subject to a great deal of consideration in the department in consultation with outside parties; and then in sections 16 to 22, inclusive, he brings forward a principle that comes out of the Ark.

This approach to the whole welfare problem in its broadest sense is completely antiquated. The idea that all these things fall back on private charity or the local municipality is surely obsolete, and particularly in this setting. We have a situation here where the municipality has no discretion or responsibility of any kind. The only responsibility it has is to pay certain money under

certain circumstances to the province. It has no control over the situation under which a child finds his way into one of these provincial institutions, it has no discretion of any kind. We talk about municipal autonomy but our statutes are laced with provisions that deprive them of any sort of autonomy; impose financial obligations upon them without them having any say at all. It surely is a principle that ought to have been abandoned *in toto* and certainly should be abandoned in the specific instances now before us.

There may be some difficulties of adjustment within the government as between The Department of Reform Institutions and The Department of Public Welfare; but why should the municipality have to bear the brunt of your problems? You fellows see each other every day, surely you can get that settled. I know the hon. Minister of Public Welfare is a very easy fellow to get along with. I am sure if the two Ministers sat down for 15 minutes they could get this thing straightened out.

At any rate, why pass your burdens on to the municipalities? This type of obsolete provision should certainly not appear in what purports to be a new revised and up-dated statute. I would suggest to the hon. Minister that he let the bill stand while he thinks about it for a little while. I think if he thinks about it he will decide that sections 16 to 22, inclusive, should go out of the bill and that whatever adjustments have to be made between him and his colleague, the hon. Minister of Public Welfare should be made. This bill should not be conditioned by those internal administrative problems.

Mr. Chairman: All those in favour of section 16, please rise.

All those opposed, please rise.

Clerk of the House: Mr. Chairman, the ayes are 68, the nays 25.

Mr. Chairman: I declare the section carried. Section 16 agreed to.

Sections 17 to 22, inclusive, agreed to.

On section 23:

Mr. Thompson: On section 23, I would, through you, sir, like to point out to the hon. Minister subsection 2 of section 23, which I am going to read at this point:

During the period that a child is a ward of the training school the rights and duties of the child's parents or any other guardian in respect of the care and custody and control of the child are suspended.

I note that in the whole of this bill there is nothing about the responsibility of the parents. I frankly believe that the root cause, as we have talked about it before, of many a child who goes into an institution is right on the shoulders of the parents themselves. I think we are ignoring this point, Mr. Chairman.

I know we have discussed it and said some effort has been made, but it is really a sickening thing to see a number of young children, particularly about the age of seven, which was mentioned before, in institutions. When you look at the home you recognize that it is the parents who are really at fault and are guilty.

I think of my own experience, and I can go into case after case where young people have been put into institutions and when you went to look at the home life you find that the parents are at fault. In one case I remember a child would be sent out to get them fresh flowers from the park. The child would steal the flowers and come and put them on the kitchen table. The parents did not go to jail. It was the child who was sent to an institution.

I would hope that you would take that situation into account by putting the age at 12 to 16 and that you are hoping that the federal Juvenile Delinquents Act may shed some light on the system and bring about a new approach, a new inspiration and that we will not send children, at the age of seven, into institutions.

Similarly, I had hoped that under The Juvenile Delinquents Act—which does have a clause suggesting that someone who has contributed to juvenile delinquency is liable to a \$500 fine or a term in prison—I had hoped that you might put in your subsection 2, and this would be an addition to it, the authority by which, if required by the judge, the parents will have to report regularly to an accepted family counselling agency.

As far as I am concerned I would really like to see, in the treatment of the situation in which a child has gone into an institution, a new focus placed on the parents. I would like to see, through some mention of this in your legislation, some encouragement to magistrates so that they would suggest to the parents of a child, particularly if the magistrate thinks that the parents are delinquent in their responsibility, that they have got to report for some kind of family counselling regularly and they have got to improve their situation so that when the child comes out there is an improved home situation.

Hon. Mr. Grossman: Mr. Chairman, I concur wholeheartedly in the theory that parents who are in fact responsible for these conditions should be made to pay a penalty, if in fact you can make them pay a penalty.

Mr. Thompson: Something constructive!

Hon. Mr. Grossman: Yes; but it seems to me, and I am not a lawyer—I know the hon. member for Scarborough West can say this is a good reason to send it to a committee and get the lawyers' views—it seems to me that under the criminal code or The Juvenile Delinquents Act, the judge still has that authority. We are dealing here only with the method of admitting to a training school. It has nothing to do with the penalties imposed by a judge on anyone for contributing to juvenile delinquency or anything of that nature.

It seems to me the lawyers in the House can probably give better advice in this respect than I can. The judge still retains that authority and, in fact, is probably doing precisely that in some instances.

Mr. Thompson: I am really just standing up to re-emphasize my point of treatment. The whole purpose of your institution is for the treatment of the child so that he will come out a more mature and responsible child. I am suggesting that when we get this first opportunity for some discussion of the parents—we talk about the fact that the rights and duties of the child's parents will be taken away from the parents and given to another guardian. I would like to see an overall emphasis placed, because it is you who are treating the child in an institution and you who are giving authority by which the child will be placed in the institution, and at some point you, the Minister, will mention treating the parents, because I think they need as much treatment as anyone.

Hon. Mr. Grossman: It is not within the purview—

Mr. Thompson: The hon. Minister is saying it is not under his purview—this matter of getting the age of seven raised to 12; but by suggestion or by hope or something—I do not know how the hon. Minister is doing it—he at least might move it up to 12.

Hon. Mr. Grossman: The way we are accomplishing that is by merely providing the requirements for admission to a training school. Now, how the hon. leader of the Opposition's suggestion could be brought into this, I really cannot say.

I can appreciate what he is trying to do.

He thinks that in some way or other we could emphasize this, if only for the purpose of sending a message to Ottawa. It would be a good thing but I do not think it can be incorporated in this particular Act. It does not belong in The Training Schools Act, in my view.

Mr. Thompson: If I could just once again read this to the hon. Minister.

During the period that a child is a ward of the training school, the rights and duties of the child's parents or any other guardian in respect of the care and custody and control of the child are suspended—

The hon. Minister is obviously taking away something in respect to the parents. I am suggesting, that as well as taking something away, the hon. Minister should suggest some kind of treatment which the judge might have the authority to—

Hon. Mr. Grossman: I think we had better discuss this with our lawyers. I do not think—

Mr. Thompson: Fine. I raised it for the consideration of the hon. Minister.

Mr. S. Lewis: Mr. Chairman, on the first portion of section 23, subsection 1:

Upon admission to a training school, a child becomes a ward of the training school.

Mr. Chairman, the hon. Minister would wish, and is apt to invoke, the most up-to-date thinking possible in this field. I point out to him that recommendation number 1, of the report of the advisory committee on child welfare to the hon. Minister of Public Welfare, reads as follows:

That the Crown in right of Ontario be designated as the legal guardian of children who are permanently removed by the courts from the custody and control of their parents.

I would suggest to the hon. Minister that his Act be amended to align itself with that principle. Within the context of this Act, other various groups can come together to set up a training school; and that wardship, if extended, should be extended to the Crown in right of Ontario. That will make this legislation coincident with the likely amendments to The Child Welfare Act which we will receive after Easter, and to the most advanced thinking on the subject as a whole.

Hon. Mr. Grossman: Of course I take it that, in effect, the superintendent of a training school is acting for the Crown anyway. As to the hon. member's suggestion of a new

group coming in, no new group can come in, without the approval of the department, and establish a training school under this Act. It has to have the approval of our department; and, presumably, if they were not the kind of responsible people who could be entrusted with this sort of guardianship, we would not approve their operating a training school.

Insofar as what is presumed to be in a new child welfare Act, or amendments to The Child Welfare Act, is concerned, if, in fact, such legislation is brought forward and this legislation does not appear to be in conformity with it, we will make the necessary change. But this appears to be the best way, insofar as the administration of a training school is concerned. We have to give the superintendent certain authority, which he requires, for the proper administration of the school itself.

Mr. S. Lewis: I respect that. I suggest to the hon. Minister that, in fact—assuming that the recommendations of the child welfare committee mean anything—his Act will have to be again subsequently amended. And I think that establishing now the principle of the equality of facilities via Crown guardianship is good.

Hon. Mr. Grossman: There does not appear to be any contradiction between this and the Crown becoming the guardian of the child.

Mr. Young: Mr. Chairman, in subsection 3 the hon. Minister may at any time after the release of a child from a training school, order that the wardship of the training school shall cease. I wonder why the hon. Minister did not include here the words "or a judge" after the word "Minister." To get the child into the training school and under the wardship, the county court judge or judge has to take action; and then later, in section 28 (d), prescribing conditions under which children may leave the training school, it seems to be far better to put it here under regulations than to prescribe that the judge himself may have the final word. This allows an appeal from the Minister, and it seems to me it is using the same technique in getting the child finally discharged as when the child went in.

Hon. Mr. Grossman: Mr. Chairman, do I understand the hon. member to suggest that every youngster who is released from a training school, before the department releases wardship of that child, should go back to court?

Mr. Young: The parents may want to get the wardship back before the Minister

may, in effect, be willing to grant it. This allows a final appeal to the court if the people concerned with the child may wish it.

Hon. Mr. Grossman: That would not be practical in the first place. We would hope by that time that all thought of the juvenile court, and all the things that preceded the youngster going into the training school, will have been forgotten. He is out on placement, either to his own home—and if it is the kind of a parent who is really that anxious to have a child at home, and if it is the kind of home the child should go back to, this is in effect to where the child will be released. And I cannot conceive of the kind of situation to which the hon. member is referring.

Certainly, unless there is a practical reason for it, I cannot see the point of it, really.

Sections 23 to 25, inclusive, agreed to.

On section 26:

Hon. Mr. Grossman: Mr. Chairman, I move that subsection 1 of section 26 be amended by striking out the word "the" in the fourth line and inserting, in lieu thereof, the letter "a." Actually this is to correct a typographical error in the original printing.

Section 26, as amended, agreed to.

Section 27 agreed to.

On section 28:

Mr. S. Lewis: Mr. Chairman, I know the short word I am about to utter is doubtlessly futile. But much of politics is made up of futility and I shall utter it anyway.

I believe that Acts such as this are drastically undermined in the eyes of many hon. members by the lack of specification, by confining all the substance and the meat of the Act to regulations. This is true of much of our legislation under The Department of Public Welfare, and it has become true within The Department of Reform Institutions. I say to the hon. Minister opposite that the vagary enunciated here cannot possibly make hon. members confident that the kind of regulations we might have will fulfil the spirit of the Act. Too often the regulations countermand the spirit of the Act.

I think it would be important to spell out, within the confines of the Act, how the hon. Minister expects these training schools to be run. It is not too much for members to ask, within the context of the Act itself, which schools will have an academic emphasis, which schools will have vocational emphasis, what the likely treatment complement is going to be, what the philosophy about detention is likely to be—in other words, some

coherent and systematic approach to the way in which the Act is to be administered.

Instead, when the regulations emerge, we may find that all the high-sounding phrases in sections 8 and 9 cannot, in fact, be fulfilled. I remind the hon. Minister that, in The Department of Public Welfare, in such Acts as The Children's Institutions Act and The Charitable Institutions Act and The Homemakers Act, the regulations frequently defeat the intent of the principle. I appeal to him that in future bills within his department, this Legislature be given a more specific lead as to what his intentions are. I simply make that observation.

Hon. Mr. Grossman: Mr. Chairman, I would just like to add to that observation. The hon. member's speech almost sounds like a speech I made as a private member. Perhaps I should not be saying this but I must, in all honesty, say that as a private member this was the way I felt; and, as a Minister, I try to incorporate this philosophy in legislation, but in all honesty it is impossible to do. If we were going to bring forward regulations today for the operation of the training schools—and, quite frankly, we are not ready for it anyway, we would have to wait until the session was over and waste another year, or lose another year—even if they were ready they would be so voluminous and so detailed that we would be sitting here for a week just discussing the regulations. So, while I agree in principle, I think principle is one thing and practicability is another.

Mr. S. Lewis: I just wanted to add that no one is suggesting that the hon. Minister bring in all the regulations. He appreciates that. It is an effective debating point, but it does not persuade me.

I know he is not expected to bring in all the forms which have to be filled, and I do not expect them to be subject to debate in this House. I do expect that, in legislation fundamental as this, some greater area of specification be made; just a little more, so that the members will have some idea about treatment, about detention, about educational courses—no precise stipulation, but at least something from which to operate—because at the moment we have no idea at all.

Hon. Mr. Grossman: Mr. Chairman, I do not think these should be in the regulations anyway. It should be a matter of policy.

Mr. S. Lewis: Then, if it is a matter of policy I would suggest the bill as a matter of policy should embody it.

Hon. Mr. Grossman: Perhaps we should have discussed it. I think we did when we were discussing the principle.

Mr. MacDonald: Maybe we should discuss it in the committee.

Hon. Mr. Grossman: It will not meet.

Mr. Bryden: Mr. Chairman, I have always felt that if the hon. Minister of Reform Institutions would spend more time reading some of the speeches he made when he was a private member he would be a better Minister. I appreciate that there are difficulties in incorporating in a statute all the details that one puts in regulations, but this question of regulations is really getting beyond all reason, not merely in this jurisdiction, but in all jurisdictions. It is a matter of concern in most jurisdictions.

The Legislature actually does not do much legislating at all. It passes a few bills that Ministers bring in, which they often will not allow to go to standing committees, and most of the real legislative authority is delegated to somebody else, so that the Legislature in fact does not know what happens in the field. I would think this is a matter that would be of concern to the government.

I would suggest to this hon. Minister that he pursue the idea with his colleagues; one way of getting around the difficulty is to have a committee similar to the select committee on statutory instruments in Great Britain, and similar to a committee that now exists in Manitoba and has existed since about 1962.

This, sir, would be a committee of this House that would review legislation passed under statutory authority by way of regulation, so that there would at least be a group in the Legislature that would have to make it its business to keep track of what is being done under the authority granted by this Legislature, and which would be in a position to report back if it thought that the authority was being improperly exercised. As my hon. friend from Scarborough West has pointed out, there is a widespread feeling that the real intent of some quite worthy statutes is defeated in regulations, and I think there should be a regular procedure for reviewing all regulations passed under authority of—

Hon. Mr. Grossman: Does the hon. member want me to put that into this Act?

Mr. Bryden: Pardon?

Hon. Mr. Grossman: Does the hon. member want me to incorporate it in this bill?

Mr. Bryden: I am just reminding the hon. Minister that he has said that he agrees there is a problem—

Hon. Mr. Grossman: I am always conscious of it. I am always conscious of it.

Mr. Bryden: If he is always conscious of it I would suggest that he start talking to some of his other colleagues and make them conscious of it—

Hon. Mr. Grossman: And so are they.

Mr. Bryden: —and perhaps we can get a change in direction in government policy and have some sort of rational way of dealing with this great mass of legislation that is passed and never comes before this Legislature at all.

Mr. Young: Mr. Chairman, there is one further question I would like to ask the hon. Minister. Is there any reason why, under the regulation, no mention is made of the matter of visitors to the children in the institution? Certainly I can understand that perhaps it might be best for the parents not to have the right to come in when and if they wish, but if there is no mention in the regulations of visits to the inmates of the institution then is there any legal right for anyone to see the child at any time? Should this not be at least mentioned within the regulations themselves?

Hon. Mr. Grossman: The hon. member can rest assured that one of the most important factors in treating the youngsters in our school is to try to get the families to come and see them as often as possible. It would be in the regulations, of course, I suppose, insofar as hours are concerned and so on. The hon. member may rest assured this is not only condoned, it is encouraged, and this is what we are trying to do at all times.

In closing, Mr. Chairman, let me assure the hon. members that there will be nothing in the regulations which will be contradictory to the spirit of the bill itself. They can rest assured on this point.

Section 28 agreed to.

Sections 29 to 31, inclusive, agreed to.

Bill No. 25 reported.

THE ONTARIO HUMAN RIGHTS CODE, 1961-1962

House in committee on Bill No. 30, An Act to amend The Ontario Human Rights Code, 1961-1962.

Section 1 agreed to.

On section 2:

Mr. Trotter: Mr. Chairman, in the matter of section 2, we have discussed this matter at some length on second reading and I do not intend to go into this whole section once again, because what we have had to say has been said.

But, Mr. Chairman, I did want to move an amendment to this section and it is for this reason: Section 2 as it is now before this committee, says:

We shall not deny to any person or class of persons, occupancy of any commercial unit or any apartment in any building that contains more than three self-contained dwelling units.

It is this matter of the three self-contained dwelling units, or section (b) where it refers again to three self-contained dwelling units, that I want to discuss.

When this bill was before the House in another sitting of the Legislature, the number was reduced to six, and now we are reduced to three. We are supporting this bill in principle because we felt that half a loaf is better than none, but we are obviously moving toward the situation piecemeal, step by step, in doing away with discrimination in this province, and for the life of me, Mr. Chairman, I cannot understand why a government does not wipe away discrimination once and for all—why it has to do it in this matter of just moving bit by bit. It is so obvious that public opinion, and literally world opinion, is coming to judge individuals as individuals regardless of their creed or colour or anything else, but rather by what is the worth of the person, and this is the basic principle that we in this House should be guided by.

There are other jurisdictions in the world that have not moved as far as we have, and there are some that have moved further, but it is a duty incumbent upon government to lead the way. I will be the first to admit that prejudice is not voted away. Prejudice is something that has been ingrained from generation to generation and it is only a matter of good practice and open minds that is really going to bring about that happy day when we wipe away bigotry and prejudice for good. But at the same time, in our legislation, especially when it is called The Ontario Human Rights Code, we should not have such an offensive section as we have in this section 2, for we are literally still allowing discrimination and prejudice to exist in the province of Ontario.

Therefore, Mr. Chairman, I wish to move

an amendment to section 2, which would be as follows:

(a) deny to any person or class of persons, occupancy of any commercial unit or any apartment in any building, and (b) discriminate against any person or class of persons with respect to any term or condition of occupancy of any commercial unit or any apartment in any building.

With this amendment, and I do hope that the government will see fit to vote in support of it, this House can go a long way in showing that the province of Ontario, the banner province of the Dominion of Canada, is against discrimination of any kind, in any form, and certainly we are going a long way in helping to educate not only the people of Ontario and Canada, but throughout the world.

Mr. Chairman: All those in favour of the amendment, please say "aye."

All those opposed, please say "nay."

Clerk of the House: Mr. Chairman, the ayes are 23, the nays 65.

Mr. Chairman: I declare the amendment lost.

Section 2 agreed to.

Sections 3 to 6, inclusive, agreed to.

Bill No. 30 reported.

THE OPERATING ENGINEERS ACT, 1965

House in committee on Bill No. 35, The Operating Engineers Act, 1965.

Sections 1 to 23, inclusive, agreed to.

On section 24:

Mr. R. Gisborn (Wentworth East): Mr. Chairman, on section 24, subsection 1 (j), I would think that this section is not necessary. If we read subsection 1 of section 24, the board:

—may cancel or suspend a certificate of qualification if the operating engineer or operator—

and then (j) says:

—leaves the employ of his employer without having given his employer at least seven days' notice in writing of his intention to leave—

Mr. Chairman, there is no place in the Act or in the section that gives the employee that

kind of protection, in as much as if the employer wants to dispense with an operator's services he has to give him seven days' notice.

There are sections of the Act that gives adequate protection in regard to safety for the coverage of the job. If we turn to section 19, it provides for absences due to sickness or holidays, in which case the employer can cover the job with an operator with a lesser qualification or certificate.

There is also coverage in section 20 for temporary absences, and the whole of those sections relates to the safety angle of the Act, and to having the equipment covered by a certified engineer while it is in operation. Therefore, I do not think it needs to go as far as to demand that if an employee is going to sever his employment that he must give seven days' notice. This could be a hardship on an employee. In the case where he is offered, all of a sudden, a better-paying job, and the offer demands that he be there in a couple of days or almost immediately, he could not fulfill those stipulations.

If we turn to section 28, it also makes provisions for the engineer being absent for certain reasons. He has to cover his job by notification to the chief engineer or the chief operator on the shift in which he is working. The purpose of these sections, as I have said, is to make sure that the equipment is covered with an operator. I feel sure that all those other sections cover this situation adequately without subsection (j) being in there, where it relates to seven days' notice on the termination of employment. Therefore, I would move, seconded by the hon. member for Woodbine, that clause (j) of section 24, subsection 1, be deleted.

Mr. G. Bukator (Niagara Falls): Mr. Chairman, I spoke on this bill, when they had that big gathering in here because there were too many of those engineers to contend with in that one room, if you will recall.

Mr. Chairman: Are you speaking to the amendment?

Mr. Bukator: I am speaking to the amendment, yes. As a matter of fact I moved the resolution, at that time, that all the subsections from (a) to (1) be amended, or deleted, except subsections 2 and 3.

What I do not like about the bill is that most professional men who have jobs today are not bound by a set of rules other than the ethics of that particular profession. And when you spell out, in this particular section, the conditions under which a professional engineer has to conduct himself, I think you

are taking away some of the privileges of an individual who has certain rights; and I do believe that a man can be fired at any time if he is not doing the job correctly. The thing I do not like about the bill is the fact that "the board may cancel or suspend a certificate of qualification if the operating engineer or operator (a) is habitually intemperate in his use of alcoholic beverages or is addicted to the use of drugs."

In the first instance, no one would hire a man like that; and if he were hired and they found out, shortly after, what he was, I think they would discharge that man. And you spell out in, "(b) operates a plant when his ability to do so is impaired by alcohol or a drug"; again, that man certainly would not be maintained too long by any particular group if he were found to be a drug addict or an alcoholic. It does not take too long to find out whether or not a man is drunk. So I do not think these conditions should be spelled out.

Now, about: "(c) is declared to be mentally incompetent or becomes physically incapable of safely performing his duties"—and this goes on right down to (1)—I cannot understand why these sections have to be in here; because if he is a professional engineer, or an operating engineer who knows his business, but is either mentally ill or not capable physically, or has these habits he should not have, then the man could be fired anyhow. And I do not believe that this should be spelled out in this particular bill. That is why I support the amendment.

Mr. Bryden: Mr. Chairman, I would like to speak in support of the amendment but not on the same broad terms as the hon. member for Niagara Falls. I believe that it is legitimate to provide, in the statute, certain conditions, where safety may be imperilled, under which an operating engineer's licence may be suspended or cancelled. I think that is reasonable; but the specific clause to which the amendment is directed does not fall in that category at all. It merely provides that a man's certificate could be cancelled or suspended if he, in effect, violates The Masters and Servants Act, if he leaves his employment without giving due notice.

There is a remedy for that under The Masters and Servants Act, and the remedy is equally applicable to employers and employees; the employee is also entitled to certain notice under the general law of the province and he is required to give certain notice. That matter surely can still be left to regulation by The Masters and Servants

Act, but there is no valid reason for the additional and very harsh penalty of cancelling a man's certificate and thus depriving him of his ability to carry on the occupation for which he is trained, merely because he has failed to give seven days' notice. This does not affect safety at all.

As the hon. member for Wentworth East has pointed out, the safety factor is already covered by clause (i), which provides that a man's certificate may be cancelled or suspended if he fails to give the notice required by section 28. Section 28 provides, in effect, that if an operating engineer or operator knows that he is not going to be on the job to look after the boiler he has to notify his chief engineer. If he fails to notify him, then he could have his certificate cancelled. That is fair enough; if he just let a boiler go unattended for an entire shift, when the law requires that it must be attended, in my opinion that would be a just cause for disciplinary action—either suspension or cancellation of the certificate under the Act.

But surely the matter of giving seven days' notice is a civil matter, between the employer and the employee; let the employer, if he feels he has been adversely affected by the failure of the employee to give seven days' notice, follow the ordinary provisions available to every employer under the law—and, also, the provisions which are available to every employee. The inclusion of clause (j) in this subsection as it stands, is giving a weapon that is quite unnecessary and quite illegitimate to an employer who may wish to use it against an employee with whom he has had some difficulty. As I have pointed out, it is not necessary for safety; the safety factor is already well covered by the subsection; therefore, I do not see any reason why it should be in. I would suggest to the hon. Minister that he should accept the amendment. If he is not prepared to accept it, I would appreciate it if he would explain why not, because I cannot see any reason at all for leaving clause (j) in subsection (1) of section 24.

Hon. H. L. Rowntree (Minister of Labour): Well, Mr. Chairman, I cannot accept the amendment and I urge the hon. members of the House, and of the committee, not to accept it.

This is not a situation which can be described as a master and servant relationship. This is entirely a matter of safety.

Mr. Bryden: Clause (i) covers safety.

Hon. Mr. Rowntree: Just a moment now; (i) refers to some offences in section 28, to

do with leaving the equipment unattended, in effect. That is the general area of it.

I take it, from the debate, that it is assumed that there will be an operating engineer available around the corner, or within five or ten minutes, to take the place of the departed man. This is not the case. It might be the case in a built-up industrial area but it is certainly not the case, in general, across the province as a whole. I point out to the House that this Operating Engineers' Act—one of the things about which inquiries have been made to me—has to do with the status and the privilege of holding an operating engineer's certificate. And I have given my assurance that the status of persons holding an operating engineer's certificate would not be disturbed. It is important to these people that this status factor—and it is a legitimate one—be maintained. But by the same token, if there is a status and a privilege in holding a certificate, then there is a responsibility that goes with that certificate. And this applies in other areas, with respect to certain offences which do not meet a standard of conduct. Others holding certificates are subject to having their certificates suspended, whether it be a lawyer or a doctor or what it may be.

I urge that these matters be left as they are. I think that item (j), which is the test area that has been selected, is a reasonable thing. It is not a question of an employer vis-à-vis an employed engineer; it is a question of the care being given on a continuous basis, or against an undertaking to take care of it in the course of discharging duties under the certificate of an operating engineer. I think that this is a reasonable thing and I ask the House not to support the amendment now.

But the significant thing about the points made by the hon. member for Woodbine is that here we have the matter spelled out in detail, and on a previous bill, just a few moments ago, The Training Schools Act, complaint was made that the Opposition wanted them spelled out. Here in this Act, they are spelled out. I say everything is on the table, everything is declared, and yet the hon. member is against this. I would think the hon. member would want to withdraw his amendment.

Mr. Bryden: Mr. Chairman, I do not know if the hon. Minister is just deliberately trying to confuse issues—

Hon. Mr. Rowntree: Not at all.

Mr. Bryden: I certainly took the position that as far as possible matters should be spelled out in legislation and I stand by that

position, but it does not follow that if they are wrong we should vote in favour of them merely because they have been spelled out. I am suggesting to him here that he is completely off the beam in the argument he put up.

He made some comment to the effect that (j) had been selected as a test or something like that. I do not know what he meant by that but if he is suggesting that either the hon. member for Wentworth East or myself, as the seconder, was using this as a test to object to the whole of subsection 1 of section 24, he is quite wrong. We agree with the other provisions of that subsection; we just believe that this particular provision is out of place. The matter at issue, as the hon. Minister has said, is safety. The matter for which the extreme penalty of loss of licence should apply should only be if an operator leaves a boiler unattended, or leaves the employ under such circumstances—if you want to put it that way—that the boiler will be unattended. But it certainly does not automatically follow that a boiler will be unattended merely because an employee has given less than seven days' notice. That does not follow at all.

I am suggesting to the hon. Minister that the extreme penalty that is provided in this section therefore should not apply except where safety is at stake, and it should be very clearly worded that it is only where safety is at stake that this penalty can be imposed.

Hon. Mr. Rowntree: Just let me clear up one point. It is not a case of selecting an arbitrary position of a case where safety exists or does not exist; in every case that would be considered where this might apply. Safety is a factor, because an engineer with a certificate is involved and obviously required to supervise that equipment. Therefore, safety is a factor in every case.

Mr. Bryden: Just a second. Safety is a factor if the boiler is unattended and it does not automatically follow from the failure to give seven days' notice that a boiler will be unattended. If, because of some act of the operator, the boiler is unattended, then I say that he should be subject to the penalty, but this is much broader than that. I think I was quite right in suggesting that it is putting on an additional and very harsh penalty to enforce The Masters and Servants Act. The employee has no similar redress against the employer—

Hon. Mr. Rowntree: It is not a matter of a master and servant relationship, it is a

matter of securing the services of a man with a certificate to supervise boiler rooms.

Mr. Bryden: I tried to suggest to the hon. Minister that by the way he has worded it, he has brought it into the area of The Masters and Servants Act.

Hon. Mr. Rowntree: Not at all.

Mr. Bryden: The hon. Minister certainly has, because there can certainly be many cases where, even without seven days' notice, arrangements could be made for the boiler to be attended.

Hon. Mr. Rowntree: The hon. member did not read the opening sentence of the section.

Mr. Bryden: I did.

Hon. Mr. Rowntree: It is not a mandatory suspension; it says "may" and where "may" exists it means you automatically take into account all of the circumstances—

Mr. Bryden: But it still gives the board the power to act in an arbitrary way. I am tired of hearing Ministers of the Crown come forward and say that certain arbitrary provisions in the law are matters that should not concern us because we can rely upon the administrators to be fair and reasonable. I believe that, by and large, administrators are fair and reasonable, but I also know of cases where administrators have not been fair and reasonable. I think we should be very careful when we define the powers that we give any board or other agency, and we should define them specifically to meet the situation and nothing more.

As the matter stands now, the board in this particular case is given far more power than it needs to ensure safety in the operation of boilers. I believe that there are fundamental civil rights involved here, that this should be defined much more clearly than it is at the moment. The hon. Minister may have a point in suggesting that (j) should not be struck out altogether. If that is so I would be prepared to listen to his point, but I believe he should redefine it to make it clear that it is applicable, and that the power may be exercised only when safety is in danger because a boiler was left unattended through the actions of an employee.

I think that is a fair proposition in protection of basic civil rights of individuals. After all, it is a pretty serious matter for a man who has spent years acquiring the skills of a stationary engineer, to be faced with the loss of his licence. I would suggest to the hon. Minister that we should be very careful in

spelling out the conditions under which he can be deprived of that right, which he acquired so arduously.

Mr. Bukator: Mr. Chairman, may I ask a question of the hon. Minister? I would like to make it clear in my own mind. I do not want to try to put words in the hon. Minister's mouth because I am not capable of that, but I recall that when we discussed section 24, he was going to take this particular section under advisement with his department heads, or take another look at it, I think that is the expression he used. Has the hon. Minister done this, Mr. Chairman, and decided to leave well enough alone?

Hon. Mr. Rowntree: At the committee meeting—and I think the hon. member for Niagara Falls was one of those who raised the point—I undertook to take this matter under advisement and review it. I have done this in some detail and I am satisfied, for instance, that seven days is at least a reasonable period. It is not unreasonable to ask for seven days' notice; most of these people are paid by the week, and the law itself requires notice equivalent to the pay period. I think that seven days is the minimum. I would not think of anything more than this seven days; but, in all the circumstances, and having in mind the explosions which have taken place, and having in mind the possibility of a shortage of skilled engineers—qualified engineers—I am unable to recommend a change.

Mr. Gisborn: Mr. Chairman, I still have a word to say on this. I do not think that the hon. Minister has given any logical reason to have that restriction in there; and I do not think, if he approached most of the responsible employers who have industries which need these types of employees, that they would insist that they wanted that kind of coverage. Most of the industries have trainees—back-up people on every shift; and if you take Stelco or Westinghouse or Firestone, they have people booking off every night, telephoning in and saying that they are sick, or that they have had too much to drink, and should not report to work that night. They cover the jobs because they have prepared for them.

After all, in this Act, and such an important piece of legislation in regard to safety, the employer has some responsibility. All the responsibility cannot be laid on the shoulders of the engineers. If it is so important that these jobs should be covered then, in some instances, the employer must be responsible for covering his jobs in case of this sort of situation. He has to cover them for vaca-

tions, well in advance; he has to have people there to look after sickness. If a man dies on the street, they just do not pick another one out of the air and put him on the job.

This restriction is on the employee who might want to leave, without giving seven days' notice, to go to another job; and there is no reason why it should be in there. There is ample protection; and if there is not, then something should be put in there to put the responsibility on the employer to cover his jobs.

Mr. Chairman: Moved by Mr. Gisborn, seconded by Mr. Bryden, that clause (j) of section 24, subsection 1, be deleted.

All those in favour of the amendment please say "aye."

All those opposed please say "nay."

I declare the "nays" have it.

Section 24 agreed to.

It being 6 o'clock, p.m., the House took recess.

No. 75



Legislature of Ontario Debates

OFFICIAL REPORT—DAILY EDITION

Third Session of the Twenty-Seventh Legislature

Tuesday, April 13, 1965

Evening Session

Speaker: Honourable Donald H. Morrow

Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, APRIL 13, 1965

The House resumed at 8 o'clock, p.m.

THE OPERATING ENGINEERS ACT, 1965

(continued)

Sections 25 to 37, inclusive, agreed to.

Bill No. 35 reported.

LABOUR DISPUTES IN HOSPITALS

House in committee on Bill No. 41, An Act to provide for the settlement by arbitration of labour disputes in hospitals.

Sections 1 to 16, inclusive, agreed to.

Bill No. 41 reported.

THE MINING ACT

House in committee on Bill No. 42, An Act to amend The Mining Act.

Sections 1 to 13, inclusive, agreed to.

Bill No. 42 reported.

THE TRUSTEE ACT,

House in committee on Bill No. 70, An Act to amend The Trustee Act.

Sections 1 and 2 agreed to.

Bill No. 70 reported.

THE PROCEEDINGS AGAINST THE CROWN ACT, 1962-1963

House in committee on Bill No. 71, An Act to amend The Proceedings Against the Crown Act, 1962-1963.

Sections 1 and 2 agreed to.

On section 3:

Hon. A. A. Wishart (Attorney General): I move that the bill be amended, Mr. Chair-

man, by renumbering sections 3 and 4 as sections 4 and 5, respectively, and by adding thereto the following section 3:

Section 19 of The Proceedings Against the Crown Act, 1962-1963 is repealed.

Mr. D. C. MacDonald (York South): What is the section that is being repealed?

Hon. Mr. Wishart: The section being repealed is replaced by one of the sections in the new Act.

New section 3 agreed to.

Section 4, formerly section 3, agreed to.

Section 5, formerly section 4, agreed to.

Bill No. 71 reported.

THE CORONERS ACT

House in committee on Bill No. 72, An Act to amend The Coroners Act.

Sections 1 to 18, inclusive, agreed to.

Bill No. 72 reported.

THE PUBLIC HOSPITALS ACT

House in committee on Bill No. 76, An Act to amend The Public Hospitals Act.

Sections 1 to 4, inclusive, agreed to.

On section 5:

Hon. M. B. Dymond (Minister of Health): Mr. Chairman, I move that the proposed section 36 be struck out and the following substituted:

Where the privileges of any member of the medical staff are restricted or cancelled for any reason by specific resolution of the board of governors or where any disciplinary action is taken by a board or medical advisory committee against a member of the medical staff because of incompetence, negligence, or any form of professional misconduct, the administrator shall forward a report of the action and the reason for

it to the college of physicians and surgeons of Ontario.

Section 5, as amended, agreed to.

Sections 6 to 7 agreed to.

Bill No. 76 reported.

THE COMMUNITY CENTRES ACT

House in committee on Bill No. 78, An Act to amend The Community Centres Act.

Sections 1 to 3, inclusive, agreed to.

Bill No. 78 reported.

Clerk of the House: The Honourable the Lieutenant Governor recommends the following:

That,

(a) an indemnity at the rate of \$8,000 per annum shall be paid to every member of the assembly;

(b) an allowance for expenses at the rate of \$3,000 per annum shall be paid to every member of the assembly representing an electoral district within the municipality of Metropolitan Toronto and at the rate of \$4,000 per annum for every member representing any other electoral district; and

(c) there shall be allowed to each member of the assembly in respect of fifteen trips per annum from his place of residence to the seat of government at Toronto ten cents for every mile of the distance between his place of residence to Toronto and return, which distance shall be determined and certified by the Speaker,

as provided by Bill No. 80, An Act to amend The Legislative Assembly Act.

Resolution concurred in.

THE LEGISLATIVE ASSEMBLY ACT

House in committee on Bill No. 80, An Act to amend The Legislative Assembly Act.

Sections 1 to 4, inclusive, agreed to.

Bill No. 80 reported.

THE JUNIOR FARMER ESTABLISHMENT ACT

House in committee on Bill No. 82, An Act to amend The Junior Farmer Establishment Act.

Sections 1 to 5, inclusive, agreed to.

Bill No. 82 reported.

THE MOTOR VEHICLE ACCIDENT CLAIMS ACT

House in committee on Bill No. 86, An Act to amend The Motor Vehicle Accident Claims Act.

Sections 1 to 4, inclusive, agreed to.

Bill No. 86 reported.

THE BRUCELLOSIS ACT, 1965

House in committee on Bill No. 91, The Brucellosis Act, 1965.

Sections 1 and 2 agreed to.

On section 3:

Mr. R. F. Nixon (Brant): Mr. Chairman, with regard to this section, I would ask the hon. Minister if he feels at this time that the main reason for removing the compulsory aspects of the previous bill is that the disease is now under complete control?

Hon. W. A. Stewart (Minister of Agriculture): Mr. Chairman, there are many reasons for this, and that is one of them; but I would say that the chief reason for it is the fact that the federal government feels that the brucellosis disease is sufficiently under control in Canada that a brucellosis-free area can now be declared across the nation and, as such, the compulsory aspect of vaccination need not be adhered to.

I would point out to the hon. members of the House, Mr. Chairman, that if anyone wishes to vaccinate their female calves in Ontario the cost will be paid for, and it will be done by a veterinarian registered and certified under this Act to do such work. Previously any veterinarian could vaccinate calves and they could charge it through The Department of Agriculture.

Mr. Nixon: It seems to me, Mr. Chairman, that if the hon. Minister concurs with the federal view that Canada is now a brucellosis-free area, he would be considering removing the support of the government for the vaccination procedures. I do not really understand why, if the hon. Minister agrees that Canada is now a brucellosis-free area, he should continue supporting this. In my view, I hope that it will be continued because I think that the hon. Minister and his counterpart, federally, are very optimistic in this regard.

Hon. Mr. Stewart: I am glad to know that my hon. friend thinks that my counterpart in Ottawa and I get along so well together that we are—

Mr. F. R. Oliver (Grey South): If they do not, it certainly will not be the hon. Minister's fault.

Hon. Mr. Stewart: Of course, it could not be otherwise—I am the soul of good-naturedness, really.

The reason we are continuing the vaccination programme, and paying for it on a voluntary basis for those who wish to vaccinate their female calves, is that there are many countries which will not accept animals unless they are vaccinated because they are not brucellosis-free areas as is ours; so, for export purposes, an animal must be vaccinated to go into most countries. As you know, Canada, and Ontario in particular, enjoys a wonderful reputation as to the health standards of our livestock and we want to maintain that; so we are paying the costs of the vaccination of female calves for all who want to have it.

Mr. Nixon: At the risk of running the hon. Minister's voice down farther, I would ask him if he and his department are recommending to the farmers of Ontario that their livestock be vaccinated.

Hon. Mr. Stewart: I would say to those who are maintaining breeding herds that it would be a good idea to keep vaccinating them. The problem has been in the past that a great many female calves are brought into Ontario—beef calves for feeder purposes—and the fact is that we have been paying for the vaccination of those calves which were never intended to be used for breeding purposes. They went directly to the slaughterhouse and it was, to my mind, a waste of money—and I thought this from the start. This is one way, I think, we can accomplish the purpose for which the Act was intended and still save a considerable amount of money, and a good deal of trouble, for those farmers who brought feeder cattle in and had to have them vaccinated; as well as for a great many other farmers who raise cattle of their own, who have no notion of keeping the female stock for breeding purposes, and are just raising them for beef purposes. To me it was just a waste of time to have those calves vaccinated.

I think we will accomplish what my hon. friend feels must be done, and that is protect the health standards of our livestock—and, indeed, the health standards of the people because we know that brucellosis has been the source of undulant fever in many instances. This is one of the reasons why we believe that we should do everything we can to keep the disease under control; but, once it has

been brought under control and the province declared a brucellosis-free area, surely we do not have to go on spending money and doing things that are not apparently and obviously necessary.

Mr. Nixon: Can the hon. Minister tell me when the testing procedures were completed in Ontario?

Hon. Mr. Stewart: I cannot tell the hon. member the exact date. I was invited by my counterpart at Ottawa, the hon. Mr. Hayes, to go with him to participate in the final blood testing of the last cow in northern Ontario.

Mr. Nixon: Since Christmas?

Hon. Mr. Stewart: No, no. It was months ago; it was sometime last summer—or last fall.

Mr. Nixon: I would like to inform the hon. Minister that many of the herds in Brant county have been tested since Christmas on a full herd scale; and it seems to me that, regardless of what the federal declaration has been, the hon. Minister may be acting precipitately in removing the necessity for vaccinating calves which are going into milk production. Everything does not have to be thrown out with the dishwater—but it might very well have been, if the hon. Minister had considered this.

Nevertheless, I would bow to the advice that he has received and I would sincerely hope that the future of the industry is in no way put in jeopardy because of his action.

Hon. Mr. Stewart: I concur, Mr. Chairman; but thorough consideration has been given to these very points, and they have been thoroughly discussed. We feel that, certainly, any farmer who is interested in maintaining a healthy standard in his herd is going to continue to vaccinate. The reason we have—

Mr. Nixon: That farmer's neighbour might not.

Hon. Mr. Stewart: Well, he should if he is not doing so.

Mr. Nixon: That is why you have made it obligatory.

Hon. Mr. Stewart: It may well be, but I think we have to recognize that there is some responsibility on the individual. Surely to goodness, if the farmer is offered the service free of charge he will take that service, if he has any respect for his livestock and wants

to have them vaccinated for sale purposes, if for no other reason. I cannot see any reason why it should be necessary for us to vaccinate every female in this province.

Mr. Nixon: Every milking female; now there is a difference.

Hon. Mr. Stewart: I do not think there is any need for that whatever.

Mr. Nixon: I would like to ask the hon. Minister if he has received any representations, from organizations across the province, regarding this bill.

Hon. Mr. Stewart: No, I cannot recall any. I cannot recall having received anything objecting to this. No, I cannot say that I have. I know that I announced that we were considering doing this at at least two or three conventions which I attended, and I have never heard a word of criticism from anyone other than what I have heard across the floor of the House.

Mr. Nixon: And you can say that you had no misgivings about this Act whatsoever.

Hon. Mr. Stewart: I would say that I had some misgivings when it was first presented to me. The points were brought up first by the hon. member for Grey South, then the hon. member for Huron-Bruce (Mr. Gaunt) raised them on second reading, and then the hon. member for Brant raised them now.

I must confess that I looked into these very aspects of it when it was first suggested to us that this be done or that we repeal this Act as far as the compulsory aspect was concerned. My mind was set at ease as far as the standards being maintained. I think when one recognizes the fact that some female stock that has been sold, as I pointed out the other day, has been denied the right of export because it showed positive or doubtful in the blood test prior to export, it was a clear indication to us that all, even in the compulsion, left something to be desired.

I think that we should go along with this and try it. Frankly, I do not think there is any real danger but I can assure you that if there is we shall have to implement the thing on a compulsory basis again. I feel sure that everything is all right; I would not want it to be otherwise, I can assure you.

Section 3 agreed to.

Sections 4 to 15, inclusive, agreed to.

Bill No. 91 reported.

THE LIVE STOCK COMMUNITY SALES ACT

House in committee on Bill No. 92, An Act to amend The Live Stock Community Sales Act.

Sections 1 and 2 agreed to.

On section 3:

Mr. Nixon: Mr. Chairman, I wonder if the hon. Minister would tell the House under what authority the inspectors have been appointed until now.

Hon. Mr. Stewart: The inspectors, I must say, have not been appointed with the full sanction and authority of the House. One of the things we noticed was that there was no real legislative authority for the appointment. They have been appointed and have acted all the time under order-in-council, but this is a statutory order.

Mr. Nixon: When were the first inspectors appointed to inspect the livestock sales?

Hon. Mr. Stewart: When were they appointed?

Mr. Nixon: Yes.

Hon. Mr. Stewart: I could not say how long ago it is, quite frankly.

Mr. Nixon: They have been in operation a long time?

Hon. Mr. Stewart: Oh, yes, that is right.

Mr. Nixon: I think you should have let sleeping dogs lie.

Hon. Mr. Stewart: Perhaps, but you see, with great respect to my friends in the legal fraternity, when they find something like this, they come along and say: "Now, look, you had better clean this thing up"—

Mr. Nixon: Too bad you did not find it first.

Hon. Mr. Stewart:—and I am always ready to go along with my legal friends.

Mr. M. Gaunt (Huron-Bruce): Is there any statute that says an inspector has to inspect the community livestock sales barn at a stipulated time?

Hon. Mr. Stewart: I do not think there is anything rigid about it. I think he is supposed to be there at the time the cattle are coming in to the sale or at some time during the sale, but as to whether he has to be right there on the job all the time, I am not too

sure. Are you referring to the clean-ups such as between sales, or something like this?

Mr. Gaunt: Yes, I was wondering about the clean-ups between sales. I thought that perhaps the inspectors would be required to be there at that time.

Hon. Mr. Stewart: I think there is a requirement that they have to clean up after every sale, as I understand it, but I cannot tell you whether the inspector has to go back the next day or the day after or at some time. However, he has to be satisfied that everything is cleaned up from that sale because one of the conditions of the licensing of the sale is that it be cleaned up.

Sections 3 to 6, inclusive, agreed to.

Bill No. 92 reported.

THE CORPORATIONS ACT

House in committee on Bill No. 93, An Act to amend The Corporations Act.

Sections 1 to 3, inclusive, agreed to.

Bill No. 93 reported.

COUNTY OF PEEL

House in committee on Bill No. Pr25, An Act respecting the county of Peel.

Sections 1 to 8, inclusive, agreed to.

On section 9:

Mr. D. Bales (York Mills): In the absence of the hon. member for York North (Mr. Mackenzie), I move an amendment to section 9, that the Act come into force January 1, 1966.

Section 9, as amended, agreed to.

Section 10 agreed to.

Preamble agreed to.

Bill No. Pr25 reported.

Hon. J. P. Robarts (Prime Minister) moves that the committee rise and report certain resolutions and certain bills and ask for leave to sit again.

Motion agreed to.

Mr. Chairman: Mr. Speaker, the committee of the whole House begs to report certain resolutions, and certain bills without amendment and certain bills with amendments, and asks for leave to sit again.

Report agreed to.

THE LOAN AND TRUST CORPORATIONS ACT

Hon. A. A. Wishart (Attorney General) moves second reading of Bill No. 95, An Act to amend The Loan and Trust Corporations Act.

Motion agreed to; second reading of the bill.

Clerk of the House: The 51st order. House in committee of supply; Mr. W. E. Sandercock in the chair.

ESTIMATES, DEPARTMENT OF ENERGY AND RESOURCES MANAGEMENT

(continued)

Vote 604 agreed to.

Hon. J. R. Simonett (Minister of Energy and Resources Management): Mr. Chairman, I wonder if we could skip vote 605 and go on to vote 606?

Vote 606 agreed to.

Hon. Mr. Simonett: Mr. Chairman, I would like to skip votes 608 and 609 and go on to vote 610, under capital disbursements.

Vote 610 agreed to.

Hon. Mr. Simonett: Mr. Chairman, if we might revert back to vote 605.

Mr. J. Root (Wellington-Dufferin): Mr. Chairman, it seems to me that during the consideration of this estimate, it would be an appropriate time to acquaint the Legislature with some of the activities and forward steps that have been taken by the Ontario water resources commission.

Let me preface my remarks by saying that the time I have served on the Ontario water resources commission has been one of the most rewarding experiences I have enjoyed in the years I have given to public service. On the commission itself and on the staff I have found a group of men and women who are keen, alert and dedicated; dedicated to the basic policy of making Ontario a healthier, happier, more prosperous place in which to live, and in which to do business.

In the main, we have had wonderful co-operation from our municipalities and from industry, as we have developed and expanded our programme to bring pollution under control, and to provide safe water to supply the growing needs of a rapidly expanding population, and the greatest industrial expansion we have witnessed in the history of our province. The Ontario water resources

commission, in its short life, has played an important part in many phases of our economy, and I am quite convinced from the observations I have made, that as the years go by we will recognize more and more the importance of the work of the commission.

Water is perhaps the most valuable resource we have in the province. When you look at a map of Ontario, you will immediately realize that Ontario is unique. On its borders and within its boundaries lie more fresh-water lakes, rivers and streams than in any similar area anywhere in the world. With water in abundance, it was natural that in the early days the waterways would be the main traffic arteries. With a sparse population and few industries, most of the waters in the lakes, streams and rivers was pure. Since water was in such abundance, and nature has its own way of purifying water if given time, it was the most economical place in which to dispose of waste. For many years this system of waste disposal operated fairly well. But, Mr. Chairman, conditions changed; Ontario grew; its population expanded; the traffic on the waterways became heavier; the forests were cleared away, and water ran off with greater rapidity.

As the population grew and industry expanded, the consumption of water increased, and with increased consumption of water by people, livestock and industry, the quantities of waste also increased, until it was found that many of the waters were no longer able to purify themselves by natural processes. The heavy consumption of water in certain parts of the province led to a scarcity of sufficient quantities of suitable water for all needs.

Mr. Chairman, under the sound policies that have been developed in Ontario, we have witnessed tremendous growth and expansion in all phases of our economy. Since the end of World War II, our population has grown by nearly 2.5 million people. I believe more than half of the new industries that have come to Canada have come to our own province. To provide the necessary foodstuffs that are needed to feed an expanding population, agricultural production has been stepped up. People, industry and agriculture all require great quantities of water of suitable quality.

With these facts in mind, in 1955 the government appointed a special committee to investigate the situation that was developing. On the receipt of the report of this special committee, legislation was introduced, and in 1956, The Ontario Water Resources Commission Act was passed. The commission was appointed, and staff was assembled, and in

1957 the commission began functioning with direction and powers granted by the Legislature under The OWRC Act. There have been amendments to the Act at several sessions of the Legislature, to keep pace with the challenges that have been presented in a rapidly expanding economy. With all of the expansion that was taking place and is taking place in the province, we must keep in mind that there has been little change in the amount of available water in the province. Indeed, in recent years, in some areas of the province, there has been below-normal precipitation, which has aggravated the water supply situation in those particular areas.

Mr. Chairman, the Ontario water resources commission programme is to assist municipalities, people and industry in the development of suitable water supplies, and in the control of pollution wherever pollution may exist. The year 1964 saw an overall expansion in the various activities of the commission as it endeavoured to keep pace with the booming economy, and at the same time pick up the backlog that had developed throughout the years preceding the establishment of the commission. In my remarks at this time, I want to try to give to the Legislature a cross-sectional report of commission activities.

Before I report on the activities of the commission, let me say 1964 was not all sunshine. Early in the year we lost two valuable members from our commission. Mr. A. A. Wishart, QC, was appointed as Attorney General of the province. Our loss was others' gain. In the years I served with Mr. Wishart on the commission I developed a great appreciation of his sound judgment and his dedication to honourable public service. I am sure that Ontario will benefit from the wise administration he gives in the office of Attorney General.

Everyone on the commission who knew Arthur Melville Snider was saddened when, following a brief illness, he passed away on Sunday, June 7. Mr. Snider had been most active in OWRC affairs up to within a few weeks of his passing. Perhaps his dedication to public service, and the active leadership he provided even when his health was failing, may have been factors that hastened his death. However, those who knew Mr. Snider and knew his dedication to public service, are aware that perhaps he would not have had it otherwise.

Mr. Snider was the chairman of the special committee that was set up by the government in 1955. When the commission was established, he became its first chairman, and served in that capacity until his passing. Mr.

Snider gave strong leadership to the commission in its early days, and in the early years when policies were being developed and staff was being organized. Ontario owes much to the dedicated leadership that was given by this great citizen.

Mr. Chairman, perhaps I should mention at this time that the late Mr. Snider was a grandson of Mr. E. W. B. Snider, of St. Jacobs, who with D. B. Detwiler, preceded Sir Adam Beck in the development and transmission of electric power in Ontario.

Following the loss of Mr. Wishart from the commission to the Attorney General's office, and the passing of Mr. Snider, the commission was reorganized. The Lieutenant-Governor in Council appointed four new members. At the present time, the commission is organized as follows: Dr. James A. Vance, of Woodstock, chairman, a man with wide experience in engineering and construction; Mr. William Conklin, QC, a lawyer and businessman from Kingsville; Mr. Hugh E. Brown, deputy Provincial Treasurer; Mr. D. Aubrey Moodie, reeve of Nepean township, where he has been elected for some 17 years; and Mr. Leo E. Venchiarutti, a prominent architect from Toronto.

Mr. Louis Desmarais, a chartered accountant and member of Sudbury council, has tendered his resignation. During the time he served he was a valuable member of our commission. I have the honour to serve as vice-chairman. I think hon. members of this House will realize that with this cross-section representation, both geographical and vocational, the commission is well balanced at the present time.

The work of the commission is carried out through a number of divisions that operate under the general manager, Mr. Dave Caverly, and the assistant general managers, Mr. George Galimbert and Mr. Len Owers.

Mr. Chairman, when the commission was formed it was forecast that over a 20-year period it would require something like \$2.4 billion to overtake the backlog of necessary works that had built up through the years, and to keep pace with the expansion that was projected into the future to provide the necessary water and sewage works. The commission has been operating for something like eight years since the staff was organized and I want to report to the House on what has been accomplished in that period, and in particular, in 1964. As we move into 1965, we are approaching the \$1 billion mark. If we were to include the value of the certificates issued by The Department of Health after The OWRC Act was passed and while

the commission was being organized, the total value of certificates at the end of 1964 would be approximately \$1,050,000,000.

In other words, our programme is running right on schedule. In fact, when you realize that our programme is expanding, perhaps we are even ahead of schedule. Mr. Chairman, to give hon. members some appreciation of the magnitude of the task that confronts the commission, perhaps I should put in the record that we are dealing with some 978 incorporated municipalities, and approximately 1,400 industries. To reach good standards of pollution control, municipalities are required to secure certificates of approval from the Ontario water resources commission for proposed water works and sewage works. In 1964, some 1,668 approval certificates were issued at an estimated value of \$134,634,078. Since 1957, some 13,342 certificates have been issued.

Mr. Chairman, perhaps I should point out at this time some of the larger municipalities, after they have received approval for their proposed works from the OWRC, develop the projects with their own staff. Other municipalities, particularly in the smaller and medium sized municipalities, enter into agreements with the Ontario water resources commission, and we develop the project, construct the system, and operate it for the municipality. In 1964, 100 certificates were issued in this category that had an estimated value of \$24,856,136.

At the end of 1964, the OWRC had entered into agreements with 198 municipalities, where some 314 projects had been constructed, were under construction, or were under agreement to construct. At the end of 1964, our division of plant operations was operating some 230 projects for municipalities. These projects included 134 sewage projects, and 96 water projects. Further breakdown indicates that there were 46 treatment plants, 31 sewage lagoons, 57 pumping stations and sewers, this in the sewage field. In the water field, we were operating some 20 water treatment plants, 23 wells, 7 lake intakes, 33 watermains, and 13 storage facilities.

During 1964, 39 projects came under the division of plant operations, namely, 28 sewage and 11 water.

Mr. Chairman, I would like to advise the hon. members that at the end of 1964 there were many projects under way or in various stages of development. They are as follows: Proposed projects, 37; number of projects under agreement, both preliminary or final, 40; there are 18 projects under construction,

and at the end of the year 16 projects were inactive, for a total of 111.

At the end of December, 1964, some 980 water pollution surveys had been carried out on a municipal basis, and water quality surveys on a grab samples basis totalled 852. Of this number, 129 water pollution surveys on a municipal basis were carried out in 1964, and water quality surveys on a grab samples basis 134. Twelve county surveys have been completed to date. Of this number, four were carried out during 1964. County surveys were carried out in Middlesex and Kent in 1958; in Elgin and Essex in 1959, the district of Sudbury and Carleton in 1960, Peel and Norfolk in 1963, and four surveys were carried out in 1964 in Welland, Brant, Halton, and Frontenac. The Halton and Frontenac surveys were not quite completed at the end of the year.

In 1964 there were 190 water quality monitoring stations in operation for detection of pollution and variations in water quality in strategic areas on a monthly basis. Co-operative schemes were carried out with the conservation authorities in the Maitland and Moira and Raison rivers. Intensive studies were begun in Elliot Lake, Black Creek, the Credit River, Welland River and Duffin Creek. Planning was begun for studies of the St. Clair River below Sarnia during July and September of 1965. Data was obtained on Lake Erie and Lake Ontario for the United States public health service.

Mr. Chairman, I want to make a few comments about our division of water resources. This division provides much valuable assistance to municipalities and individuals who are endeavouring to secure suitable water supplies. For example, in 1964 this division licensed some 412 well drillers. These drillers are required to keep records and report to the department required information associated with each well that is drilled in the province. To date, this division has records of over 100,000 wells on hand.

In 1964 some 8,544 records were recorded. These records give the commission a lot of valuable information about ground water, the quality of ground water in various parts of the province, and at what level one might expect to find a suitable water supply. In certain areas we have recording wells that give us valuable information regarding the rise or fall of ground water tables. Surveys by this division are of great value in our water-taking permits programme.

At the end of 1964, 3,283 permits had been issued for people taking over 10,000 gallons of water per day under the require-

ments of our Act. Of these permits, some 2,909 had been issued for irrigation purposes.

Hon. members of the House will know that the permit legislation was passed to make it possible for the water resources commission to endeavour to control a fair distribution of water in areas where there was keen competition for the available water supplies. I might say that a great many of these permits, perhaps a majority of these permits were issued in areas of cash crop production, such as tobacco, fruits and vegetables. Other permits were issued in areas where municipalities have high producing wells and the heavy taking of ground water could interfere with the rights of other users in the area. Section 28B of The Water Resources Commission Act says:

No person shall add any substance to the water of any well, lake, river, pond, spring, stream, reservoir, or other water or water-course for the purposes of killing or affecting plants, snails, insects, fish or other living matter, or things therein, without a permit issued by the commission.

Under this section, some 54 permits were issued for the control of aquatic nuisances in 1964.

Mr. Chairman, the OWRC has one of the finest laboratories of its kind in Canada. The services provided by the division of laboratories concern for the most part analytical, investigative and research data on samples of water, sewage and industrial wastes. This programme is carried on through a number of branches. For example, in 1964, 196,918 tests were made at the laboratory. The tests carried out in 1964 were some 37,581 in the bacteriology field, 1,975 in the biology field, 145,806 in the chemistry field, 11,556 in the purification processes field. The laboratory is a most important part of our organization. It is of tremendous assistance in all phases of our work.

At this time, I would like to make a comment about our division of research. This division is responsible for carrying out applied research into a broad spectrum of water resources topics concerned with the quality, supply, and purification of water, in addition to the biological and chemical hazards, control and treatment of sewage and industrial waste water. This programme gives preference to investigations of problems that are currently before the commission.

When the commission was confronted with the problem of treating canning wastes in the Chatham area, our division of research carried out a pilot project on an aerated lagoon. The pilot project was successful. As a result, this

form of treatment is being developed in Chatham and in Essex. Previous to this development by our division of research, spray irrigation seemed to be the answer for most canning wastes, but this form of treatment required large tracts of valuable land, and in the wet season was not too satisfactory. Among the current projects that are under research study by the division is the control of the nuisance of algae growths of cladophora in the Great Lakes. These growths seem to have an affinity to sewage pollution, or the effluents from sewage plants. Studies currently stress aspects of mechanical removal and growth inhibition by chemical treatment, but more fundamental investigations are also being used to seek the causes of this algae's unusual environmental pre-eminence.

Another topic that is under study by the division of research is the evaluation of oxidation ditches, as a potentially more economic variation of sewage treatment for some municipalities. Still another important study has begun on tertiary treatment lagoons for effecting quality improvement of sewage treatment plant effluents through the removal of soluble substances not completely removed by present treatment methods. It is the hope of the commission through research we can develop a higher quality effluent to reduce the quantity of water required in our streams to dilute sewage effluent that may be discharged particularly into some of the smaller streams and increase the ability of larger streams to carry greater flows of treated effluent.

These are but a few of the matters that we have under investigation by our research division. Projects being considered for future study may stress needed improvements in the solution of major industrial waste problems as they occur in the excessive discharges of phosphates, toxic metal contaminants released from industrial sewers changing quality of effluents that are brought about by new developments by industry.

Mr. Chairman, the commission is stepping up and expanding its programme to bring industrial wastes under control. In the main, industry has been co-operating, but we on the commission feel if we are to achieve our objectives we have to step up this programme. It is our hope that if our budget estimate is passed, we can expand our industrial wastes branch and give more attention to this sort of pollution.

During the summer and fall months, the chairman and myself, and other members of the commission made a cross-section survey of the pulp and paper industry, which, according to an article in the February 1965 issue of *Canadian Municipal Utilities*, has a

biological oxygen demand equal to an equivalent population of 6.5 million people or the total population of Ontario. We visited mills in all parts of the province as far west as Kenora, and as far north as Kapuskasing and Smooth Rock Falls, along the north shore of Lake Superior, east to the Ottawa and St. Lawrence valleys and down into the Niagara peninsula.

Following this survey we have asked the pulp and paper industry to step up its programme of pollution control to give us a report of what has been accomplished and a forecast of what they hope to accomplish in the next few years. We are asking them to report annually, with the objective of bringing the wastes from this industry under control in the near future. We intend to make the same requirements of all industry in the province. If we are to achieve our objective it will be necessary for us to expand our staff. It is the hope of the commission that the Legislature will back us in this programme.

Mr. Chairman, to give you some idea of what is involved in industrial wastes, let me tell you that it takes anywhere from 5,000 to 65,000 gallons of water to process one ton of paper, depending on the type of process that is used. When you realize we have paper mills in Ontario producing over 1,000 tons of paper a day, and there are over 40 different types of paper mills in the province, you can appreciate the importance of bringing the wastes from these mills under control.

I could remind you that it takes anywhere from 9,000 to 19,000 gallons of water to produce a ton of finished steel; from 25 to 200 gallons to produce one No. 2 case of cannery products; 700 to 800 gallons of water to produce a barrel of oil; 300 gallons of water to produce a barrel of beer; 50 to 200 gallons of water to produce a gallon of proofed spirits; 30,000 to 60,000 gallons of water to produce a thousand pounds of textiles, wool or cotton; 1,500 to 5,000 gallons of water to produce 1,000 pounds of dressed meat; 300,000 gallons of water to process 1,000 hides in a tannery.

These are a few examples that will indicate the importance of pollution control in the fields of industrial wastes. Our surveys indicate that if we are to achieve the objectives we have in mind, large sums of money will be involved. We visited one steel company recently, that has a \$6 million pollution control programme scheduled to bring some of its wastes under control.

I want to say that industry has been co-operating and has been spending great sums of money running up into the millions of

dollars but much more will need to be done if we are to keep pace with the expansion of industry in the province.

Mr. Chairman, I will sum up these observations about industrial wastes by saying that we have paper mills in this province that use almost twice as much water every day as the city of London, we have steel mills that use five or six times as much water as the city of London. There is no easy answer to the problem of industrial waste. At the beginning of my remarks I mentioned there were some 1,400 industries in the province. When you stop to think, there is no similarity between pulp mill wastes and the wastes from a dairy industry, there is no similarity between the wastes from a steel mill to the wastes from a packing plant, from a mine to the wastes of a canning factory. We think of tanneries, textile mills, plating industries, and all the new processes that are being developed, the petroleum industry, the brewing and distilling industry, every waste probably requiring a special treatment.

Incidentally, the petroleum industry has spent great sums of money in bringing their waste under control—millions of dollars.

Mr. Chairman, I want to say something in regard to water supply itself. The problems of the past, the equitable distribution of available supplies and the meeting of the needs of water-scarce areas has been compounded in recent years by increased use in sprawling heavily populated industrial areas, by light precipitation in many districts, and the resultant lower ground water tables. Despite the disturbing lower levels of the Great Lakes, Ontario still has plenty of water, but it is not always in the right place. As a result, commission policy within the past year was broadened to include the building of water supply pipelines from available supply sources to areas in short supply.

Mr. Chairman and hon. members are no doubt aware that this programme is to be financed by the province and directed by the commission, with communities on or close to a pipeline route buying water from the commission at a figure to be worked out from the actual capital and operating costs of the project. In other words, the investment will ultimately be recovered in the rates charged for water. The first such project of this programme, with the work already started, is a pipeline from Grand Bend on Lake Huron to Arva. This project is known as the Lake Huron water supply system, and will bring water to the city of London, and will have water available for other municipalities on or near the pipeline route.

Indications to date are that there will be other municipalities taking water from this pipeline. For the information of the House I could say that the contract for the intake pipe and the filtration plant has been let. It is expected that we will be calling for tenders for the pipeline very shortly. In the meantime, Mr. Chairman, we are acquiring the necessary easements for the right-of-way for the pipeline.

In this regard, I might tell the House that some 128 properties are concerned. The commission has endeavoured to draw up what we feel is a fair and equitable offer for the necessary easements, and I must say that we have been more than pleased by the response of the people along the pipeline route. We started negotiations with the farm people and others who are concerned around the first of November, and as of March 31, 112 agreements have been negotiated, leaving only 16 outstanding. In recent weeks the commission has concentrated on delivering the cheques and to date some 96 cheques have been delivered. I must say that we are pleased at the friendly relations we have had with the farm people and others along the proposed route.

Mr. Chairman, I point out that commission-sponsored hearings have been held in other areas where there seemed to be some indication of a shortage of water. Hearings were held at Chatham for Kent county, in Sarnia for Lambton county, in Brantford for the Grand Valley area, in Napanee in the county of Lennox and Addington. No definite decisions have been made in these areas as yet regarding pipelines since it will be necessary to have engineering surveys carried out to see whether pipelines in the areas are economically feasible and sound. I might say that surveys are underway at the present time in the lower part of Peel county and in Essex county. The commission has authorized the appointment of engineers for Lambton, the lower Grand Valley area and Kent county. And I believe, since I prepared these notes, an engineer has been appointed in Napanee.

From these hearings and surveys other pipelines may develop, but I should say that much will depend on the length of the pipeline, the volume of water contracted for, and the costs of purification and pumping. The power costs alone on a pipeline project are a continuing charge against water through a pipeline, as well as other costs of maintaining and operating the system. However, the water resources commission is prepared to assist municipalities in water-scarce areas with projects of this kind where they are economically feasible and sound.

Mr. Chairman, it is not my intention at this time to get into any debate regarding lake levels, although I must say that the water resources commission has a number of intakes into the lake. Sewage effluent is being discharged into the lakes, and any reduction of quantity of water in the lakes quite naturally means a greater concentration of the sewage effluent. The OWRC appreciates the fact that the international joint commission is making a study of the factors which affect the fluctuations of water levels in the Great Lakes and their connecting waters. I am sure hon. members would like to have information regarding public hearings that the international joint commission intends to hold. With that in mind I am going to read into the record the notice of the public hearings so that every hon. member will be aware of the time, place, and purpose of the hearings. This is the notice:

INTERNATIONAL JOINT COMMISSION
UNITED STATES AND CANADA
PUBLIC HEARINGS
GREAT LAKES LEVELS

PUBLIC NOTICE

The international joint commission has been requested by the governments of Canada and the United States to study the factors which affect the fluctuations of water levels in the Great Lakes and their connecting waters; and to determine whether in its judgment action within the Great Lakes basin would be practicable and in the public interest for the purpose of bringing about a more beneficial range of stage for and improvement in:

- (a) domestic water supply and sanitation;
- (b) navigation;
- (c) water for power and industry;
- (d) flood control;
- (e) agriculture;
- (f) fish and wildlife;
- (g) recreation; and
- (h) other beneficial public purposes.

The international joint commission, in accordance with its rules of procedure, will hold public hearings at the times and places listed below for the purpose of receiving testimony and evidence relevant to the subject matter of the investigation. The hearings will provide convenient opportunity for any interested person to express pertinent information and opinions to the commission. Oral submissions will be received but, for accuracy of record, all important statements of fact and argument should be submitted in writing, where possible, to one of the two secretaries in advance of the hearing.

Dates and places of public hearings are as set out below. Persons intending to appear and give evidence should attend whichever hearing is convenient to them.

9:30 a.m., Monday, May 10—Education Centre, Toronto Board of Education, 155 College Street, Toronto, Ontario.

11:00 a.m., Tuesday, May 11—City Commission Room, City-County Building, 325 Court Street, Sault Ste. Marie, Michigan.

9:30 a.m., Tuesday, May 25—Dieppe Room, Cleary Auditorium, Windsor, Ontario.

9:30 a.m., Wednesday, May 26—US District Ceremonial Court Room, 25th floor (Room 2525), 219 South Dearborn Street, Chicago, Illinois.

The two secretaries are: D. G. Chance, Secretary, Canadian Section, International Joint Commission, Room 303, 75 Albert Street, Ottawa 4, Ontario; and W. A. Bullard, Secretary, United States Section, International Joint Commission, 1711 New York Avenue, NW, Washington, DC. 20440.

That is the end of the quote from the notice. I am putting this in the record so that every member will know where they can appear and make representations on lake levels. You will have a chance to make floor speeches. There are four public hearings and, if you advise the secretary that you are coming, they would like a prepared brief if that is possible.

Mr. Chairman, I cannot close my remarks without complimenting the hon. member for Muskoka (Mr. Boyer) on the fine statement he gave to the House on Great Lakes water levels on Wednesday, February 3. I was interested in his moments regarding proposed diversions of water from the Arctic watershed into the Great Lakes basin. Before we go into wholesale diversion of water from the Arctic watershed, I think very careful studies should be made to be sure that we do not need the waters in that area of our province.

During the short time I have been in this Legislature I have witnessed many new developments, and have seen new towns spring up in northern Ontario, towns that did not exist a few years ago, towns built around the mining developments, pulp and paper industry; and with the coming of gas through northern Ontario we have really no idea of what the developments will be in the future. I predict there can be nothing but expansion and increased development in that area. With that in mind, I think we should be very careful about diverting the water that may be needed in that area into the Great Lakes

basin before we have made careful studies regarding future requirements in the north.

Let me give you a few figures regarding present water consumption in that part of our province. I have been advised by our division of sanitary engineering that there are approximately 140,000 persons in the Arctic watershed, with a total water consumption of 5.29 billion gallons per year. In addition to the municipal water consumption, the amount of water required for the dilution of sewage effluent is equivalent to 14 billion gallons per year for secondary treatment, and 110 billion gallons per year for primary treatment. Therefore, the total water requirement for the present population in the Arctic watershed will vary from approximately 20 billion to 115 billion gallons of water per year. The tourist industry, which means much to the economy of the northern part of our province and, indeed, to all parts of the province, depends on clean waters which will support fish and wildlife and unpolluted beaches and resort areas.

In addition to the consumption by the people in the northern watershed, I have received some information from our industrial wastes branch regarding industrial water use in the Arctic watershed. I have been advised that the industrial water use of the Abitibi Power and Paper Company at Iroquois Falls is 22 million gallons of water per day; the Abitibi Power and Paper Company at Smooth Rock Falls, 18 million gallons per day; the Kam-Kotia Porcupine Mines Limited at Timmins, 7.2 million gallons per day. I was not able to secure the figures for other mines in the Porcupine area, so there will be another substantial quantity of water recorded for those mines. At Kapuskasing, 30 million gallons of water per day is used for the Spruce Falls Power and Paper Company and the Kimberly-Clark Pulp and Paper Company; at Kenora, 24 million gallons by the Ontario-Minnesota Pulp and Paper Company; 18 million gallons at Fort Frances; the Steeprock and Caland Iron Mines Limited at Atikokan, 50 million gallons per day; the Dryden Paper Company, Dryden, 29 million gallons of water per day; the Cochenour-Williams Gold Mines at Cochenour, 1.7 million gallons per day. I was not able to secure data for Red Lake and other area mines. The areas I have mentioned have a total consumption of approximately 189.9 million gallons of water every day. Keep in mind I have not covered all of the industry in the Arctic watershed.

Mr. Chairman, I mention these statistics to give you some idea of the importance of water in that part of our province. Additional

water will be needed to dilute treated industrial waste effluent. At the present time, many of the pulp and paper mills are increasing their capacity, which will mean increased consumption of water. New mining developments will require ever-increasing quantities of water. Expansion of industry and of mining will attract more people. These are some of the reasons why we on the water resources commission feel very careful studies should be made before there is any wholesale diversion of water from the northern watersheds into other water systems.

We have pulp and timber resources in the north to develop. We have mining developments. We have an expanding tourist industry. We are generating hydro-electric power and gas lines across the northern part of our province. Let us be sure that we do not jeopardize developments in that part of the province by draining away valuable water resources that may be needed as the area develops—water for people, for industry, for pollution control. I would suggest that we should await the decision of the surveys and studies that are necessary. Let us not be swayed by the oratory of some who may not have given enough consideration to what is involved, and in so doing jeopardize the future development of that part of our province.

When I read, and hear people quote, the fantastic figures that are mentioned to finance diversion schemes, I sometimes ask myself: Would it be a sounder policy to spend some of this money building traffic arteries into the northern part of our province, making it more attractive for industry to go into the north and there process raw materials and discharge the treated effluent from the industries and the municipalities that will develop around industry into the northern rivers, where the effluent would find its way into the Arctic ocean? Should we not keep these ideas in mind and perhaps take industry to the water, and scatter our waste effluent—rather than bring the water into the Great Lakes system and increase the load of effluent in the lakes and the associated algae growths that go along with the discharge of sewage effluent, all of which must find its way out of our province through the St. Lawrence river system and through our sister province of Quebec. When we think of future development in the northern part of our province, let us keep in mind that all the developments in Canada from Vancouver to the Ontario boundary lie north of a line that runs a few miles south of Cochrane.

Mr. Chairman, I have tried to give to the Legislature a few of the highlights of the

expanding programme of the water resources commission. I could go on and tell you of the work of our legal department, our personnel department, the project development division, the project control section, the property branch, and the information branch that gives out news releases advising the public of the work of our commission, and that prepares exhibits for the Canadian National Exhibition, booklets and pamphlets, all designed to play their part in giving information to people and developing our pollution control programme. I have touched on some phases of the division of sanitary engineering. I could have said something about our division of construction, which is responsible for administering the commission's contracts with the consulting engineers and contractors.

I could have said more about the division of water resources, which is responsible for both surface and ground water, the conducting of water resources surveys and investigation programmes in which hydrologic surveys are undertaken for municipalities, and test drilling and well construction programmes. I could have talked about our finance division, which is concerned with the financial affairs of the commission. This includes financial planning and the development and implementation of financial controls, the formulation of accounting policy, the preparation of required financial statements. This division is responsible for the banking and custody of the commission's moneys and securities, the procurement and protection of assets, the collection of payments due from municipalities, the provision of insurance.

All of these matters might have been described in greater detail. But I trust, Mr. Chairman, that I have given to the Legislature a good cross-section of our activities, which will indicate the importance of maintaining and expanding the programme of our commission, a programme that I believe is so necessary to the future development of our province. Let me conclude by reminding the House that the commission's programme involves the commission with some 978 incorporated municipalities and approximately 1,400 industries. When you think of the magnitude of this challenge, it is hard to realize that so much has been accomplished by the dedicated staff of the commission, a staff that numbered 375 on January 31, 1965, made up of 92 persons in the engineering field, 21 in the scientific, 84 in the technical, with 174 administrative office and service personnel backing up these highly trained persons. Out in the field, some 199 persons were full-time employees and 12 were part-

time employees operating the various systems that the commission operates on behalf of the municipalities.

Mr. Chairman, I feel that Ontario owes much to this small group of dedicated public servants—men and women who are protecting and developing our greatest renewable asset, the water resources of the province.

Mr. A. E. Thompson (Leader of the Opposition): Mr. Chairman, I would like to compliment the hon. member for Wellington-Dufferin on his very detailed and interesting remarks and analysis of the situation of the Ontario water resources commission.

I think, sir, all of us have come to realize that water is something about which we have to have far more concern than we have had in the past. This may seem unusual to us. We have, I suspect, across this province, felt that with our abundance of water we can be somewhat casual about this great resource. We probably have the three largest lakes in the world—certainly one of the major large lakes in the world—around our province, and yet we have parts of the province where there is a real concern about the scarcity of water. I am thinking of southwestern Ontario, and as the hon. member for Wellington-Dufferin outlined, the fact that we have to have pipelines. We know that it has caused concern about drought and is affecting the agriculture in that area.

I might say that this is not just a concern to Ontario, as has been discussed in the past; it has now become a concern to the whole world, to examine the abuse and use of water. I notice, and I am sure that the hon. member who just spoke with me has paid a great deal of attention to this, that the nations of the world are going together in what is called, I believe, a hydrological five-year plan in which they are trying to do research throughout the world. I understand that Canada is playing a part.

I was interested in reading a monthly letter from the Royal Bank of Canada and seeing the interest that is taken by industry and business with respect to the use and the abuse of water in Ontario and Canada. The letter was explaining that the concern we have today is really to get some research into the problem of our use of water—to get some answers. It was for that reason that I was interested in what the hon. Minister had to say about his research division. I realize that he himself said he could have talked about the financial section and a number of other sections, but I would like to focus on the research division he has within the Ontario water resources commission. First of all, let

me emphasize the problem again. I am sure the hon. Minister, because I have heard him speak time after time on this, has been concerned in connection with the Great Lakes—and here again I quote Professor Langford. He explained to us that there are 2,000 square miles of dead polluted water within one of our lakes, Lake Erie; and if we do not do something within the next ten years then these will be ten years in which nothing will be done.

I notice, in travelling around the province, that the situation of polluted waters is beginning to affect communities all over this province. We noticed during the summer that there was a sudden outcry of concern from the people of Elliot Lake in connection with water, and we saw the scurrying of four deputy Ministers who, I think, were going to examine that situation. We will be interested in knowing what you are doing about that.

However, in connection with all of these problems, the question I am particularly interested in is: What are you doing with research? I have looked at other states to see what they are doing and I find, for example, that Governor Nelson Rockefeller has proposed \$1.7 billion be spent for a six-year programme to control water pollution in New York state.

And again, quoting from this Royal Bank of Canada monthly letter:

The problem comes up constantly that we do not know enough to cope efficiently with the complicated water problem. We need facts, to think clearly, to judge wisely and to build effectively.

I know that in the previous estimates of The Department of Lands and Forests we heard that \$150,000 was being given to the Great Lakes institute in order to do research there.

I looked through the hon. Minister's annual report, the last annual report, in connection with the research he is doing. And here is what I found, and I present this to the hon. Minister. He is as aware as I am of the enormous problem we are faced with, I presume—and he can correct me if I am wrong—but almost every river in southwestern or southern Ontario is being polluted. This is probably one of the effects which come with a progressive industrial society if there is not careful planning against the abuse of water.

But, looking at the facts within the annual report, I find that there was one study on taste- and odour-producing substances in water which was started last January. Let

me say this: It had to be halted; it had to be halted until June because the bacteriologist working on it had resigned; and he was not replaced until the end of 1964. I suggest, if this is the fact, and it certainly appears to be, that in the annual report I do not see any deep concern to get at the research to study the problem with effective, capable research people. I admit that the men the hon. Minister has, are hard-working, able and dedicated, but I suggest there are not enough of them if he has to delay some of his studies because one bacteriologist happens to resign.

I notice another—and I am quoting from the hon. Minister's annual report, which says:

The number of requests for viral studies in drinking water, recreational water, streams and lakes, indicated that some monitoring facilities would be required.

But the OWRC is not equipped for such studies, from what I can gather. You do not have a virologist to carry them out.

And another point:

The biology branch has a staff of four biologists and one technician.

And I ask the hon. Minister whether he considers this enough to cope adequately with the problems arising from the effects of pollution and the like in water.

Taking another quote from the hon. Minister's report:

A number of special projects of interest were undertaken during the year. And because of scuba-diving ability of some members of the branch staff, a request was made for an inspection and repair of the Ontario water resources sampling pipes installed in Lake Huron at Grand Bend. The inspection and necessary repairs were carried out over a distance of two miles on this line.

Well, I suggest, sir—and I can appreciate the interest that some of the department's personnel may have in scuba-diving—but somehow it would seem to me that is not the most effective use to be made of the key research people. Perhaps it is, and the hon. Minister can clarify that for us.

Turning to the hon. Minister's industrial waste branch, we find this statement in the annual report:

The continuing large-scale industrial growth in Ontario, impressive in all types of industry, but most noteworthy in the chemical industry, continued to outstrip the capacity of the branch to provide complete field coverage. In addition to the establishment of new industries, continuing

change in processes and production in existing plants gave rise to increasing water use and the continuing introduction of new waste components for which treatment and controls were not always readily available.

I think these are strong words in a government report and I suggest, to support the charge that I am making, that this government is neglecting the assault, on our water resources, of unchecked and increasing industrial pollution.

Let me take some more statistics—the Ontario water resources commission's own statistics, I think, make this charge:

Of 477 inspections of discharge of industrial waste into surface waters, the industrial waste branch found 311 discharges unsatisfactory. Only 166 were satisfactory.

What is being done now you have found this? I raise that question with the hon. member.

Two industries alone—pulp and paper and, of course, uranium mining, which hit the front pages in connection with the radioactive contamination of Elliot Lake—alone present problems in research and development of waste treatment techniques which would tax the resources of the best-endowed research establishment.

I want to say again, to emphasize, that the men you have, the research scientists and the technicians you pointed out in your own report, are hard-working and are dedicated; but I suggest, in view of the small numbers, that I do not see how they can possibly do the job. Obviously, more must be done. Both the division of laboratories and the division of research, in the Ontario water resources commission, must be strengthened and expanded.

We want no cut-back on construction of water treatment and water supply plants and equipment. This work, as you pointed out, is vital and must be carried on at full speed. Though we have urged revisions—and I hope that the hon. member and the hon. Minister have considered these—of financial arrangements to ease burdens on municipalities and make it economically feasible for certain industries to treat their waste, I re-emphasize again that it is obvious you need an expansion of research staff and facilities.

Let me just go through the points I have made from your annual report: You have the loss of a bacteriologist. The study was stopped because you could not replace him. You had four biologists. Perhaps this was part of their duties, but the annual report explains that they were spending their time in scuba equipment inspecting pipes. I am

not a technical person, so I do not know if this was part of their research studies or not. We find that you were unable to undertake studies of virus contamination because you do not have a biologist, and you have the commission's own report which admitted that industrial pollution problems are getting out of hand.

At this point, I would like to remind the hon. member of the remark of the hon. Provincial Treasurer (Mr. Allan) in his Budget address at the opening of the session, and I quote:

To combat water pollution resulting from industrial waste, the commission is planning to intensify research into methods of treating such wastes and to provide greater surveillance and control of industrial pollution.

We have heard recently that the government intends to launch a five-year programme to reduce pollution caused by our pulp and paper industry. I was interested in your remarks and I took the privilege of getting a copy of them. I think it is on page 8 that you explain there are 1,400 industries in the province. You, at this point, are just tackling one of those—the pulp and paper industry.

I would feel that we have got to have a far more concerted effort on the problem of water pollution—a far more concerted attack on the problem. Just to have a five-year programme—and I notice that you are hoping to have the pulp and paper industry report to you each year—seems to me a very laissez-faire approach to take to the whole problem of industrial pollution.

May I say, sir, that I have looked with considerable interest—and I am repeating what my hon. friend said in his remarks in reply to the hon. Minister's opening statement on energy and development—at other communities to see whether this problem of water pollution is impossible to tackle. I was very interested that the Ruhr River in West Germany—and I am repeating this again to re-emphasize it to you—which in comparison with our major streams is a small trickle of a stream, I suppose has almost 40 per cent industrial growth around it. The interesting thing is, that because of the water pollution approach, in Western Germany, I understand that not only are they able to use the water for recreational purposes—they can actually swim in the water and use it for recreation—but in some cases, and I think one is a steel plant, the water is used, comes back again into the river and is used again by the plant.

Here is a small trickle of a stream, and I

emphasize that, in comparison with the great water resources that we have, and yet they are able to keep it free from pollution. I suggest we could do something like this, if we were to tackle the problem in the same way that they are attacking it.

I was interested to see just how they are going about it. I notice that the feeling that they have is that you tackle the problem from the source, that is from the industry. I am fully aware that the hon. Minister has suggested, and I agree with him, that we do not want to close up all the industries because of the fact of pollution, but we want to get the industries working with us to cut down on the pollution into the streams. As I understand, as a layman looking at this problem, the approach taken in the Ruhr Valley is that each industry is assessed at source on the amount of what is called biochemical oxygen demand, BOD; which means, I presume, that oxygen is the means by which you take away the pollution.

My hon. friend over here is nodding to me. He is more expert than I am.

They can assess the degree of the effluents and discover how much they are polluting a stream. On this basis, the industry has a choice: Either to put in equipment in order to cut down on contamination into the Ruhr River; or if they do not want to put in equipment to clear up the pollution, then they must pay a heavy tax for the amount of pollution that flows into the river. They have a choice of one or the other. It means that there is a sum collected to tackle pollution in the Ruhr River.

I just raise this: It is obvious to me on two counts, sir, that with the real concern we should all have about pollution of our streams, I do not think we are tackling this aggressively and with enough concerted action. I do not think we are putting enough research into it. As I look at this annual report, unless the hon. Minister can convince me otherwise, I see very clearly that the government is not doing a sufficient job at getting at the facts and doing something about it.

Mr. F. Young (Yorkview): Mr. Chairman, we have heard again tonight the account from the hon. member for Wellington-Dufferin of the water resources commission and what it is doing and planning to do. I think we all appreciate the fact that the water resources commission is a body of effective people who are doing, I think, an important job in this province.

The studies they have undertaken—the water pollution surveys, the initiation of pipelines, the study of industrial wastes and how

that can be overcome—all these are important and vital, I think, in the whole problem of cleaning up our rivers and streams and lakes.

I was very interested in the statement he made about the attempt they are making to work with large industry to clean up the pollution there. I am interested also in the remarks of the hon. leader of the Opposition in this respect, but I do call to his attention the fact that very often much of the pollution in the streams of our rivers is from small industries—the small plants, which somehow are not hooked into the sewer systems, where they do exist—and industries which are pouring their pollutions into the streams and rivers of this province.

There has been a great deal of concern about the levels of the Great Lakes, and I am not going to spend too much time on that. It was my privilege last summer to be in West Lansing at a conference in respect to this matter. At that time it was pointed out by the chairman that, just slightly over a decade before, there was a conference in exactly the same place dealing with water levels.

My friend, the hon. member for Muskoka was there, and they pointed out that this conference was held because of the extremely high levels of water in the Great Lakes. So perhaps the hon. member for Wellington-Dufferin may have something when he says that we do not want to panic and think of bringing water from the north down here; already the cycle may be reversing itself, because the lakes are now starting up. We will not know for certain for some time whether this, in effect, is true. But certainly they are inching up at the present time and we hope that this is the beginning of a new cycle of higher water; so nature herself may restore the balance and we may be in a good position here.

But the fact remains that there is very grave concern in spite of this hope of the long-term effect of what is happening. This, of course, is exactly why the Ontario water resources commission is in operation. They are concerned with this and the government is concerned with it, but the big question we have to face, and the question which the hon. leader of the Opposition raised, is whether we are acting fast enough to do the job that must be done before we face pretty dire things around our province.

As he has mentioned already, we already have a very large area in the bottom of Lake Erie which is being polluted more and more each year and the level of that is rising all the time. Even Dr. Langford tells us that

he was shocked to find a patch of algae along the shores of Batchawana Bay in Lake Superior, and I think that this was mentioned by the hon. member across the floor tonight. He traced the source of this to an open sewer dumping raw waste into the bay; so even Lake Superior, that great volume of water, although it should prevent disaster there, is not preventing this kind of thing from happening.

Every year we are told that more and more citizens are asking the water resources commission when they are going to clean the algae from our beaches. In the *Toronto Globe and Mail* of August 9, last year, we were told that, every year, commission spokesmen politely explain that they have neither staff, funds, nor authority to deal with the algae problem. The commission's function is advisory; it is conducting research on how to combat algae; but the methods of control, it is discovering, will have to be applied by some other agency.

The United States health department has told us about Lake Michigan, and Dr. Langford mentioned this again recently when he said:

If the present increase in algae growth in Lake Michigan continues at its present rate, the lake will become useless as a source of potable and industrial water within ten years, unless drastic and expensive filtration is applied.

And so we have the situation where slowly, but with terrible certainty under present conditions, death is building up from the bottom of the Great Lakes. The fields of phenol-saturated garbage and urban waste, poured into the once-pure bodies of water by a careless civilization, are spreading across the lake bottoms and rising nearer to the surface with every passing year of neglect. Already fish life is being affected. The fishing in Lake Erie and some of the other lakes is changing. Beaches, once clean, are now being washed with polluted water. And more and more the question arises as to whether beaches are safe; over a year ago one of our experts told us that he doubted whether any of the beaches around the periphery of Lake Erie is safe all the time for swimming. So this doubt is rising in people's minds, and in the minds of the experts.

Around Metropolitan Toronto "No Swimming" signs are in evidence. And as those multiply across this province, the tourist industry is bound to suffer to some extent. And industry, we know, is concerned about the source of fresh water here around the Great Lakes region in the years to come.

And some of them are already casting exploratory eyes in other directions.

We have been warned by those who have long been concerned about the situation, that the civilization centred around the lakes may well be writing its own doom in its careless disregard of its own wastes.

During this past year, and before that time, the Ontario water resources commission has done an outstanding job in the field of looking at sources of pollution and making recommendations. I have collected, as I think all the hon. members have, over the past year, a great file of these reports which have been issued. And I am going to quote from a few of them tonight just to emphasize some of the difficulties that we face in this province at the present time.

On July 14, the middle of last year—and some of these situations mentioned have moved a bit towards solution, but not by any means all—of the 22 cities, towns, and villages situated along the Grand River and its tributaries, they have told us, 12 municipalities have some form of sewage treatment. But these 12 include about 95 per cent of the urban population of the drainage area, so this puts the thing in proportion. However, significant quantities of contaminating waste are discharged directly in the stream by a lengthy list of industries with a wide range of manufacturing processes and resultant varied wastes. In Kitchener and Waterloo, for instance, industrial wastes are accepted in the municipal sewage system. However, complications developed at the Waterloo plant due to excessive organic loadings.

"The industries," the report said, "should be obliged to construct their own treatment works." And the report also stated that:

Pollution is evident in the following regions: Speed River, from Guelph down to where it joins the Grand River; the Grand River, extending 20 miles downstream from Bridgeport, approximately 20 miles downstream from Brantford; and then extremely degraded conditions exist downstream from Elmira.

Domestic and trade waste, discharged without treatment from the town of Dunnville, has created objectionable conditions in Sunfish Creek and along the east side of the Grand River downstream from the town.

This is along one of our major waterways. Then we are told, with reference to the Thames:

Serious pollution problems are evident in those parts of the town of Ingersoll—

It mentions others but Ingersoll seems to be singled out in this particular report, which is dated May 8, 1964. I continue:

A survey revealed that sanitary and industrial wastes were being discharged into the Thames River and tributaries without adequate treatment.

The municipality had an efficient sewage treatment plant but it was evident that certain sections of the municipality were not serviced by municipal sanitary sewers.

And this is one of the problems we have, even in the towns and cities where we have efficient plants. New subdivisions sometimes are spawned without adequate facilities, and they are not hooked in.

Eight municipal storm drains were found to be discharging sanitary sewage into the water courses, while four industrial outlets were found to be the source of serious pollution. It was suggested that the high concentration of ammonia being discharged by one industrial plant may have contributed to fish kills in that particular section of the Thames River. So we have these smaller industries which, so far, have not taken the action they should have taken.

The January 5, 1965, report mentions the town of Petrolia. It tells about the saturation of oil into the soil there, and about 32 oil drilling operations which were discharging oil into the Tank Street open drain, and Buttermilk Creek. In this regard, the report recommended that adequate treatment of the oil waste being discharged from the various drilling operations should be provided by the owners of these operations. I hope that something is being done and I am sure the hon. member will see to it that the recommendations of the OWRC are looked at.

Mr. L. C. Henderson (Lambton East): We will look after that.

Mr. Young: Fine. This is being looked after, we are assured by the hon. member concerned. Is it already looked after?

Mr. Henderson: It is taken care of.

Mr. Young: Well, "taken care of" may mean one year, two years, or five years from now—we are not sure just what. We are not assured the situation is looked after. It is being looked after all in its own good time.

On March 10, the industrial waste report states that of Orillia's 39 industries, 16 with industrial waste discharges were surveyed. This report suggested that the sewerage of industrial ditches into ditches, a common practice in Orillia, should be discontinued.

Also, all industry should pretreat their waste to such a degree that those wastes could be discharged to the sanitary sewers.

Then on January 19 of this year, the report states that in Lindsay, although it has acquired a waste stabilization pond—and, of course, waste stabilization ponds are not too efficient ordinarily for the treatment of sewage flows—it is obvious that a considerable quantity of sewage is discharged through the municipal storm sewer outlets to the Scugog River, and therefore it does not receive treatment. Also there are objectionable flows from some industrial plants in Lindsay.

Mr. S. Lewis (Scarborough West): There are some objectionable flows from over here.

Mr. Young: The report added: "It is gratifying"—and this again follows up what my friends here have said: "It is gratifying to report that the local officials are aware of these conditions and are pursuing a programme to rectify these problems." The river received objectionable flows from some industrial plants. Some of the companies provide industrial waste treatment, but it is evident that additional effort would be necessary in order to control the quality of industrial waste discharges. Where manufacturing firms discharge industrial wastes directly to water courses, adequate treatment of these wastes should be provided in order to minimize the occurrence of adverse effects in the receiving water.

In Mildmay, in the county of Bruce, in the same report, we are told that the OWRC recommends the discharge—the hon. member is not here at the moment, but he is no doubt aware of this—of contaminated water waste to Otter Creek to discontinue. A report of the survey carried out during the summer of 1964 stated there was no indication of improvement in conditions since a sanitary survey conducted by the Bruce county health unit in 1953. I suppose that is because of the present incumbent. It indicated at least 107 locations where waste reached the river. This is many years ago. According to the report, a preliminary engineering report was submitted to council in January of 1963 for the construction of a staged sewerage system. To date, the report said, the OWRC has received no word of what action the Mildmay council will take. There are no treatment works in the village at the present time.

On January 18, we had the matter of pulp and paper waste. The disposal of pulp and paper mill waste, and the pollution of receiving water resulting from it, has been a

matter of concern to the Ontario water resources commission for a number of years, and we heard something of that tonight. Although significant improvements in production methods and equipment have been and are being made, waste disposal and water quality surveys showed that the provisions of The Ontario Water Resources Commission Act are not being met by the industry at large and that waste treatment and control, in addition to that which is now provided, is required at most mills in the province. In keeping with the scheduling of municipal control undertakings, in which the staging of the works over a number of years is agreed to, the commission requests—and these words appear time and time again, “the commission requests”—that all companies operating pulp, paper, and paper product manufacturing processes in the province, undertake effluent improvement programmes at all mills.

Tillsonburg—we are coming down into that area—late in 1963—this report is dated May 27, 1964, and we hope something has happened in the meantime—reveals that serious pollution of Big Otter Creek was continuing despite the fact that 70 per cent of the town was served with sewers and sewage treatment plant. Laboratory analyses of samples taken during the survey conducted by the OWRC indicated that the creek deteriorated appreciably as it flowed through the municipality. Investigations revealed that certain drains were contributing to serious pollution in the creek, and the more serious of these were the drains from milk processing plants. These are places where small industries seem to be operating to pollute our streams.

Drainage from municipal refuse disposal sites also was contributing to the pollution of the watercourse. In other words, in many cases where we do have operating disposal sites or disposal plants, we still get a certain amount of pollution because they are not as efficient as they might be. But it was expected that this problem would be eliminated in the future, so we hope that will happen very quickly.

The village of Grand Valley, in Dufferin county, should consider the establishment of a municipal water and sewage works system which would provide an adequate and safe supply of water and prevent pollution of the Grand River, and this was recommended in 1964.

We come to Dufferin county; samples collected by the Dufferin county health unit from wells in the area revealed, on bacteriological examination, that a number

of the wells were contaminated. Domestic sewage in most instances was discharged to private systems, but some domestic and industrial waste was discharged to municipal storm sewers which emptied in the adjacent watercourse, the Grand River. The report suggested the existing pollution of wells may be attributed to contamination from these private sewer systems. Two storm sewer outfalls discharging to the river were located. One received discharges from a creamery. And a number of private dwellings caused gross pollution where it entered the river. So again we have the creameries mentioned and these are, of course, sources of serious pollution.

Burks Falls, away in the north: The practice of discharging inadequately treated waste into the river and its tributaries at Burks Falls, a village in the district of Parry Sound, I understand, should be discontinued. The report noted the village is served by a waterworks but no sewage works. One source of pollution was from a pond which received waste from a laundromat located on the west side of Highway 11. The waste disposal system serving the two schools and the local hospitals proved to be inadequate. These problems can be rectified with the installation of municipal sewage works.

There are a great many more here, Mr. Chairman, of the same tenor. The town of Ridgetown, November 13, 1964, permitting the discharge of inadequately treated sanitary and other wastes to the surface water drains, is a major factor in the pollution of the receiving watercourse, McGregor Creek. The town of Ridgetown is in the county of Kent, I understand, just to the south of—

Mr. Henderson: Some of the better parts of Ontario.

Mr. Young: And then we have the town of Penetanguishene, up on Georgian Bay. The report stated that the conclusion to be drawn from the survey was that a large volume of heavily polluted wastes originating in Penetanguishene was discharging from sewer and ditch outlets into the harbour. These discharges were affecting adversely the quality of the receiving water. Also, effluent from the municipal refuse disposal area was reaching Copeland Creek. The report noted the municipality was provided with a sewer system consisting of combined sanitary and storm release sewers discharging into the harbour. This system serves approximately 50 per cent of the municipality. A survey of the unsewered area revealed that close to 60 per cent of the private sewage disposal system failed to meet generally accepted standards.

At a public hearing before the Ontario municipal board in the spring of 1964, an application by the OWRC on behalf of the municipality, for approval for Penetanguishene to enter into an agreement with the OWRC for construction by the commission of a sewage project works, was turned down. The survey report resulted from the OMB's request for a verification of the commission's opinion on pollution in that area and I hope that the verification has been carried through and has been presented, or will be before long.

Extension of municipal sanitary sewers to the north-west section of Collingwood, and expansion of facilities to the municipal sewage plant, should be considered.

An hon. member: No, they are all right.

Interjections by hon. members.

Mr. Henderson: They mailed those to us at home.

Mr. Young: So all these, as I told you, are examples from across this province. Unfortunately, I have just come to the end, just as you have spoken, because it has all the appearance that you may be shutting me up and I do not want to have that.

But there is one other—all of these reports came in the mail, I agree; they all came in the mail. But the fact remains that even though they came in the mail, and even though we have seen example after example of failure of our sewage systems, of failure of our villages and towns and cities to establish proper sewage disposal facilities—

Mr. J. R. Knox (Lambton West): In Toronto, right here.

Mr. Young: Right here is one of them; I agree, I have no quarrel with that. The fact is that we are here tonight to discuss this problem and we are going to discuss it.

One other matter which I would like to bring to the attention of the assembled multitude, and all my friends here, is the situation in the Burtch industrial school—I see the hon. Minister is not here and perhaps I should leave this for the future. But this was mentioned the other day, and I have the information for him that evidently the Burtch industrial plant, which was installed three years ago, has not been adequate; and the Ontario water resources commission, in very recent days, as a matter of fact on February 23, 1965, pointed out that this system is now overloaded. It may be that we have too many customers there, but something needs to be done in that respect.

Mr. Chairman, I have read at some length, into the record, some of these problems which demonstrate first of all, I think, the effectiveness of the Ontario water resources commission in spotting difficulties and in pointing out these difficulties. The source of the build-up of slow death in our lakes, which I have mentioned, is there for us to see. And the second thing, I think, is the almost unbelievable way in which we have slowed down or perhaps deliberately not speeded up the financial arrangements which are needed to change this situation. We know what the techniques are. The finances should be available in a civilization such as this one, in a province like Ontario—available to check and then reverse the present trend toward disaster in our streams and lakes. Right across our province the rivers and streams are being polluted by our industry, our cities and our towns, in spite of the job which the OWRC is doing. And pollution is being poured in almost unlimited quantities into the lakes.

Mr. Knox: Especially in Toronto.

Mr. Young: I agree, especially in Toronto. The rivers are being fouled and the lakes are building up their heritage of trouble for the future. I hold no brief—Metropolitan Toronto is moving towards a solution here, and I hope that solution is soon discovered. And I understand that Lambton county is pure and undefiled; they have cleaned up all their problems there.

Mr. Knox: I will go along with that.

Mr. Young: We are delighted to find that out.

An hon. member: It has some defiled people.

Mr. Young: Oh, well, that is for the hon. member to say.

But the Ontario water resources commission, during this past year, has almost weekly been warning us of danger; yet, so far, no power exists in order to clean up areas of specific danger. Last fall, we heard the explosion when the radioactive wastes in Elliot Lake and Bancroft were discovered; and I would hope that some of the hon. members who are close to the situation will deal with it in more detail.

But again I quote from the *Toronto Globe and Mail* of November 14, 1964, in dealing with this story. It says this:

Emphasizing that the commission will try again to get the mining companies still

operating in the Elliot Lake area to cooperate in reducing radioactive pollution, Mr. Galimbert said, "All the companies are equally responsible for overall pollution."

But what I want to point out here is that he said that the commission will try again. The commission has no power, of course, to enforce its suggestions and its recommendations. And this government has not the power; it cannot order a municipality to put in sewage disposal works.

Mr. Knox: Oh, yes. I object to that, because the city of Sarnia was ordered by the OWRC to put in a sewage disposal plant, and was given so many days to do it; and so was the municipality of Sault Ste. Marie. This is the No. 1 and No. 2 order from OWRC, and we obeyed them; and do not let anybody ever tell you it is not effective because I, being the junior member of the council at the time, asked the question, "Supposing we don't desire to proceed with this, what happens?" And they said, "We have authority from the Supreme Court to enforce it and if you don't like to do it, we will do it and charge you." So do not let anybody say they do not have the authority; they do.

Mr. Young: I appreciate getting this information, Mr. Chairman, from the hon. member for Lambton West.

Hon. A. A. Wishart (Attorney General): Mr. Chairman, I think this might be a point of privilege. I agree with the hon. member who spoke and said the water resources commission does have power to order, but for the sake of the good name of the city of Sault Ste. Marie I think we got to the job before they actually issued the order.

Mr. Knox: I might take exception to that, Mr. Chairman, because the community of Sault Ste. Marie was No. 2 on this order, and I might say that the city of Sarnia went to bat on behalf of Sault Ste. Marie and got it assistance from the federal government which, up to now, it has never recognized; this gave the city of Sarnia considerable help with respect to its operation. I think that the hon. Attorney General might concede that No. 1 on the order from the OWRC really did a tremendous effort for Sault Ste. Marie.

Mr. S. Lewis: Is the hon. Attorney General properly humbled?

Mr. Young: Mr. Chairman, this is an exceedingly interesting bit of byplay here. All it demonstrates is that when things get

polluted badly enough so that people no longer can live, when their health is completely endangered by a city or municipality, then there is no alternative but to say, "Move in and get the job done." Sault Ste. Marie evidently had not reached that point and they were willing to go ahead and do the job. Evidently Sarnia reached the point of complete pollution and so the OWRC had to move in and had to order the job to be done.

Mr. W. D. McKeough (Kent West): Nonsense!

Mr. Knox: Mr. Chairman, I object to that.

Mr. S. Lewis: Total pollution.

Mr. Young: Yes, total pollution, or something like this.

Well, then, Mr. Chairman, may I ask someone at what point the OWRC has the power to move in and do what they did in Sarnia? Could the hon. Minister enlighten us on this, if I ask him the question? Then I will complete what I have to say in a very few minutes.

Mr. McKeough: Would you complete the question?

Mr. Young: The question is: My hon. friend mentioned that the OWRC had the power to order certain work being done.

Hon. Mr. Simonett: Yes, we have.

Mr. Young: In the case of Penetang where it was ordered, but the OMB said no. In this case, evidently it was ordered. Now my question is: At what point can the OWRC move in and make this order?

Hon. Mr. Simonett: I understand that there was no order at Penetang, but the OWRC has the power to order.

Mr. Young: All right. Then the OWRC has the power to order at any stage. All right, then I stand corrected and I appreciate getting that information. But it seems to me with the kind of information I have placed before this House tonight, that orders ought to be given in many instances where they are not given. Why are they not given? Is it because this government has not yet made it possible?

Mr. McKeough: Read tomorrow's *Globe and Mail* and find out.

Mr. Young: Good, we will have the information tomorrow. But the fact is that, right

across this province, pollution is taking place, our streams are being fouled, and the wastes in the bottom of our lakes are being built up.

An hon. member: What about Toronto?

Mr. Young: Toronto, too. All right, I am not excluding Toronto, and you insist on nattering about Toronto; fine. How many times does one have to tell a member that we agree with him before he understands it? But the fact is that across this province, in stream after stream and lake after lake, we are facing a pollution problem which demands action; and if the OWRC has power to move in and say, "Act now" before this pollution gets far worse, then I say that the OWRC ought to move in.

An hon. member: They do.

Mr. Young: My feeling was that perhaps it was lack of backing on the part of this provincial government, and lack of financial resources being made available; so what has happened here tonight is that my hon. friends are now placing the blame directly on the OWRC. That is where it belongs then, and I am glad to be enlightened; and so my charitable feelings about the OWRC are changing at this point. My suggestion is that they should immediately tackle this job, that they should begin to move in on these situations, that more orders ought to be made, and that we should reverse this trend; and perhaps, in a matter of a decade or so, we will once more find pure water in our rivers and lakes, if action is taken.

The fact is—in spite of what is being done, in spite of what all my friends are saying over here to my left—that pollution is increasing in the lakes. Pollution is increasing in our rivers and we are not catching up with the job that has to be done.

So let us say tonight to our friends on the Ontario water resources commission, since my hon. friends to the left insist it is they who are responsible, I say to them that they have their mandate tonight, from this House, to go out and order these municipalities and these industries to clean up the situation and do the job that needs to be done. If this is the case, then let us have action and let us have it fast.

Hon. Mr. Simonett: Mr. Chairman, may I reply, or would you like to go ahead, sir?

Mr. L. Troy (Nipissing): Oh, it is all right. If you are going to reply, I would be glad to hear it. We have not had many answers to questions from the hon. Minister.

Hon. Mr. Simonett: That is not what the *North Bay Nugget* says.

Mr. Chairman, after listening to the hon. leader of the Opposition and the hon. member for Yorkview, I first thought the way they started out, that they were going to agree with the government and admit—and I believe they did partly admit—that the OWRC is doing a good job and has done a good job in the province of Ontario.

I would like to remind the hon. members opposite that the OWRC has only been actively engaged in this work for eight years and I just heard the hon. member for Yorkview say that pollution was on the increase in the province of Ontario. I think, sir, that statement is wrong; and I think, if you go any place in the province of Ontario, they will prove it wrong, because you have no figures to substantiate such a statement.

Mr. Young: I just have the words—

Hon. Mr. Simonett: You just have the words you have been reading, and you have not been across Ontario to see what is happening, because I can take you to many places where water was polluted eight years ago, and it is pure water for drinking, swimming, or whatever you want, today.

Mr. Young: I can take you to—

Hon. Mr. Simonett: I would also like to—

Mr. Thompson: Do you have the figures? Do you actually have figures?

Hon. Mr. Simonett: I said I could take you to many places in the province of Ontario where water was polluted eight years ago, and it is pure for drinking or swimming today.

Mr. Thompson: Well, surely, sir, it is not like a picnic. You are not treating this really serious problem like a picnic tour?

Hon. Mr. Simonett: We are talking about pollution.

Mr. Thompson: Yes, do you know from figures that it is not on the increase, from research?

Hon. Mr. Simonett: Certainly we know. If you want to check on it, they can prove it.

Mr. Thompson: Will you show us?

Hon. Mr. Simonett: I must say, to the hon. members opposite, that the Great Lakes are bordered by many states, as you know; and I

think that they would agree with me that perhaps we, in Ontario, have done a better job than the other states surrounding the Great Lakes, as far as cleaning up pollution is concerned. I do not think you should look to Ontario and Ontario only, when you speak of pollution in the Great Lakes.

The hon. leader of the Opposition is a great man for research. He is always talking about research, and I will admit that research is something, but research is not the answer to everything. I think he overplays that once in a while. I would say that as far as the OWRC is concerned, we have only had a research division for one year. We are just getting it underway, and if he will look in the estimates of this year he will see that we have doubled our estimate for research, and at the present time we have a four-point programme.

The research division is engaged in applied research. The staff of the commission is continually studying research that is being carried out elsewhere. Each division is carrying out a certain amount of research work specifically connected with its own field of activity, and industry, other government agencies and equipment manufacturers and suppliers are continually doing research work. The commission keeps abreast of these developments.

I think if we took the total of those programmes altogether and if we took what industry, other government agencies, equipment manufacturers and those other people are doing we would find that a lot is being done in research as far as pollution is concerned in the province of Ontario.

Both hon. members have spoken about industrial wastes and I believe I understood the hon. leader of the Opposition to say that we seemed to be following one line of industrial waste, and that was from the pulp and paper mills. Did I understand you correctly, when I heard you say that we seemed to be following one line?

Mr. Thompson: No, sir. I noticed that the report by the hon. member for Wellington-Dufferin implied that the commission was getting reports from the paper and pulp industry every year. He said this was one group that he had studied, and I was suggesting that since the commission had mentioned there were 1,400 industrial groups, this was really just a small approach to the problem, Mr. Chairman.

Hon. Mr. Simonett: There are 1,400 different industries, not industrial groups.

I could give you some figures as to what

the pulp and paper industry is doing to clean up its waste. I might just quote a few here.

Mr. Thompson: He did.

Hon. Mr. Simonett: Did he quote them in detail? I do not think so.

Mr. Root: I just made an overall comment that the industries were spending millions of dollars. I did mention the steel industry, the petroleum industry and many industries, and I said that we are setting standards for all industries.

Hon. Mr. Simonett: Yes. Well, I will not go into detail on them, but we are, as the vice-chairman has just said, working with all industries in the province of Ontario. In fact, I think most of the industries were contacted by members of the OWRC during the past year. The hon. member opposite has mentioned that we have a five-year programme, and the OWRC feels that if industry will co-operate and can clean up its industrial wastes within five years, that would be an excellent job. I think he agrees with me that we would hate to issue an order and actually close a mill down or make it close down production and put people out of work, to clean up the pollution.

I take from his remarks that the hon. member for Yorkview would issue the order regardless of whether the industry closed or it was a hardship on the municipality, just to get it cleaned up. It does not matter what happens; let us do it today and then we will start when it is cleaned up and will go on from there—this is what I took from his closing remarks.

The hon. member for Yorkview was reading from a report of the OWRC, and it was nice to hear him reading from some of these reports. The hon. leader of the Opposition was doing the same.

Mr. Thompson: I beg your pardon?

Hon. Mr. Simonett: You were reading from the annual report.

Mr. Thompson: Yes, is there anything wrong with that?

Hon. Mr. Simonett: I am advised, and I think you would agree with this remark, that the staff of the OWRC is actively engaged all the time in following up these recommendations. Surely it would not make the recommendations unless it were following them up. Although we agree on this side that there is much to be done in water pollution in the province of Ontario, I would

think that in eight years the progress that we have made and information that we have gathered and the manner in which we are continually expanding our programme, would make the hon. members of the Opposition agree that we have done a fairly good job. This year we are asking for more money so that we might improve our job in the following year.

Mr. Troy: Mr. Chairman, I agree with the hon. Minister that the OWRC is trying to do a good job. I know every hon. member in this House receives continuously the information service bulletins of the department, and as the hon. member for Yorkview pointed out, its recommendations, suggestions and so on. I am glad to note that the commission has the power to order. I should think also that if municipalities or industries do not do the job, the penalty should be exacted. They should be given a certain time to clean up the pollution and that is it.

The hon. Minister was pointing out places that were polluted years ago, and are now. I can take you also to a lake where there is a sewage plant right near the lake—Lake Nipissing. We used to be able to swim in that lake in the vicinity of the plant, but we cannot now. The board of health has banned swimming there; the city will not provide lifesaving equipment. I do not know why the pollution is there but it is worse than it was. It must be polluted because people are not allowed to swim.

The hon. member for Yorkview mentioned Elliot Lake. The OWRC, on November 13, 1964, sent out a bulletin which says that the commission and The Department of Health consider there is no immediate radioactive hazard to persons in the Elliot Lake area as a result of the uranium mill wastes which have found their way into some of the waters of the Serpent River watershed. The commission goes on to say, in an issued report in regard to the situation:

The OWRC and the provincial health department are more concerned with the possibilities of the long-term hazard which could develop.

Control measures have been carried out. We take necessary steps to ensure that adequate protection of the local water resources is effective.

I do not know just what the control measures are, but I also have in my possession here a letter which was sent out from the assistant general manager on January 28, 1965, to Mr. R. A. Giles, secretary-manager of the northern Ontario tourist association. His

home is at Rutter. This letter to Mr. Giles says:

I wish to acknowledge your letter of January 23 concerning the reports of radioactivity in the Quirke Lake area of the Serpent River watershed.

The reason Mr. Giles got in touch with the commission is, as you know because as I mentioned, he is secretary-manager of the tourist association and since that is an association which covers all northern Ontario he is quite concerned about the Elliot Lake situation because it is also a tourist area. The letter goes on to say:

Radiological survey of Quirke Lake was carried out in 1963 by the Ontario water resources commission and a report submitted in May, 1964 to our association indicated that this lake had a radioactive content of approximately 40 picocuries per litre. The Ontario Department of Health has through the years been carrying on a monitoring programme of sampling which indicated agreement with the report prepared by the Ontario water resources commission.

The maximum standard indicated to the Ontario water resources commission through the years by The Department of Health has been 10 picocuries per litre.

You may or may not know that The Department of Health is the only organization with a laboratory that can carry out the determination in this particular field.

In that paragraph, Mr. Chairman, it said that in May, 1964, it indicated the lake had a radioactive content of approximately 40 picocuries per litre and that the maximum standard is 10. Does that mean that it is four times as dangerous then? The letter goes on:

I note from your letter that your organization requires information on this situation and what is being done to correct it.

I would first like to say something about the radiological contamination that has occurred and the information that we have obtained from experts of its effect on humans. Dr. L. B. Leopard, senior physicist of the radiation protection unit of The Department of Health, has indicated radioactive standards for water qualities set by The Ontario Department of Health is so strict that water polluted several times higher than the standards allowed would not be expected to produce any symptoms of illness even after a person had consumed it for years.

The opinion of all medical and radiological experts that we have consulted agree unanimously with Dr. Leopard that there is no harm in drinking water on a periodic basis. The danger might arise if one used the water continuously through a lifetime of 50 years at levels above those that are indicated for Quirke Lake. It was because of the long-term possibilities and the lack of immediate danger that the Ontario water resources commission was working quietly with the mines to achieve correction.

We were receiving co-operation and changes were being made in the operation of the tailings disposal system. One mine in particular, and one that is in relatively close proximity to Quirke Lake, has already reduced the amount of its discharge by 75 per cent and has built two dams to retain the reduced discharge. Other mines in the area are going forward with similar programmes. These changes are certain to effect a reduction in the radioactive content in the waters of Quirke Lake. Sampling in 1965 should show that trend.

Now the letter concludes:

I would like to point out that all experts that we have consulted have stressed the point that there is no harm from drinking the water of Quirke Lake on a periodic basis. As you will note from my letter, steps were being taken with the full co-operation of the mines to achieve an elimination of a long-term hazard.

It is regrettable that there was so much publicity about this matter as the correction could have been achieved without it.

And the letter is signed by the assistant general manager. Now I note it says "a periodic drinking of the water will not create any hazard." I just wonder what you mean by "periodic." People live near that area and live on that lake, or in the vicinity, or use the water that flows out of it. I am sure that they will be using it continuously. Is there any danger that those who live near that region would be affected?

I do not know what the reference is in the latter part:

As you will note from my letter steps are being taken with the fullest co-operation of the mines to achieve an elimination of the long hazard.

It is regrettable that there was so much publicity about this matter. The correction could have been achieved without it.

Mr. Chairman, I presume it refers to the publicity of last fall when this situation was

in the public press. No one can blame the people of Elliot Lake for being concerned. They had enough disappointments and enough setbacks already and then when it was reported that there were radioactive elements in the water, one could not blame them for being very much concerned.

The hon. member for Algoma-Manitoulin (Mr. Farquhar) cannot be blamed for being concerned when it says in the hon. Minister's own information service bulletin:

Control measures are being carried out to take all necessary steps to ensure that adequate protection of the local water resources is affected.

Can the hon. Minister assure the House now that there is no possible immediate danger? While there may be a long-term hazard, I am not certain the hon. Minister can explain how serious it is when the radioactive content is 40 picocuries per litre considering the maximum standard indicated to the water resources commission had been 10 picocuries per litre. Does that mean that the radioactive content is four times as great or not?

Hon. Mr. Simonett: Mr. Chairman, I am advised that this water could be used for many years without any harmful effects.

I might explain to the hon. member that this is a problem we inherited. If we go back to its beginning we will find that it started at about the same time as Elliot Lake. It was back in the late war years. The hon. member knows when it started and why. At that time I doubt if we were putting too much stress on the tailings that were going out as we had another job on hand at that time.

There is a committee of the Ontario government working and studying this matter at the present time and I understand—although I have not seen any report yet—that it is the old dumps that are causing all our trouble. In order to get uranium when they needed it, and they needed it in a hurry, they were not too careful, I guess, as to how the dumps were sealed—or however they handled these dumps.

This committee, sir, is working and studying this matter and I expect that in due course they will report back to the government and whatever steps are necessary to remedy this situation will be taken.

Mr. Troy: Then I can assure not only the hon. members of the Opposition, but all hon. members of the House and the people of Elliot Lake and the people who will be going there, that there is no danger from drinking the water in that area.

It is quite a problem; probably nobody knew just what the problem was and what possible dangers might exist—

Hon. Mr. Simonett: We were at war and we wanted this material—

Mr. Troy: That is right; but I do not know who the dickens we were at war with at that time—

An hon. member: With the Tories!

Mr. Troy: That was after Korea, I thought! I notice certain mines—Noranda for one I believe—are bringing certain tailings back into the mine and using them to fill up the stopes. I do not suppose—

Hon. Mr. Simonett: This could not be done with these tailings, these are different tailings that we are handling.

This is why it takes some study, and I understand that the committee went down to Colorado to see how they handle it. Evidently they have something there, they put the water through a process and can remove this material; but these things are only in the experimental stage yet. We are dealing with a different kind of mine tailing than those which are just refuse.

Mr. Troy: At least we have definite assurance then from the hon. Minister that there is no immediate, nor even long-term, danger in that area.

Hon. Mr. Simonett: That is right, sir.

Mr. R. F. Nixon (Brant): Mr. Chairman, just along that line, does the committee of deputy Ministers report to this hon. Minister?

Hon. Mr. Simonett: They will report to the Ontario water resources commission and to the government.

Mr. Nixon: We were informed in the committee a few days ago that the Ontario water resources commission no longer had the responsibility for clearing up the problems of contamination by radioactivity in the Elliot Lake area.

Hon. Mr. Simonett: That is right, Mr. Chairman. We have the committee working on it. I think there is some federal responsibility here; but the committee is composed of a man from The Department of Health, one from our department and one each from The Department of Lands and Forests and The Department of Mines.

Mr. Nixon: Would you say that the committee has made all the trips that will be necessary and they are presently working on a report, or are they still making the investigation?

Hon. Mr. Simonett: I understand that they are still investigating; I do not know whether that investigation is within Ontario. I have not heard them say that they were making any trips recently.

Mr. Nixon: Would the hon. Minister say then that in the realm of radioactivity it would not be the responsibility of the Ontario water resources commission to control any pollution?

Hon. Mr. Simonett: As I explained to the hon. member for Nipissing, this is a matter that came about through the federal government going in there to get uranium for the purposes for which you know some of it was used. Now at that time, for some reason, between the Ontario government and the federal government, nobody was worrying about whose responsibility it was for pollution caused by this mine. This is one of the things being sorted out by the committee, and whatever steps need to be taken to remedy this condition—

Mr. Nixon: Yes, but right now the Ontario water resources commission evidently does not have the responsibility. We in this province are building two nuclear-powered electricity plants and if it is not the policy for this commission to control any effluent from those plants then who would have that responsibility?

Hon. Mr. Simonett: Any effluent from the nuclear plants will be the responsibility of Hydro, and this will never get out in the streams because it is contained right within the plant.

Mr. Nixon: So that in the special case of Hydro, which, in fact, is another industry in the province, the water resources commission will have no direct control over the effluent from those plants. Is that so?

Hon. Mr. Simonett: There will be no effluent from the plant.

Mr. Troy: Since the water resources commission does not have any laboratory—

Hon. Mr. Simonett: Has not what?

Mr. Troy: Has not a laboratory.

Hon. Mr. Simonett: Who said they had not?

Mr. Troy: The hon. Minister's general manager.

Hon. Mr. Simonett: The hon. member is talking about a radiation laboratory, that is different.

Mr. Troy: Let me finish, sir.

The hon. Minister may or may not know that The Department of Health is the only organization with a laboratory to carry out a proper examination in this particular field, so there must be constant co-operation and harmony between the two departments then.

Hon. Mr. Simonett: Mr. Chairman, I would hope that there would be good relationship between two departments of this government; in fact, there is good relationship between all departments of this government.

I am instructed by the hon. Minister of Health (Mr. Dymond) that they have a new modern laboratory on Christie Street that will take care of this problem.

Mr. G. Bukator (Niagara Falls): Mr. Chairman, it seems that I do not get into these debates until late in the night and I would like very much to hear the hon. Prime Minister (Mr. Robarts) say that he is going to call it off for the night.

I will have quite a lot to say about this. I think it is a most interesting subject and I think that one should take part in this debate.

I get up annually on the same subject and if I appear to be picking on some of the Ministers' departments, I do not want to give anybody that impression. I would like to relate some facts to the House though.

I have no quarrel with the water resources report that the hon. member for Wellington-Dufferin read off. It gives the facts of what they have done up to this point. I have been fortunate enough to have been with not only the hon. member of that water resources commission, but the hon. Prime Minister himself when they opened the large plant in Niagara Falls, the sewage disposal plant, on which they spent some \$5 million.

Coming down the river, though, getting back to Lake Erie from Crystal Beach, they have a small unit which was possibly one of the first sewage disposal units in the province of Ontario. They are compelled, I think, to add an addition to that one, or they are doing something about it. Not too long ago, the member of the water resources commission was also at Fort Erie when they opened their new plant there.

What I am trying to draw to your attention is that they have this water that flows down

the Niagara River, and I realize that on the American side they have many more industries than we do and maybe the pollution on the east side of the water, for want of better direction, is much greater than it is along the Canadian shore. But back in 1921 they changed the flow of the Welland River, better known as the Chippawa Creek, for power purposes so this water would come down the river, go on to the falls and the Welland River would flow into the Niagara. They changed the course of that for about two miles and took it down to Sir Adam Beck power plant No. 1. With the flow of the water coming in off the Niagara River into the Chippawa Creek down to the Queenston power house. That particular area had pure water—green or blue, call it what you like, but it was beautiful, until two years ago. Then the power people decided to block the man-made canal off and let the water flow naturally back into the Niagara River. Immediately they did this, they found that they had flowing through the village of Chippawa—instead of the fresh water emptying into the Niagara River—polluted water that came down from industries and from my hon. friend's (Mr. Morningstar's) riding, the city of Welland. In many instances, we have raw sewage flowing down that river past this particular village.

Last summer they blocked the water off to repair the old canal and in so doing they have polluted these waters where people have been swimming and fishing for many years. This year they are repeating the same performance. Through the winter months, apparently they could not work, so now they are going to do it again this summer.

What I am trying to draw to your attention is that here we have an isolated area in which we know where the pollution comes from. I have had a chat with the hon. member for Wellington-Dufferin, and he did say that the city of Welland had a problem financially. It has an intersection of waterways and it is to build quite an elaborate unit there, but it is polluting the waters. Regardless of whether they come to Chippawa and over the falls or whether they go through the canal, they go through the county of the hon. member for Lincoln (Mr. Welch)—he is not here—and they flow down to Niagara-on-the-Lake and the waters there are polluted.

I am wondering when this government, and I think it is a fair question, is going to do something about that particular problem, with which it is so well acquainted. Are there plans to eliminate this pollution, or will we have to put up with two more seasons of

pollution in an area of water where it does not have to be, but where, because of the change of the flow of water, this condition comes about?

Regardless of whether the authorities change it or not, there is still pollution in that area, and I think that if the water resources commission has the authority to compel someone to do a job on it, I think this is the time to pick it up. I would like to say more about it, but I would like the hon. Minister's answer, if he has it.

Hon. Mr. Simonett: Would you like me to answer that question?

Mr. Bukator: Yes.

Hon. Mr. Simonett: I am advised that the sewers are being installed in Welland at this time and that a contract will be let for a secondary treatment sewage plant within the next three months.

Mr. Bukator: Then no doubt we will have to contend with this change of flow for one more season. In the following year they can eliminate it there?

Hon. Mr. Simonett: I am advised that it should be completed and in operation by 1967.

Mr. Bukator: It sounds very good. Thank you.

The other question I would like to—

Mr. E. P. Morningstar (Welland): I might say, Mr. Chairman, in reply to that, the city of Welland is spending around \$8 million on the treatment plant and the sanitary sewers in the hopes that this pollution in the Welland River will be cleaned up.

Mr. McKeough: Are you lending them the money?

Mr. Morningstar: Some of it.

Mr. Bukator: I may draw to the attention of the hon. member who spoke last that we are both former wardens of the county of Welland, and just beyond the county court house and the county buildings there is a little swimming pool that the youngsters enjoy. The pool filters its own water, but you can look just beyond the walls and you see the raw sewage floating about. There is a lovely swimming area there, created behind an old wall; the hon. member for Welland knows that. The operators filter the water and the youngsters swim in this. It is a kind of natural pool. But beyond that the raw sewage is floating around in that particular

canal and it flows on eventually down into the Niagara River. This should be eliminated. I am glad to hear that you are spending some money.

But I would like to get a question or two answered here. The association of Welland county conservation clubs sent a letter to the hon. Minister of Lands and Forests (Mr. Roberts) and it says:

During the past ten years there has been a steady decline of catches of walleye in the eastern end of Lake Erie off the shore of Welland county by the commercial fishermen and anglers alike.

I realize this is a problem for the department handling game and fisheries, but I have found that in this House one can make quite a few miles politically by reading clippings out of papers. I have become accustomed to some of these methods that are used, but I am not going to read the whole thing, Mr. Minister, I will just read one paragraph.

Hon. J. W. Spooner (Minister of Municipal Affairs): Do not stoop to that; you are a better debater than that.

Mr. Bukator: I would like to read this, because these are facts, apparently from Dr. Langford:

The algae thrive on pollutants and pollutants are being poured into the Great Lakes at an alarming rate. Dr. Langford said that recent estimates showed that 400 barrels of oil were poured into the Detroit River every day.

I am just wondering if this is so.

Hon. Mr. Simonett: In the Detroit River?

Mr. Bukator: Yes. I am just wondering how that comes about. Is that true? Does someone have the answer to that? It is most interesting.

Hon. Mr. Simonett: Mr. Chairman, we do not have an answer for it. I think the only proof that we would have here, is what we read in the paper. I do not know how you estimate whether 400 barrels or 1,400 barrels are in the river. Even a little bit of oil can make itself seen on the water.

Mr. Bukator: I was amazed to read this account. No doubt your people are looking into it. This could be the reason why so many of the fish are dying off in the lakes, because of the oil that is spilled on the waters. But it just boils down to the thing we have been talking about here all night. Pollution is a very serious problem to this province and I

am sure the water resources commission is doing what it can, but these two or three instances that I have brought to your attention are things that are annoying to our people and I am hoping that very soon this matter will be cleared up.

Mr. J. P. Spence (Kent East): Mr. Chairman, I would like to comment on what my hon. colleague here has mentioned about Lake Erie, and also the remarks of the hon. Minister in regard to pollution in Lake Erie. I was glad to hear him say that he set up a research branch in his department, and he has left the impression with me this evening that pollution is not getting any worse in this province, or in the Great Lakes. But the part where I come from borders on the shores of Lake Erie, and it is hard to leave the impression with me that pollution is not getting worse, because on the shores of Lake Erie this year, for the first time, we had signs saying: "Swim at your own risk; water polluted."

We also learn about the disappearance of different species of fish from Lake Erie. We have mink ranchers in southwestern Ontario who were putting scraps of fish caught in Lake Erie in their mink food, and those who were feeding this scrap mixed in along with other meats had a tremendous loss of the young mink last year. They practically lost all the young, and at that time I contacted the hon. Minister of Lands and Forests and he sent his officials down there and took samples of this food. It contained perch, or other fish that were caught in Lake Erie. The officials took samples of it and sent it away to have it analyzed, but we have no results of what they have found in the tests yet. However, mink ranchers who mixed fish which came from the Maritimes with the meat and fed it to the mink, did not have a loss. This left the impression that the Lake Erie fish scraps which were mixed in with the mink feed were poisoned or diseased, because they caused a considerable loss to the mink farmers.

I have an article here from the Sault Ste. Marie newspaper which says "Old Age Hits Lake Erie." It is from the *Daily Star*, January 2, 1965, and says:

Two thousand square miles of Lake Erie are dead. Water has been polluted by a combination of salts, phosphates, nitrates, potash, mixed with organic material. That has caused the loss—to nourish algae in the lake.

At Lake Erie we have a dramatic, devastating effect of water pollution. We all know the results—beaches closed to tourists, fishing

grounds lost to the commercial fishermen, and the resulting loss to the economy surrounding the lakes.

This is of concern to those of us who live along the shores of Lake Erie, and it appears to us as if the pollution is getting worse. I hope the hon. Minister with his new research branch makes a study to see what can be the solution.

We know some of our towns have no sewage systems. As the hon. member for Yorkview said, you practically must have the Ontario water resources commission force these towns to put in sewage systems. But one of the problems is money, Mr. Chairman. I know every town and village in our part of the province would be glad to have a sewage system, but one of the problems is finances. The debenture debt has reached a saturation point. Perhaps we will have to take another look at this whole situation in order to stop this pollution, to stop some of the things that are polluting our waters in the province of Ontario.

Hon. Mr. Simonett: Mr. Chairman, the hon. member has mentioned Lake Erie, and of course when I said we had made great strides in cleaning up pollution in Ontario I was not referring altogether to Lake Erie. We know there is a problem and of course if the hon. member looks at some of the IJC reports—international joint commission reports—he will find that we are getting a lot of pollution in Lake Erie from Detroit, Toledo, Buffalo and many other areas.

Now the hon. member said there were towns and villages in his area that would like to have sewage disposal plants. Are there many of those along Lake Erie that are causing much pollution as far as Lake Erie is concerned?

Mr. Spence: I would not say so, Mr. Chairman. Of course no doubt some of the sewage does get into Lake Erie, but I would say not too much.

Hon. Mr. Simonett: I am advised too that the international joint commission has now a reference to study pollution in Lakes Erie and Ontario and the St. Lawrence River.

Algae was mentioned several times this evening. I just got this interesting note, and this is something I had never known before, that there have been algae blooms in the western end of Lake Erie since the first settlers came to the area. Now I cannot prove that, but perhaps the man who wrote me the note could.

Interjection by an hon. member.

Hon. Mr. Simonett: There are some there, too, I do not know where it came from, whether it came with the Indians or before.

Hon. Mr. Robarts moves that the committee of supply rise and report progress.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of supply begs to report certain resolutions and asks for leave to sit again.

Report agreed to.

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, tomorrow I would like to take third readings, and the Honourable the Lieutenant-Governor will be standing by to give Royal Assent to bills which have passed third reading; we will then resume the estimates of this department.

Hon. Mr. Robarts moves the adjournment of the House.

Motion agreed to.

The House adjourned at 11.05 of the clock, p.m.



Legislature of Ontario

Debates

OFFICIAL REPORT—DAILY EDITION

Third Session of the Twenty-Seventh Legislature

Wednesday, April 14, 1965

Speaker: Honourable Donald H. Morrow

Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER
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LEGISLATIVE ASSEMBLY OF ONTARIO

WEDNESDAY, APRIL 14, 1965

The House met at 3 o'clock, p.m.

Prayers.

Mr. Speaker: We welcome as guests to the Legislature today students from the following schools: In the west gallery, St. Mary's separate school, Toronto, and Deer Park public school, Toronto; and in the east gallery, Earl Haig secondary school, Willowdale.

Presenting petitions.

Presenting reports by committees.

Mr. R. J. Boyer (Muskoka) from the committee on privileges and elections presented the committee's report, which was read as follows and adopted:

The committee recommends to the House that the report of the special commission on redistribution of electoral districts in Ontario be referred back to that commission in order that the commission may give consideration to submissions relating to electoral district boundaries made by interested persons or to be made by such persons during such period as the commission may prescribe; in considering such submissions the commission also consider population trends and up-to-date population figures and to report to the legislative assembly at the next session thereof.

Mr. R. Gisborn (Wentworth East): Mr. Speaker, the motion for the report was made by myself, and it seems to me that one part of the motion was left out of the report. I feel that it should be included; that was where the commission found it necessary to make changes during their reconsideration, that the submission that justifies the changes be added as part of the commission's final report to the House.

I would ask that that be recorded and that if the committee members agree, that could be part of the report.

Mr. R. J. Boyer (Muskoka): Mr. Speaker, I think I might point out that it is customary in presenting reports to this House on the part of select committees, Royal commissions

or commissions of this House, that submissions made to any commission are listed as a part of its report. I presume that this commission in its wisdom may decide to list such submissions as it may receive.

I think, therefore, that it is hardly necessary for us to instruct the commission in this respect, since the fact that the words are not in this motion does not inhibit the commission from listing submissions in the normal, customary way.

Mr. Gisborn: Mr. Speaker, this then leads me to a slight criticism of the procedure of the committee. We, of course, followed the usual procedure as the committee convened to elect a chairman. In this particular case there was no secretary elected or appointed to keep track of the procedure of the committee and subsequently the chairman took it upon himself to act as both chairman and secretary. I agree that this is a most difficult thing to do, to act as chairman of the committee, of a large group, and to keep track of the proceedings and the minutes of that particular committee.

I do think that this kind of report deserves pretty special attention. This should be made as part of the report because if we are going to send the redistribution report back to the commission, which we all felt was a fair way to handle it, then we would like to know on what justification any changes in any boundaries were made.

Mr. J. H. White (London South): The motion which formed the substance of this report was written down by the chairman, and was read by the chairman to the committee. The hon. member for Wentworth East voted for that motion. While he may have been confused at the time, he may not have understood, he was the only one on the committee who did not understand it. Certainly all other members from both other parties were entirely familiar with the content and the purport of that motion.

Mr. K. Bryden (Woodbine): Mr. Speaker, I really do not think that is an adequate explanation. The motion, as I understand it—

I was not present, I am merely going on what I hear now—but according to what the hon. member for Wentworth East has said the motion that was voted on was a motion moved by him. I would assume that he knows what is in his own motion. It seems to me rather unusual that a report should not be strictly based on the motions that were adopted.

Mr. White: There were three motions on the floor.

Mr. Bryden: Well, all right, I think the text of the motion should become the report, that it should not subsequently be revised, even if in perfect good faith in line with the chairman's ideas of what is the best procedure. I think that the text of the motion should have become part of the report and been before this House.

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, this appears to be a procedural matter and I think everyone is pretty much agreed on what the committee wants to report. I would suggest this report be taken back to the committee so the committee itself can come to full agreement on the report to be brought back here.

Mr. Boyer: Mr. Speaker, I will withdraw the motion.

Mr. Speaker: Motions.

Hon. Mr. Robarts moves that when this House adjourns the present sitting thereof it do stand adjourned until three of the clock on Tuesday, April 27.

Motion agreed to.

Mr. Speaker: Introduction of bills.

THE ONTARIO MUNICIPAL BOARD ACT

Hon. J. W. Spooner (Minister of Municipal Affairs) moves first reading of bill intituled, An Act to amend The Ontario Municipal Board Act.

Motion agreed to; first reading of the bill.

Hon. J. W. Spooner (Minister of Municipal Affairs): Mr. Speaker, the purpose of this amendment is to amend three sections of the present Act. The first is to provide that the approval of the municipal board is not required for contracts entered into by district assessors. Another amendment is to clarify a section of the Act with respect to bylaws passed by municipal councils. The third amendment is to reduce the period of time

in which an appeal may be entered to the Lieutenant-Governor in council in connection with any order or decision of the board.

Mr. V. M. Singer (Downsview): What is the reduction?

Hon. Mr. Spooner: From 60 days to 28 days.

THE REGISTRY ACT

Hon. A. A. Wishart (Attorney General) moves first reading of bill intituled, An Act to amend The Registry Act.

Motion agreed to; first reading of the bill.

Hon. A. A. Wishart (Attorney General): Mr. Speaker, a brief explanation of the purpose of the bill: It is to clarify certain procedures in the registry offices under The Registry Act, particularly with respect to such things as amalgamation and annexation orders, and to complement a bill which is at present before the House effecting a new system of registration of regional grants from the Crown under The Public Lands Act and orders under The Quieting Titles Act and matters which relate to judges' plans.

THE LAND TITLES ACT

Hon. Mr. Wishart moves first reading of bill intituled, An Act to amend The Land Titles Act.

Motion agreed to; first reading of the bill.

Hon. Mr. Wishart: There is just one effective amending section of this Act to bring it in line with The Public Lands Act, now providing for registration of an original grant from the Crown and providing that the master of titles shall register such grant.

THE PARTNERSHIPS REGISTRATION ACT

Hon. Mr. Wishart moves first reading of bill intituled, An Act to amend The Partnerships Registration Act.

Motion agreed to; first reading of the bill.

Hon. Mr. Wishart: Mr. Speaker, this bill provides for the registration of a partnership declaration where the partnership has extended out of one registry division and is carrying on business in another division, or other divisions, so that the provisions of the present Act requiring registration wherever the business is carried on shall be effective in the new areas.

THE LIMITED PARTNERSHIPS ACT

Hon. Mr. Wishart moves first reading of bill intituled, An Act to amend The Limited Partnerships Act.

Motion agreed to; first reading of the bill.

Hon. Mr. Wishart: This amendment to The Limited Partnerships Act is complementary to The Partnerships Registration Act amendment introduced a moment ago.

CENTENNIAL CENTRE OF SCIENCE AND TECHNOLOGY

Hon. J. A. C. Auld (Minister of Tourism and Information) moves first reading of bill intituled, An Act to provide for the establishment and operation of the centennial centre of science and technology.

Motion agreed to; first reading of the bill.

Hon. J. A. C. Auld (Minister of Tourism and Information): Mr. Speaker, this bill provides for the operation of the centennial centre of science and technology.

Hon. A. Grossman (Minister of Reform Institutions): Mr. Speaker, before the orders of the day, I would like to announce that arrangements have now been completed for our second annual conference on addictions, which is to be held at the Alex G. Brown memorial clinic, Mimico, on Thursday and Friday, April 29 and 30.

This conference is being presented in order to provide an interchange of ideas and methods and to present current research to those who are interested in the rehabilitation of persons addicted to alcohol, narcotics or barbiturates.

Many eminent specialists will be participating in this conference, including two visiting speakers from the United States, Mrs. Marty Mann, founder and executive director of the national council on alcoholism in New York, and Mr. Robert Jones, assistant director of the summer school of alcohol studies at Rutgers University.

Papers will be given by Canadian specialists in this field: Dr. J. S. Olin, who is a medical research associate at the alcoholism and drug addiction research foundation, and Dr. Gordon Bell, who, besides being medical director of the Bell clinic, is a consultant psychiatrist with our department.

Psychiatrists, psychologists, social workers, chaplains and rehabilitation officers from our own department will be presenting papers and participating in panels.

Invitations have been extended to agencies and societies working in the field of addictions, as well as police departments, magistrates, probation services and university and Department of Education workers in this field.

Last year, when announcing this conference, I indicated that I hoped it would be the first of many. The 1964 conference proved to be very successful in assisting the interchange of ideas and it further cemented existing co-operation between those working in many branches of this field.

Its success was such, that both from within and outside the department there has been a definite interest in making this an annual affair.

I extend an invitation to all hon. members who are interested in these problems to spend as much time as they can spare at this conference. I am sure that those who can attend will find it most worthwhile.

Hon. J. Yaremko (Provincial Secretary and Minister of Citizenship) begs leave to present to the House the following reports:

1. Report of the public service superannuation board for the year ended March 31, 1964.
2. Report of the provincial auditor on the public service superannuation fund for the year ended March 31, 1964.
3. Report of the provincial auditor on the public service retirement fund for the year ended March 31, 1964.

Hon. Mr. Robarts: Mr. Speaker, before the orders of the day, I would like to table the answers to questions 8, 20, 52, 81, 93, 109 and 110.

The hon. Prime Minister tabled answers to questions as follows:

8. *Mr. V. M. Singer (Downsview)*: Inquiry of the Ministry: (a) Has the Attorney General, or any of the officials of his department, received any written or oral complaints concerning the activities of Magistrate Dnieper as a magistrate since his appointment? (b) If so, how many such complaints have been received? (c) If so, what generally has been the nature of such complaints? (d) If so, have any such complaints been received from the law society of Upper Canada, any legal organization in the province of Ontario, or any police body? (e) If so, what action, if any, has the Attorney General taken, or does he propose to take in the future, in connection will such complaints?

Answer by the hon. Attorney General:

- (a) Yes.
- (b) Seven.
- (c) Critical comments of the magistrate during court proceedings.
- (d) Yes.
- (e) The complaints have been drawn to the attention of the chief magistrate and the magistrate concerned.

20. *Mr. Singer*: Inquiry of the Ministry: Will the Attorney General advise if there is any conflict of interest in the continuance in office as head of the Upper Thames river conservation board of the hon. member for Oxford (Mr. Pittock) while he continues to sit as a member of this Legislature?

Answer by the hon. Attorney General:

The hon. member has resigned as head of the Upper Thames river conservation authority and the question is now redundant.

52. *Mr. L. Troy (Nipissing)*: Inquiry of the Ministry: 1. Will the hon. Prime Minister inform the Legislature of the complement of the Ontario northland transportation commission, indicating also the offices they hold on the commission, their salaries and emoluments, and their places of residence? 2. With the present development in the mining industry in northeastern Ontario and the possibility of other major discoveries following the planned airborne magnetometer survey this year, has the Cabinet taken any steps, or will it take any steps, to instruct the commission of the Ontario northland transportation system to conduct further feasibility studies of a branch line from North Bay to a terminal port on Georgian Bay? 3. (a) What is the mileage of the spur line to service the Adams Mine; (b) what was the cost to the commission of this line? 4. (a) What is the mileage of the projected spur line to service the Texas Gulf property in Kidd township; (b) will the commission assume the cost of building this line; and (c) what is the estimated cost? 5. Since the mining companies concerned have decided to proceed with the development of the iron ore resources at Temagami: (a) will the Ontario northland transportation commission assume the cost of building a spur line to the properties; and (b) what is the estimated cost of such a branch line? 6. (a) What is the policy of the Cabinet in relation to the location of smelters to process ores produced in northeastern Ontario; and

(b) when may we expect an announcement regarding the location of a smelter for the Texas Gulf ores?

Answer by the hon. Minister of Energy and Resources Management (Mr. Simonett):

1. W. A. Johnston, chairman, South River, \$9,000 per year; R. Brunelle, commissioner, Moonbeam, \$2,000 per year; J. A. Kennedy, commissioner, North Bay, \$2,000 per year; W. R. Thompson, commissioner and industrial commissioner, Swastika, \$2,000 per year and \$4,000 per year.

2. At the present time no requests have been made for movement of any large rail traffic to a Georgian port. The projected iron ore movement from Temagami involves a Hamilton, Ontario, destination. This obviously will go by rail from the mine. Since no decision has apparently been made on shipments from Texas Gulf sulphur mine at Timmins, no decision regarding the Ontario Northland Railway extension for this purpose can be considered at this time. The Ontario northland transportation commission is prepared to study feasibility of any branch lines as the occasion requires.

3. (a) 4.8 miles; (b) \$1,400,000.

4. (a) 16.1 miles; (b) This is at present under study and no comment is possible; (c) \$3,000,000.

5. (a) This is presently under study and no comment is possible; (b) \$1,000,000—engineering cost not yet determined, but this estimate based on a spur four miles in length at cost of \$250,000 per mile.

81. *Mr. Singer*: Inquiry of the Ministry: Will the Attorney General advise: (a) what was the total cost to the province of Ontario of the shelter promotion programme; (b) the total cost of the province of Ontario for construction of any shelters that were built; (c) what expenditures are planned for the current year in regard to a home shelter programme?

Answer by the hon. Attorney General:

(a) There is no provincial financial assistance programme for the building of shelters.

(b) \$5,000 for the building of demonstration units.

(c) None except for postage for the distribution of federal literature.

Note: The fallout shelter programme is entirely carried on by the federal government. Provincial emergency measures organizations assist the federal government in the distribution of information material relating to such programme.

93. *Mr. Singer: Inquiry of the Ministry: Will the Attorney General advise: (a) how many local police forces were evaluated by the Ontario police commission in the year 1964; (b) at whose request was each of these evaluations made; (c) if the Ontario police commission investigated and evaluated any local force: (i) how many such forces did it investigate on its own initiative, (ii) with the consent of the municipal authority; (iii) without the consent of the municipal authority; (d) how many recommendations has the Ontario police commission made to municipal authorities as a result of such investigations; (e) how many such recommendations have been carried out; (f) where such recommendations have not been carried out, does he intend to take any further action in regard thereto; (g) if so, what action does he intend to take?*

Answer by the hon. Attorney General:

(a) 182.

(b) Two at the request of the boards of commissioners of police; two at the request of chief constables; 19 at the request of municipal authority; 159 at own initiative of the Ontario police commission.

(c) (i) 159; (ii) No consent of municipal authority required (Section 39b (d) of The Police Act); (iii) 159.

(d) Many recommendations were made as the result of the surveys conducted, the major recommendations being as follows:

Additional police personnel, to provide adequate policing. Revision of duty schedules. Permit chief constable to attend police college at Aylmer. Permit police personnel to attend police college at Aylmer. Police education to be continued by in-service training. "Rules and Regulations" to be compiled for local use.

Additional clerical staff. Improvements in local telephone service to police department. Improvement in compilation and maintenance of records. Compulsory instruction and practice in use of revolver. Additional mobile and radio equipment. Purchase and use of radar equipment. Amalgamation with other area police departments.

Identification of police cruisers. Additional supervisory personnel. Formula for promotion of police personnel (written examination). Uniform system of indexing and filing of police records. Boards of commissioners be constituted. Educational tests for all applicants. Enlarged accommodation and new buildings where required.

Revision of salary schedules. Compliance with provisions of The Police Act when recruits are appointed. Proper reporting by chief constable to police committee or council.

In addition to the many recommendations made to the various police departments, the Ontario police commission provided assistance to five municipalities in their selection for appointment of applicants to the position of chief constable.

Surveys with recommendation for amalgamation with other area forces were made in the case of 17 local departments in various parts of the province.

(e) Will be determined when return visits are made by advisers to the municipalities concerned.

(f) Discussions will be held with municipal officials and police governing authorities with a view to the implementation of any recommendations so made.

(g) One of the many functions of the Ontario police commission is to provide to boards of commissioners of police, police committees of municipal councils, other police authorities and chief constables, information and advice respecting all aspects of police and policing calculated to assist in the management and operation of police forces. The provisions of the statute are being met by the recommendations made.

109. *Mr. R. A. H. Taylor (Timiskaming): Inquiry of the Ministry: Is it planned to use the Ontario Northland Railway to assist the regional development of northeastern Ontario by: (a) reducing incoming freight rates on primary products such as gasoline, fertilizer, seed, etc.; (b) providing preferential freight rates to northern farmers for the shipment of agricultural products to the metropolitan areas; (c) promoting tourism through special northern excursions and by direct assistance for the development and use of ski tows and ice fishing?*

Answer by the hon. Minister of Energy and Resources Management:

1. (a) At the moment, there is no reduction in freight rates contemplated. Second, the Ontario Northland Railway is not in a position to reduce freight rates from southern Ontario to northern Ontario without first consulting with the Canadian National, Canadian Pacific and other rail carriers concerned. All rates involving traffic originating outside of the territory served by the Ontario Northland and destined to its area, must be negotiated with its connections.

For several years the Ontario Northland has participated with the other rail carriers in providing a reduced rate on limestone for agricultural purposes in line with The Ontario Department of Agriculture limestone freight assistance policy to farmers.

Negotiations are under way between the major oil companies and the railway for adjustment in petroleum products rates.

(b) There is no planned reduction in freight rates under consideration at the present time. There are no applications for adjustment pending, and if an application was received, it would have to be negotiated with Ontario Northland connections, the same as outlined in (a) in the reverse direction.

To assist the northern producers of seed, rates have been published from New Liskeard, Ontario, to several stations in eastern Canada. Within the past six months, the Ontario Northland has negotiated reduced rates on hay from several hay producing points on its line to stations in southern and eastern Ontario.

When transportation is a problem, the Ontario Northland has always endeavoured to provide rates that will assist in the movement of commodities from its territory to destinations on its connecting lines.

(c) In the promotion of tourism to northern Ontario, Ontario northland transportation commission has undertaken the following:

Paid advertising and prepared articles for publication in various tourist guide books and other pertinent publications.

Preparation of a number of brochures, pamphlets and posters which are being distributed at border crossing points, sportsmen's shows, the Canadian National Exhibition, chamber of commerce information booths, and so on.

Servicing in detail of some 5,000 inquiries by mail annually.

Operation of boat-line excursions on Lake Nipissing and Lake Temagami at a deficit in order that these may serve as regional tourist attractions.

Liaison with chambers of commerce, regional tourist associations, and agencies of the Ontario and Canadian governments on tourist development projects.

Establishment of package tours retailed through travel agencies and other outlets for holiday trips through the north country by winter or summer.

Operation of a tourist guest lodge at Moosonee; operation of a hunting camp on James Bay.

Operation of special excursion trains returning the same day, between Cochrane and Moosonee. Two were operated in 1964 with marked success. It is planned to operate such an excursion each Sunday from June 27 to September 5 inclusive in 1965. It is planned to establish package tours from Toronto and other points in conjunction with this and the boat cruises.

Liaison with other rail and bus lines to develop individual and group movements of tourists into northern Ontario.

Establishment of a red, white and blue fare plan which incorporates a marked reduction in rail fares for the encouragement of greater passenger travel.

Ice fishing: Opening of boat-line buildings and office for use by the Temagami winter carnival committee in the operation of its fishing derby. Participation by Ontario Northland personnel in the planning and operation of this event.

Establishment of a package plan for skiers from southern Ontario for skiing in the Kirkland Lake area. This particular promotion has begun within the past month and some traffic is starting to move. The commission underwrote travel expenses for a party of eight prominent Ontario skiers on a familiarization tour from Toronto to Kirkland Lake in February. Favourable publicity has resulted from this.

110. *Mr. D. C. MacDonald (York South)*: Inquiry of the Ministry: What was the total cost of the Hagey committee up to and including the publication of its report?

Answer by the hon. Minister of Health (Mr. Dymond):

\$128,011.95.

Hon. W. G. Davis (Minister of Education) begs leave to table the first annual report of the province of Ontario council for the arts.

Mr. Speaker: Orders of the day.

THIRD READINGS

The following bills were given third reading upon motion:

Bill No. 23, An Act to amend The Loggers' Safety Act, 1962-1963.

Bill No. 24, An Act respecting the water powers of the Ottawa River.

Bill No. 25, The Training Schools Act, 1965.

Bill No. 27, An Act to amend The Vital Statistics Act.

Bill No. 28, An Act to amend The Marriage Act.

Bill No. 30, An Act to amend The Ontario Human Rights Code.

Bill No. 35, The Operating Engineers Act, 1965.

Bill No. 41, An Act to provide for the settlement by arbitration of labour disputes in hospitals.

Bill No. 42, An Act to amend The Mining Act.

Bill No. 43, An Act to amend The Public Lands Act.

On Bill No. 45, An Act to amend The Expropriation Procedures Act:

Mr. J. P. Spence (Kent East): Mr. Speaker, I would like to say a word or two on this bill, An Act to amend The Expropriation Procedures Act.

In the explanatory notes, it says it is an informal, inexpensive procedure in cases where the owners of lands expropriated, and the expropriating authorities, are unable to agree to the amount of compensation. Mr. Speaker, I might say to the hon. Minister that I think this a step forward, but the hon. Minister does not include The Drainage Act under this amendment.

In southwestern Ontario we have many large drains and many small drains along municipal, township and county roads, and when drains are partitioned to be repaired it has been the policy of many municipalities to have these drains moved over on to adjoining land. The hon. Minister will say the property owner has a right to appeal The Drainage Act at the court of revision. He also has a right to appeal to the referee. After that, Mr. Speaker, he has to enter into litigation against the municipality if he is not satisfied with the compensation, and I must say the onus falls on him.

But in this Act the onus falls on the expropriating authority. I think this would be a great help to those in the rural areas where drains are being moved over on land, and it would be inexpensive. It would be a step forward for The Drainage Act. I wonder if the hon. Minister could inform me why The Drainage Act was not included in this amendment.

Hon. A. A. Wishart (Attorney General): Mr. Speaker, I think I can enlarge to some extent upon the explanatory note. The omission of The Drainage Act is provided for in section 1, which provides:

This Act does not apply to the use of or injury to land authorized under The

Drainage Act 1962-1963 for the purposes of a drainage works constructed under that Act, nor to any proceedings in connection therewith.

Then in the explanatory note it is stated that:

Procedures for the payment of compensation and appeals, etc., are provided for in The Drainage Act 1962-1963 with respect of lands used for or injured by a drainage works.

Then it indicates that The Drainage Act and proceedings under The Drainage Act are not covered by this Expropriation Procedures Act.

Generally speaking, I think it is fair to say that in drainage matters the land itself is seldom if ever taken. Rights over land, easements as it were, are necessary. That is one consideration.

Then, as the explanatory note points out, there are special procedures set forth in The Drainage Act for compensation for the settlement of matters in dispute, for arbitration, for appeals, and so on. It was thought—and this was very thoroughly considered—it was thought that this Act of expropriation procedures should not interfere with or take over those procedures which I think work quite well and are provided for in the present Drainage Act.

Mr. V. M. Singer (Downsview): Mr. Speaker, we have already opposed Bill No. 45—

Hon. A. K. Roberts (Minister of Lands and Forests): On a point of order, Mr. Speaker, no extensive debate is permitted on third reading.

Mr. Speaker: The members may discuss the bill on third reading.

Mr. Singer: Certainly. If the hon. Minister of Lands and Forests would like the exact reference—

Hon. Mr. Robarts: May I make the point?

I submit, sir, if there is to be any discussion on third reading it must be by way of a motion to defer for six months the third reading and not in general discussion.

Mr. Singer: With the greatest respect to the hon. Minister of Lands and Forests I will refer him to the rules of procedure by Lewis. I think he will find all the answers there. If he wants to see the rule I can give it to him.

Hon. Mr. Roberts: I consult May as well.

Mr. Singer: Mr. Speaker, as the House knows we in this party opposed Bill No. 45 because we did not think it was nearly complete enough. We did not believe it provided the answers required insofar as expropriation is concerned. There was quite a substantial debate at that time, concerning more particularly the sections other than section 1, and I propose, sir, to make a few remarks in connection with section 1, in conjunction with the remarks made by my hon. colleague from Kent East.

As the hon. Attorney General I am sure knows, Mr. Speaker, this section is now included in the expropriation Act by reason of the decision rendered by His Honour Judge Beardall, judge of the county court of the county of Kent in the case of McKenzie v. the corporation of the township of Dover.

Now there was some substantial doubt in the mind of Mr. McKenzie as to exactly what protection he had when a drainage award was made against him insofar as the compensation was concerned. He applied, as was his right, to the judge of the county court to get a ruling on it. There was some substantial doubt as to whether or not The Expropriation Procedures Act did apply. The judge found that in his opinion it did apply, and I am sure that the hon. Attorney General is as familiar as I with the judge's reasons for judgment.

To summarize them very briefly, the judge said that there was a very substantial need for the type of protection that The Expropriation Procedures Act gave to farmers in cases such as the one that came before him. He came to the conclusion as well that the wording of The Expropriation Procedures Act was not as clear as it might be, and so he extended the benefit of whatever doubt there was to Mr. McKenzie. That was the principle.

Insofar as damages were concerned he came to the conclusion that really, Mr. McKenzie had in fact suffered very little damage, so that while agreeing with McKenzie he gave him very little compensation by way of damages.

But the important part of this decision is that the judge stated, and I quite agree with him, that there should be the same remedies available and the same protections available to farmers like McKenzie as there are to the city people who have their property expropriated. Now the government on one hand says that we are going to have a uniform Act insofar as expropriation procedures are concerned, and if we have Hydro come in and take your land, or if we have universities

come in or municipalities or highways, there is one set of procedures to be established. But in another very important field that affects farmers, and affects farmers where there are substantial drainage problems such as in the flatlands in western Ontario, if I may call them that, in the Kent area, in the Essex area and other agricultural areas of the province, this question of drainage awards is a very important thing and it seriously affects farmers' rights. It would be my submission that the farmer is entitled to at least as much protection as anyone else who might be affected by expropriation procedure.

I grant you, sir, that the issue is a very complex one, and possibly not too well understood or worried about outside of southwestern Ontario. But as I said, rural drainage is vital in that area. To take advantage of the rich soil that exists there, there has to be proper drainage. Throughout all the area there are large drains running through the farm lands which look, to a stranger, like natural water courses. Over the years there has grown up a body of extremely technical and complex law in relation to drainage.

In handling this matter it is essential that the farmer should be protected and the public interests should be carried out. I am not suggesting that where it is necessary that drainage awards be made that they should not be made, but I think that the farmer should be protected as well as the public interest; and where it is important or necessary that a drainage scheme be carried out that there should be no undue hardship or injustice visited upon the farmer.

Under The Drainage Act the procedure is for an engineer to make a report, as far as it concerns compensation to land owners. This is in section 8, subsection 8, of The Drainage Act. This report is then confirmed by bylaw and provision is made for an appeal by the landowner. However, if he does nothing, the bylaw is confirmed and the municipal authorities can proceed to go on the land and do the work.

In other words, the onus of objecting to compensation and preventing the municipality going on his land falls on the landowner. Very frequently, sir, either it is through ignorance or through fear of the complicated procedure of an appeal, the farmer, while he may be dissatisfied, does nothing or is not aware that he has any remedy. The technical aspects and the expense have given farmers a fear of drainage litigation. There is a feeling that it is pretty hard to buck city hall and they are really stepping into something which is a

little beyond them both in means and in ability to understand. So they shied away from fighting these drainage awards.

Under The Expropriation Procedures Act the onus is shifted, and I think it should be shifted. Under The Expropriation Procedures Act, the onus to a large degree falls upon the expropriating authority. If the landowner does not accept the compensation offered, then there must be a court order for possession and there must be proceedings taken to establish the value of the land.

I think that the same protection that is given to all other classes of people who have land expropriated from them should be extended to farmers whose land is taken under The Drainage Act.

Now I know that the hon. Attorney General is going to say that only a right or an easement to have the drainage is—

Hon. J. W. Spooner (Minister of Municipal Affairs): He said that.

Mr. Singer: Yes, all right, he said that. But the fact is that once the water starts to flow through that drain it flows through there for an awfully long time; and it is almost impossible, even though the title to the bed of the drain, the same as the title to a river, might remain in private hands, it is almost impossible for that farmer ever to envisage gaining control of that drain again. So, for all practical purposes, the right to use that land over which the drain flows is taken away from him in perpetuity. Very simply then, in trying to be uncomplicated about quite a complicated matter, it would seem to me that the inclusion of section 1 in this Bill No. 45 is going to deny the farmers the right other people have when property which they own is being expropriated.

For those reasons, sir, I think that, in addition to all we have said about the other procedures suggested in the expropriation procedures amendment act in this Bill No. 45, in addition to all those complaints we have, section 1 of the Act makes it twice as bad as the rest did. And I think, sir, that the least the government can do to protect the farmers—and they always express interest in protecting the agricultural community, as they should; the hon. Minister of Agriculture is their staunch defender—I would think that he would be among the leaders in moving that this section 1 be deleted from the Act. It is for those reasons, sir, that I cannot see how we can support this Act on third reading.

Hon. W. A. Stewart (Minister of Agriculture): Mr. Speaker, two or three years ago

the committee which sat on the consolidation of the various drainage Acts in the province of Ontario gave this matter very thorough consideration at that time. And while I respect the hon. member's feelings concerning the points he has raised here, I think if he understood what really happens out in rural Ontario, where these drains in effect really are, he would recognize there is a very good working relationship on municipal drains between the farmers concerned and the council and the authorities which establish these drains.

I have known of no case, quite frankly, where there has not been an amicable solution reached through—

Mr. Singer: There is the case about which I just told the hon. Minister.

Hon. Mr. Stewart: Well, that may be; there may be an isolated case. You can find isolated cases in almost anything. But, generally speaking, this is true.

Mr. Singer: That is not the information we have.

Hon. Mr. Stewart: What we have done as a committee, in consolidating these drainage Acts, is to take into account these very things the hon. member has raised here; and actually, in consolidation of the drains, in appeal to the court of revision, from there to the county judge and from there to the drainage referee, there are all kinds of appeal left. I would say that there should be no problem whatever, as far as the farmers concerned, in the matter of municipal drainage laws in this province. I think it has been well taken care of. Although the hon. member has a point, I do not think it is a valid enough point to really have it incorporated in this type of legislation.

Hon. Mr. Wishart: Mr. Speaker, I would just add this further, and repeat what I said before: When we were considering this Act now before us, The Expropriation Procedures Act, we looked at the drainage situation; and it is to be noted that in The Drainage Act, enacted largely anew in 1962-63, there was a very complete and thorough review of drainage procedures, and there are special procedures there which, I think, have served very effectively and meet the situation quite fully. That Act, as I say, was in 1962-63, and was just a recent review of all the law re drainage and new procedures established.

There is the engineer's report; there is the bylaw; the court of revision; your dealing with the local municipality; there is an appeal to the county court judge; there is a review by

a referee. These are special procedures which, in a sense, go beyond The Expropriation Procedures Act, and there is no argument really that that should be incorporated into The Expropriation Procedures Act.

Mr. Spence: I might say, Mr. Speaker, that the farmers or the property owners in the past had to be satisfied with the compensation set aside because the court of revision or the referee did not change it; and for the farmer or the property owner to enter into litigation against a municipality there was great fear. They thought they were beaten before they ever started. My point was, if this amendment is for the benefit of land that is expropriated for other public use, that this should be the same for property taken over by drainage.

Mr. R. M. Whicher (Bruce): Mr. Speaker: I would like to say one word about this. Actually, the average farmer is scared to death to enter into litigation against a municipality as far as The Drainage Act is concerned. I do not think there should be any exception whatsoever. I think the farmers should be put on an even basis with the other citizens of this province and have the same opportunity as far as this is concerned. I have had dozens of complaints, and the hon. Minister of Agriculture knows it full well, from various farmers in Bruce county and in surrounding counties I might say, too—from people who are dissatisfied with the drainage laws and the drainage compensation they have to pay or receive, whatever the case may be. I would urge the government to look over this situation very seriously before it is passed.

Hon. Mr. Stewart: Could I speak again on this thing, Mr. Speaker?

Mr. Speaker: Technically, we are only supposed to carry on a discussion for a very short period as the rule calls for a restricted limit of discussion; but as I have allowed two other members to speak twice, I think perhaps I could allow the Minister of Agriculture a short remark.

Hon. Mr. Stewart: Mr. Speaker, in regard to what the hon. member for Bruce has said, I must confess that I do not know of this kind of problem, quite frankly. I am involved, in my own property, in two municipal drains and they were both amicably settled. There was a good relationship between all concerned on the ditches, between the court of revision and the councils involved.

Mr. Whicher: How long ago was that?

Hon. Mr. Stewart: Oh, a number of years ago, before I got mixed up in this business.

Mr. Whicher: The hon. Minister must have been on the right side of politics.

Hon. Mr. Stewart: No, I am afraid I was not, as a matter of fact. But I find that people of all political faiths in the country get along pretty well together.

One can say, as far as this business of drainage is concerned, that farm drainage must go in the direction that the water course lies. This is something that we cannot deny.

The matter of expropriation, of taking a part of the property or putting a line across the property for a public utility or road or something like this, is quite another matter. But when the drainage bylaws are drawn up, where there are a number of signers petitioning for the drain, then it has to go in that particular area. You cannot turn it and go in some other direction; you have to follow the natural water course. There is no argument about this, and in effect the court of revision is made up of the local people involved in the community, so quite frankly I think—

Interjections by hon. members.

Hon. Mr. Stewart: —the hon. Attorney General in this Act here, providing for the board of negotiation, is, in effect, giving another name to the court of revision because they perform the same function. Actually, they do in fact. I have seen this happen in the country and, quite frankly, I would be the first one to want to have this principle apply to drainage, if I thought that it was not already taken care of, but I am satisfied that it is.

Mr. D. C. MacDonald (York South): We are not certain whether this committee of negotiation or board of negotiations is going to be a useful agency or not. I think the evidence is extremely mixed, but if it can be as useful as the hon. Minister of Agriculture has suggested, in the instance of some expropriation procedures in western Ontario, obviously we do not want to stand in the way of its wider application. Therefore we support the bill insofar as it goes and will let experience be our guide.

I repeat what I have said, on at least two occasions at considerable length, how inadequate this bill is in terms of meeting the necessary range of amendments to expropriation procedures. They are not here; we cannot vote on them. We have to vote on what is here, and it is, in effect, buying a

bit of a pig in a poke because we will have to wait to see how useful it is.

Mr. Speaker: As many as are in favour of the motion will please say "aye."

As many as are opposed, will please say "nay."

In my opinion the "ayes" have it.

Call in the members.

Clerk of the House: Mr. Speaker, the "ayes" are 69, the "nays," 19.

Mr. Speaker: I declare the motion carried.

Bill No. 45, An Act to amend The Expropriation Procedures Act, 1962-1963.

Bill No. 46, An Act to amend The Bailiffs Act, 1960-1961.

Bill No. 47, An Act to provide a provincial flag for Ontario.

Bill No. 48, The Alcoholism and Drug Addiction Research Foundation Act, 1965.

Bill No. 49, An Act to amend The Medical Act.

Bill No. 50, An Act to amend The Dentistry Act.

Bill No. 51, An Act to amend The Nurses Act.

Bill No. 52, An Act to amend The Psychologists Registration Act.

Bill No. 53, An Act to amend The Local Roads Boards Act, 1964.

Bill No. 54, An Act to amend The Division Courts Act.

Bill No. 56, An Act to amend The Summary Convictions Act.

Bill No. 57, An Act to amend The Department of Agriculture Act.

Bill No. 58, An Act to amend The Farm Products Marketing Act.

Bill No. 59, An Act to amend The Confederation Centennial Act, 1962-1963.

Bill No. 62, An Act to amend The Drainage Act, 1962-1963.

Bill No. 63, An Act to amend The Municipal Franchise Extension Act.

Bill No. 64, An Act to amend The Municipal Arbitrations Act.

Bill No. 67, An Act to amend The Department of Municipal Affairs Act.

Bill No. 68, An Act to amend The Local Improvement Act.

Bill No. 69, An Act to amend The Public Utilities Act.

Bill No. 70, An Act to amend The Trustee Act.

Bill No. 71, An Act to amend The Proceedings against the Crown Act, 1962-1963.

Bill No. 72, An Act to amend The Coroners Act.

Bill No. 74, An Act to amend The Cancer Act.

Bill No. 75, An Act to amend The Hospital Services Commission Act.

Bill No. 76, An Act to amend The Public Hospitals Act.

Bill No. 77, An Act to amend The Private Hospitals Act.

Bill No. 78, An Act to amend The Community Centres Act.

Bill No. 79, An Act to amend The Municipal Franchises Act.

Bill No. 80, An Act to amend The Legislative Assembly Act.

Bill No. 82, An Act to amend The Junior Farmer Establishment Act.

Bill No. 86, An Act to amend The Motor Vehicle Accident Claims Act, 1961-1962.

Bill No. 91, The Brucellosis Act, 1965.

Bill No. 92, An Act to amend The Live Stock Community Sales Act.

Bill No. 93, An Act to amend The Corporations Act.

Bill No. Pr25, An Act respecting the county of Peel.

The Honourable the Lieutenant-Governor entered the chamber of the legislative assembly and took his seat upon the Throne.

Hon. W. Earl Rowe (Lieutenant-Governor): Pray be seated.

Mr. Speaker: May it please Your Honour, the legislative assembly of the province has, at its present sittings thereof, passed several bills to which, in the name of and on behalf of the said legislative assembly, I respectfully request Your Honour's assent.

Assistant Clerk of the House: The following are the titles of the bills to which Your Honour's assent is prayed:

Bill No. Pr2, An Act respecting Owen Sound general and marine hospital.

Bill No. Pr3, An Act respecting The Royal Canadian Legion.

Bill No. Pr5, An Act respecting the Community Chest of St. Catharines and District, Inc.

Bill No. Pr6, An Act to incorporate the Ontario speech and hearing association.

Bill No. Pr8, An Act respecting the township of London.

Bill No. Pr9, An Act respecting the city of Windsor.

Bill No. Pr10, An Act respecting the Pentecostal Assemblies of Canada.

Bill No. Pr11, An Act respecting the Frontenac district high school board.

Bill No. Pr 13, An Act respecting the United Church of Canada.

Bill No. Pr14, An Act respecting the town of Burlington.

Bill No. Pr16, An Act respecting the city of Belleville.

Bill No. Pr17, An Act respecting the city of Cornwall.

Bill No. Pr18, An Act respecting the United Co-operatives of Ontario.

Bill No. Pr19, An Act respecting the city of Toronto.

Bill No. Pr20, An Act respecting the city of London.

Bill No. Pr21, An Act respecting the village of New Hamburg.

Bill No. Pr22, An Act respecting the municipality of Shuniah.

Bill No. Pr24, An Act respecting the town of Gananoque.

Bill No. Pr25, An Act respecting the county of Peel.

Bill No. Pr26, An Act respecting the city of St. Thomas.

Bill No. Pr29, An Act respecting the township of York.

Bill No. Pr30, An Act respecting the township of Mosa.

Bill No. Pr31, An Act respecting the city of Oshawa.

Bill No. Pr32, An Act respecting the town of Hawkesbury.

Bill No. Pr33, An Act respecting the township of East York.

Bill No. Pr34, An Act respecting the city of Hamilton.

Bill No. Pr36, An Act respecting the city of Ottawa.

Bill No. Pr37, An Act respecting the Canadian National Exhibition Association.

Bill No. Pr38, An Act to incorporate the East York foundation.

Bill No. Pr39, An Act respecting the township of Scarborough.

Bill No. Pr40, An Act respecting the city of Kitchener.

Bill No. Pr42, An Act respecting the township of North York.

Bill No. Pr43, An Act respecting the city of Chatham.

Bill No. 1, An Act to amend The Devolution of Estates Act.

Bill No. 2, An Act to amend The Certification of Titles Act.

Bill No. 3, An Act to amend The County Judges Act.

Bill No. 4, An Act to amend The Probation Act.

Bill No. 5, An Act to amend The Mortgages Act.

Bill No. 6, An Act to amend The Used Car Dealers Act, 1964.

Bill No. 7, An Act to amend The Archaeological and Historic Sites Protection Act.

Bill No. 8, An Act to amend The Highway Improvement Act.

Bill No. 12, An Act to amend The Dead Animal Disposal Act.

Bill No. 13, An Act to amend The Anatomy Act.

Bill No. 14, An Act to amend The Arbitrations Act.

Bill No. 17, An Act to amend The Trench Excavators' Protection Act.

Bill No. 18, An Act to amend The Elevators and Lifts Act.

Bill No. 19, An Act to amend The Construction Safety Act, 1961-1962.

Bill No. 20, An Act to amend The Dog Tax and Cattle, Sheep and Poultry Protection Act.

Bill No. 21, An Act to amend The Weed Control Act.

Bill No. 23, An Act to amend The Loggers' Safety Act, 1962-1963.

Bill No. 24, An Act respecting the water powers of the Ottawa River.

Bill No. 25, The Training Schools Act, 1965.

Bill No. 26, An Act to amend The Bees Act.

Bill No. 27, An Act to amend The Vital Statistics Act.

Bill No. 28, An Act to amend The Marriage Act.

Bill No. 30, An Act to amend The Ontario Human Rights Code, 1961-1962.

Bill No. 31, An Act to amend The Workmen's Compensation Act.

Bill No. 35, The Operating Engineers Act, 1965.

Bill No. 36, An Act to amend The Judicature Act.

Bill No. 37, An Act to amend The Lord's Day (Ontario) Act, 1960-1961.

Bill No. 38, An Act to amend The Boundaries Act.

Bill No. 39, An Act to amend The Sheriffs Act.

Bill No. 40, An Act to amend The County Courts Act.

Bill No. 41, An Act to provide for the settlement by arbitration of labour disputes in hospitals.

Bill No. 42, An Act to amend The Mining Act.

Bill No. 43, An Act to amend The Public Lands Act.

Bill No. 45, An Act to amend The Expropriation Procedures Act, 1962-1963.

Bill No. 46, An Act to amend The Bailiffs Act, 1960-1961.

Bill No. 47, An Act to provide a provincial flag for Ontario.

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Bill No. 91, The Brucellosis Act, 1965.

Bill No. 92, An Act to amend The Live Stock Community Sales Act.

Bill No. 93, An Act to amend The Corporations Act.

To these Acts the Royal Assent was announced by the Clerk of the legislative assembly in the following words:

Clerk of the House: In Her Majesty's name, the Honourable the Lieutenant-Governor doth assent to these bills.

The Honourable the Lieutenant-Governor was pleased to retire from the Chamber.

Clerk of the House: The sixty-fourth order, House in committee of supply; Mr. W. E. Sandercock in the chair.

ESTIMATES, DEPARTMENT OF ENERGY AND RESOURCES MANAGEMENT

(continued)

On vote 605:

Mr. A. E. Thompson (Leader of the Opposition): Mr. Chairman, last evening we had been discussing with the hon. Minister (Mr. Simonett), the whole question of water pollution and I, sir, would like to come back to this again.

I appreciated the interest of both the hon. Minister and the hon. member for Wellington-Dufferin (Mr. Root) in connection with the immense problem that we are facing today. There is a scarcity of water to meet the needs of a sophisticated society. Further, it is obvious that as industry develops the effluent of industry has got to go somewhere and the practice is to use water as the means of disposal. I think there is recognition by all of us in this House that we are not alone in this problem. There are over 50 nations in the world that have got together to study it for the next decade.

The thing on which I am not overly sure is that within this Legislature, by the hon. Minister, there is really as deep a concern that he has got to get at the facts in connection with the problem of water pollution in Ontario; and I say this with the deepest respect to him. He is a man of energy and enthusiasm, but I frankly was appalled at his answer to us when the question was raised by another hon. member who suggested that there is more pollution of water taking place each year in Ontario.

I think this might be a fair suggestion, because we know that with the increase of industrial development the possibility is certainly there that there would be more water pollution. But the hon. Minister stood up and he said, "I deny that," or words to that effect; that there is more water pollution. This, Mr. Chairman, for me, was a very heartening thing to feel that the hon. Minister of Energy and Resources Management was on top of his facts, was keeping exact count of just what the situation was and could say with strong affirmation that there is not more water pollution. But I may say that my confidence ebbed immediately after, when he was asked, "Well how do you know this?" and he said, "Well, I have travelled around and I have seen some streams that are now clear where they were polluted before." With the real responsibility the hon. Minister should have, this, to me, is the most superficial answer one could expect from one in his responsible position, in the way of assuring the people of this province about one of their greatest natural resources.

Then I became more alarmed because, with reference to my own remarks about the meagre research facilities which he has in his water pollution laboratories, he made a remark which I felt was downgrading the need for research. I look at a number of articles which suggest that, in order to be able to tackle the problem systematically, you have got to know what the problem is. One of the things I find about this govern-

ment is that it is almost always hysterical action that takes place when a problem looms so big and that they suddenly have to move into the picture.

I suspect, sir, that the hon. Minister has an indifference towards research and I may be unfair to him, but the impression I had was that he was saying: "The leader of the Opposition goes on about research a bit too much and, I think, overly much." I suggest to him that, in editorials around this province, they are asking, pleading with this government to finally recognize that this is a problem of a civilized community, and let us start recognizing it in the way 50 nations have. Fifty nations have banded together for the international hydrological decade in order to study the problem. Surely, once again, Ontario could move in the steps of other nations and try to be as advanced as they are. If you do not study the problem, you will not know how to pursue it.

In connection with this, your study is only half an approach, when we think of the immensity of the water resources we have in Ontario, when we think of the fact that, in southern Ontario, there is hardly a river which is not polluted. All of us have gone up to lakes north of here, and everywhere we hear of lakes which are now polluted, and see signs up, saying—

Hon. J. R. Simonett (Minister of Energy and Resources Management): Mr. Chairman, I wonder if the hon. leader of the Opposition would name some of these rivers and lakes, away from the Great Lakes, in Ontario?

Mr. Thompson: Certainly I will. I have mentioned, for example, Gull River.

Hon. Mr. Simonett: Where is it?

Mr. Thompson: Gull River is up near Minden.

Hon. Mr. Simonett: There are many Gull Rivers.

Mr. Thompson: I am sorry. I am thinking of the one near Minden, then. It is in what was the riding of Hon. Mr. Frost; and when he had some ladies down here from Lindsay—I happen to have a cottage near Gull River, and at that point I had explained in the House—it is in *Hansard*, I do not know when—that Gull River was contaminated—Mr. Frost assured them there were sparkling waters in the whole of the north country and it was going to stay that way. But, unfortunately, the medical officer from the area had posted a sign to tell the people that it

was contaminated. I hope they are clearing it up.

We read this summer of Elliot Lake. This is another thing which concerns me.

Hon. Mr. Simonett: This was discussed last night.

Mr. Thompson: But the point is we never got answers on it.

My concern is this: We get from you the assurance that the water is no longer radioactively dangerous, and the people can drink it; but we want to know what kind of safeguards and controls have been established, to assure not only the people of Elliot Lake, but of Bancroft and other areas, that this situation will not arise again. I raise that question for the hon. Minister. Let us depart from all the reports you put out about having found out that water is polluted; what have you done about it?

Then, secondly, I read from your annual report that you made 477 inspections of industrial wastage, and from that 311 were unsatisfactory. That is right in your annual report. What are you doing about it?

Hon. Mr. Simonett: Mr. Chairman, I think, if the hon. leader of the Opposition was listening last night, we covered this ground. We covered the ground on everything.

Mr. Thompson: No.

Hon. Mr. Simonett: Yes, we did.

Mr. Thompson: Research? Industrial waste?

Hon. Mr. Simonett: We covered it on research and industrial waste. We covered the Elliot Lake situation; it was covered here yesterday.

Mr. Thompson: Well, it may have been covered to your satisfaction, but it certainly was not to ours or to that of the people of Ontario. I do not think you answered, for example, what kind of safeguards you have created so that the situation in Elliot Lake will not arise again. You did not answer that yesterday; would you be good enough to do that now?

Hon. Mr. Simonett: Mr. Chairman, I advised the House yesterday evening that there was a committee studying this matter; and as soon as they come in with recommendations as to what steps this government should take, in order that we might assure you of the safeguards you are looking for, this government no doubt will implement it.

Mr. L. Troy (Nipissing): You assured us last night there were safeguards.

Hon. Mr. Simonett: Well, how do you remedy a situation until you find out what the situation is and what steps you should take? That is what we are working at right now.

Mr. Thompson: You told us last night that it was remedied.

Hon. Mr. Simonett: No, I did not say it was remedied.

Mr. Thompson: You told us that the water was safe to drink.

Hon. Mr. Simonett: I was instructed that the water is safe to drink. I am sure I am not a medical man or an engineer.

Mr. Thompson: That is a very responsible statement to make.

Hon. Mr. Simonett: Well, it was made to me by responsible people.

Mr. Thompson: Fine. Then let me go into another area on this. Of 447 inspections you made on industrial wastes, 311 apparently were not satisfactory. What have you done about this?

Hon. Mr. Simonett: Mr. Chairman, I covered this ground last night, and I asked the hon. members then if they wanted me to go into detail as to what has happened in each one of the industries in Ontario. I could do that this afternoon, if you would like; or would the hon. leader of the Opposition like a copy of the report I have which sets out in detail what every industry, or what the larger industries, in this province are doing to clean up pollution?

Mr. Thompson: I would like to know if 311 industries, which were declared unsatisfactory, without going into the detail, I do not want—

Hon. Mr. Simonett: We have a list of these.

Mr. Thompson: They were declared unsatisfactory. What are your next steps after they are declared unsatisfactory? How many have been cleared up now?

Hon. Mr. Simonett: They are continually being followed up.

Mr. Thompson: In what way?

Hon. Mr. Simonett: By people in the Ontario water resources commission working with these industries. And as I said last night,

it is our hope and, in fact, it is practically an order, that all these industries be cleaned up in five years. This is the goal we are working towards.

Mr. Thompson: Let me say this, sir: The hon. Minister has announced that 311 are unsatisfactory; that was in his annual report. And he says that he is in constant touch with them. Of that 311, how many are now satisfactory? How many have stopped polluting the water?

While the hon. Minister is getting those facts, I would mention that I was interested to learn that there were 1,400 industries—this was confirmed by the hon. Minister and mentioned by the hon. member for Wellington-Dufferin—which shows the immensity of our industrial complex across this province.

Then, to show us the forward-looking approach that the hon. Minister is taking, the hon. member for Wellington-Dufferin stated that one of the industries—the pulp and paper industry—is going to have a five-year programme. If this is the kind of approach being taken, singling out one industry when we have 1,400 and doing it in a five-year programme, I would suggest it would be 7,000 years before we are going to be cleaned up.

Mr. J. Root (Wellington-Dufferin): Mr. Chairman, on a point of order. I said that we made requirements of this one industrial complex and we are going to make the same type of approach to all of the industries. I might add right now that many of the industries, particularly the smaller ones, are now cleaning up their waste through the municipal systems.

Mr. Thompson: May I suggest, since the hon. member for Wellington-Dufferin has answered me, that there seems to be an approach that we are using, and which we may use in the other industries—and, as far as I am concerned, there is a very lackadaisical attitude to this whole immense problem.

The hon. member stated that they were going after the pulp and paper industry—he has had one year. He is getting reports from them, and now he tells us that he may be getting some more from 1,400 other industries.

Mr. Root: Mr. Chairman, I did not use the word “may”; I said we intend to go into the other industries. We have been receiving reports from industries, and the hon. Minister has many examples of what industry has already done. Many of them have spent many millions of dollars.

Mr. Thompson: Let us get right down to concrete facts; when is the hon. member going into other industries, and which other industries is he taking?

Mr. Root: All of them.

Mr. Thompson: Name one of them, as well as the pulp and paper industry.

Hon. Mr. Simonett: Mr. Chairman, perhaps I could name—I am not going to name one. We have that information here but of the 311 reported there are 120 which are supposed to be satisfactory, to date.

Mr. Thompson: What is being done with the others; will they be brought to court?

Hon. Mr. Simonett: As I said before, Mr. Chairman, we are continually working with these industries to help them help themselves clean up pollution, and they are co-operating with us.

Mr. Thompson: Has there been any industry which has not co-operated satisfactorily with the hon. Minister?

Hon. Mr. Simonett: Yes, we had a few; but they have been a very small percentage of the total.

Mr. Thompson: What is being done with these industries which have not co-operated?

Hon. Mr. Simonett: We have prosecuted one, at this time.

Mr. Thompson: Does the hon. Minister mean to say that, in the whole of this area with respect to water pollution, the history of your approach is that one industry was prosecuted?

Hon. Mr. Simonett: One this year, I am sorry—

Mr. Thompson: One this year!

May I say to the hon. Minister, sir, in this approach—just looking at the Ruhr valley, which I took as an example—that they were able to do something about pollution with 40 per cent of Germany's industrial concentration on this small stream, in comparison with the rivers which we have; and yet they can swim in the Ruhr river.

I would ask the hon. Minister: Is he thinking of an approach towards incentives for those industries which will comply, to encourage them; and a punitive approach to those which, given a fair chance, will not apply procedures against pollution?

Hon. Mr. Simonett: Mr. Chairman, I am advised that we are not assisting any industry, except through engineering or assistance we can give them through the Ontario water resources commission.

Mr. Thompson: Mr. Chairman, I would simply state that it seems to me that the hon. Minister has just inherited this mess—and I will call it a mess.

He started in 1956, and we had the opportunity of leaving a legacy—

Hon. Mr. Simonett: We got into operation in 1957.

Mr. Thompson: The commission was started in 1956, and got into the operation in 1957.

Hon. Mr. Simonett: Yes, that was the paper work.

Mr. Thompson: I would say to the hon. Minister that we have seen this drift and drift and drift; and I hope that the hon. Minister does give serious recognition to the problem which all of us have.

If there is one thing we should be doing as a government it is protecting the heritage of our water resources; and it can be done, it can be done. But when the hon. Minister had a bacteriologist, according to his annual report, the man then resigned, so the whole study was held up for almost six months until another bacteriologist was obtained.

But, in his report, the hon. Minister says that there should be some kind of a viral study; then the report goes on to say that he does not have a virologist. Similarly, the report says that there are some areas, with respect to industrial research on pollution, in which it is suggested there are no answers.

Hon. Mr. Simonett: We heard this last night.

Mr. Thompson: The point is that I want to repeat this because the hon. Minister has not got enough research people working on this. I say this, particularly, because of the off-hand approach by the hon. Minister himself in connection with getting at the facts. He first of all assured us that pollution was on the decrease, and the only facts he had in order to give us that assurance was his own optimism and trips he may have taken around the province; there is nothing from a scientific basis.

Hon. Mr. Simonett: I travel around it quite often.

Mr. Thompson: I do not care how many times the hon. Minister travels around it, or how many times I travel around it. What we need are scientific facts on this. We want a much more serious attitude taken by this government department to get the research done, not the assurances of the hon. Minister, no matter how genial or optimistic he might want to be. We want to see this taken on with the same approach used by, for example, Governor Rockefeller, who is spending \$1.7 billion in six years to tackle this.

Hon. Mr. Simonett: Mr. Chairman, perhaps Governor Rockefeller needs to spend \$1.7 billion to clean up his pollution. I said last night that we, in Ontario, are in good shape in comparison with any adjoining state on the Great Lakes.

I must say to the hon. leader of the Opposition that I am a very modest man and I am not running around the country telling how fast we are going to clean this up; but if he will just leave it with me for a couple of years—if I am here, and I am sure there is going to be an election some day, this might be a good issue for us to fight on out there to see just how much we have done on pollution. We would be glad to take on Opposition members on that one.

Mr. Thompson: I would like to say that I do not look on it as an election issue. I look on it as a citizen of Ontario—

Hon. Mr. Simonett: So do I.

Mr. Thompson: —and with the same concern. My concern—with all respect to the hon. Minister, and I do personally have a great admiration for him—is not with him as Minister of his department. And it is not in facing him as a person travelling around and looking at the sparkling waters. It is with the necessity of having thoroughly equipped and able men to do this job.

The only impression I could get from the hon. Minister's annual report was a feeling, on the part of his department, of: "Give us more men and we will do the job; give us the tools and we will do the job." It is up to the hon. Minister to realize that; and, to get our backing which he has completely, assuming the immensity of the problem, to get on with getting the proper staff together and giving them the opportunity to do the job.

Hon. Mr. Simonett: Mr. Chairman, may I say to the hon. member that I think, in this department, that we have some good men.

Mr. Thompson: So I believe.

Hon. Mr. Simonett: The hon. leader of the Opposition did not say that a minute ago. He was talking as though we had people who were lackadaisical and who did not care whether we ever cleaned up pollution.

Mr. Thompson: On a point of privilege, sir—

Hon. Mr. Simonett: That is what I took out of it.

Mr. Thompson: On a point of privilege, sir. I want to make it very clear that I have a great respect for the people the hon. Minister has. I have been looking at the work which they are doing; my point is that he has not got enough. When a bacteriologist resigns and a study is held up for six months, I would suggest that the hon. Minister does not place much stress on the study—or there is something wrong with the department.

Hon. Mr. Simonett: I am advised that Dr. Christie is a qualified virologist and is presently carrying out a study on sewage treatment processes. I hope that would answer that question for a minute.

If the hon. member ever starts a new department, he should just try to get all the people he wants overnight. As I said before, we have been in it eight years and we have been moving ahead. If you did have all the people you wanted, and you knew all the problems and were ready to go, do not forget that in this country you must get construction people and contractors to do the work. We are using, in construction today, just about 100 per cent of all the people we have working in construction; our tenders are running very high, as you know, so perhaps you could crowd yourself in a corner where it would hurt financially. I think you have to take the thing in easy steps and, as I said before, in five years we will discuss this again and I think you will agree that this has been a good job, well done.

Mr. Thompson: In five years I will be reporting to you about how it is done.

Mr. V. M. Singer (Downsview): Mr. Chairman, I have been very interested in hearing the hon. Minister's reply and the fact that some time, perhaps in five years, he might have an answer. I do not think he will be there in five years.

Hon. Mr. Simonett: I did not say an answer; I said it would be cleaned up.

Mr. Singer: All right; there is a difference. Mr. Chairman, I wonder if the hon. Minister

has bothered even to read the debates of previous years involving this matter.

Hon. Mr. Simonett: Yes, I have.

Mr. Singer: If he has referred to the very interesting series of articles by Mr. Turnbull of the *Toronto Globe and Mail* on "The Crisis in the Credit"; if he has referred recently to the well researched series of articles in the *Toronto Telegram* concerning water pollution; if he has referred recently to the series of articles that have appeared in almost every publication in the province of Ontario asking: Why no action to clear up water pollution? If he wants any greater indictment than that all he has to do is to read the bulletins that come out from the water resources commission.

Hon. Mr. Simonett: And I read those, too.

Mr. Singer: Yes, there was a great spate of them. Immediately after the comments about Elliot Lake, suddenly we were deluged with bulletins. The week that the news story broke, six bulletins came out from the water resources commission, saying: "Look what we have done, we have discovered another source of pollution."

One of the biggest things that has not been tackled at all is the ability of municipalities to look after this pollution. There is no point in saying that municipality A or B or C has an inadequate sewage disposal system, or that septic tanks are dumping into the water-courses, unless the government of Ontario is prepared either to order that building begin and continued pollution stop, or to finance means to allow these municipalities to clean up the situation.

I did not bother to bring all these bulletins in and there are dozens of them. They name all of these municipalities that have been investigated here and there and hither and yon, and they say there is increased pollution. Now, there is no point in saying this unless you are going to provide some answer, because the facts of life are that these municipalities just cannot afford to do the work to clean up the situation. You get into this great revolving birdcage where somebody says the municipality has got to have a sewage treatment plant, and goes down to the municipal board and says, "Well, financially you cannot afford it until you get more assessment, and you are not going to get more assessment until you get adequate sewage disposal," and so you go around in the great circle and nobody gets anything done.

As I say, Mr. Chairman, I do not think there can be any greater indictment of what

is going on in Ontario than just to read these bulletins that come out with great regularity from the water resources commission. But it is not just enough to identify where the problems are. What we would have hoped for was a programme to clear it up. The hon. Minister's remarks that we are placing a strain on contractors is one of the most ludicrous excuses I have heard in a long time.

Hon. Mr. Simonett: You want to go and find out.

Mr. Singer: If the government can put a strain on contractors to widen Highway 401 or to build schools or to build reform institutions or to build whatever they are building, surely the government can put an equal strain on contractors to do something about building sewage disposal plants and adequately taking care of them. I would think that the hon. Minister, if he has no answers today, at least would say there is a programme underway. But there is no programme underway. He has given us no indication of any programme. They are inspecting. Now, if you are going to clean up pollution, if you are going to dispose of—

Hon. Mr. Simonett: It has been underway for eight years.

Mr. Root: Mr. Chairman, on a point of order, the hon. member was not in the House last night when I reported a programme of more than \$1 billion worth of work that has been done in the past eight years. Now, if that is not a programme underway I would like to know what is.

Mr. Singer: Mr. Chairman, this is no point of order at all. I am criticizing the fact that what has been done in the last eight years is not a programme of this government; it is a programme being financed by the municipalities. The municipalities are spending the money. The government of Ontario is not spending the money. As I say, there is no point bringing forth these reports from water resources week after week after week and saying pollution exists because of the faulty disposal system in municipality X. The facts of life are that municipality X just cannot take part in cleaning it up, because it has not the financial resources. The municipalities that the hon. member for Wellington-Dufferin is talking about are the ones where the municipal board—not the province—has seen fit to allow the municipality to incur this expenditure.

Hon. Mr. Simonett: Is that not a programme?

Mr. Singer: It is not a government-sponsored programme; it is not a government-financed programme. If this government and this hon. Minister were serious about cleaning up pollution we would have heard of a positive programme with government financial participation. Such a programme is not in existence and apparently the government has no intention of bringing it in.

Mr. E. Sargent (Grey North): It is amazing to me, Mr. Chairman, that the hon. Minister thinks that pollution is under control, when a report comes from the *Globe and Mail* on April 9 regarding a Mr. Ayres who said he will present a scheme to the public works committee of the city of Toronto by which the city would sell tin cans from its Commissioner Street incinerator. The cans, he said, create a disposal problem because they are not destroyed when garbage is burned. The city dumps 20,000 tons of tin cans a year into Lake Ontario off the foot of Leslie Street.

I think this bears out the fact that we doubt whether there can be a plan, when we have this government sanctioning the dumping of 20,000 tons of tin cans and other unburnable refuse into the waters of Lake Ontario. Is the hon. Minister aware of this situation?

Hon. Mr. Simonett: Yes, we are.

Mr. Sargent: What is the hon. Minister doing about it?

Hon. Mr. Simonett: I am advised that they are burned-out tin cans and there is no pollution.

Interjection by an hon. member.

Hon. Mr. Simonett: Well, all right now, just listen for a minute, now. There is no pollution hazard.

Mr. Singer: What are we talking about, pollution or what?

Hon. Mr. Simonett: I am advised there is no pollution hazard and I think that you, who have lived in Toronto all your life, know that there have been many tin cans dumped out in that area. They have been dumping them there for years. This is nothing new.

Mr. Singer: We want the hon. Minister to do something about it.

Hon. Mr. Simonett: I know, but there is no pollution problem. If anybody wants to get rid of his tin cans I suppose he would have to get rid of them some place, and if

there is no pollution and everybody is satisfied, well—

Mr. Thompson: We are not satisfied.

Hon. Mr. Simonett: I know, but you are never satisfied with anything over there.

Mr. Thompson: We would be satisfied if you had a programme.

Mr. Sargent: Mr. Chairman, I would like to ask the hon. Minister, through you, if he has approved of this source of disposal?

Hon. Mr. Simonett: Mr. Chairman, I might answer the hon. member that I have not approved of it, in fact, I knew nothing about it until right now. I do not enter into the day-to-day operations of this department, and I might say that outside of seeing it in the paper I have never had a complaint from anyone about dumping tin cans in the harbour in the city of Toronto.

Mr. Sargent: That just goes to point out, Mr. Chairman, the inefficiency of this department. How could this type of operation go on over the years and the hon. Minister not know a thing about it?

Mr. Troy: Mr. Chairman, last night when we were discussing Elliot Lake and the mention of the hon. Minister's department and The Department of Health, he said there was very fine co-operation between the two departments. I have in front of me an editorial from the *Globe and Mail* of January 28 which is headed:

AN EXCUSE FOR NOT ACTING

Delegates to a recent meeting of the federated cottagers' association contributed evidence of a number of kinds of water pollution. There was seepage from septic tanks, from industrial plants and from garbage land-fill.

In sharp contrast to all this, there appears to be no seepage of any kind between the Ontario water resources commission and the provincial Department of Health. Each functions in its own watertight compartment. The unfortunate feature of this is that any pollution problem which happens to overlap the two jurisdictions is likely to be ignored by both.

Thus, Mr. W. A. Steggle, supervisor of stream surveys for the commission, conceded that the commission did not have the power to deal with several of the sources of pollution, and on the problem arising from garbage land-fill he commented: "That is the health department's responsibility."

And the editorial finishes:

Ontario's water pollution problems are pressing. Must they await settlement of a demarcation dispute?

The hon. Minister wanted to know where there was water pollution—what lakes are polluted. That editorial prompted Mr. R. W. Catto, of Milford Bay to write a long letter to the *Globe and Mail*. I think the hon. member for Muskoka has read that editorial and it certainly is indicative that there is a great amount of pollution in that famous recreational centre. I do not need to read the article but certainly—

Mr. R. J. Boyer (Muskoka): Mr. Chairman, I think I could agree with Mr. Catto's letter in full except for his remarks about increasing pollution in the Muskoka lakes and that I would disagree with heartily. The Muskoka lakes, as a matter of fact, are in much better shape as regards quality of water than they were ten years ago.

Mr. Troy: Well, I should hope so; you are spending—

Mr. Boyer: What does the hon. member mean, he should hope so? They have always been pretty good.

Mr. Troy: The hon. member said a moment ago that the water is better than it was ten years ago and I said I hope it is better than then. If the hon. member would show the letter to the hon. Minister of the department—

Hon. Mr. Simonett: We have it; we have the editorial.

Mr. Troy: You have it, have you? Well, there are certain sentences such as:

The remedy is beyond the resources of the minor authorities and must necessarily be undertaken by the provincial government, which enjoys these and all the essential prerogatives.

And it goes on and mentions the hon. Minister's department; The Department of Tourism and Information is very much involved, and certainly The Department of Health. And it mentions something about the garbage disposal on the lakes.

Some years ago I referred garbage disposal to the hon. Minister of Lands and Forests and pointed out what they do in Lake George. They have barges that are towed around Lake George to pick up the garbage from all the islands and the resorts in that area, and I thought it was a very fine system.

Hon. Mr. Simonett: Then what do they do with it?

Mr. Troy: I do not know what they do with it. I did not have a boat to go after the garbage barge to find out where it went. I know they took it somewhere.

Hon. Mr. Simonett: Yes, but where?

Mr. Troy: Darned if I know.

Hon. Mr. Simonett: If they dumped it in the lake, it did not help things any.

Mr. Troy: I do not know if they dumped it in the lake; they were picking it up from all the areas and I do not know where they dumped it.

But I would like to ask the hon. Minister: Will there be any danger to the beauties of Lake Temagami because of the development that will be there when the Sherman Mines open up? As you very well know, being the reporting Minister for the Ontario northland, Temagami is important to the tourist industry of this country. Is the hon. Minister sure that there will be no effect from the mines which might destroy either the fish and wildlife of that area, or its attraction as a tourist area?

Hon. Mr. Simonett: Mr. Chairman, I cannot answer that question but I doubt very much if they will do anything to destroy the beauty of the lake. And I would say this: Some of that money coming in there is going to look very beautiful to a lot of people in that area and I am sure that this company will do nothing to destroy the beauty of the country.

Mr. Troy: Well, I mean the beautiful water, the clean water; and no doubt, too, the hon. Minister of Municipal Affairs will be watching it because he is quite concerned with the problem of our municipalities.

Hon. Mr. Simonett: I am advised, Mr. Chairman, that proposal for complete protection of Lake Temagami has been made now.

Mr. D. A. Paterson (Essex South): Mr. Chairman, I prepared several questions concerning a dispute between the OWRC and the municipality in which one of the commissioners resides, in my own constituency. It does involve another municipality and I wonder if it is permissible to ask questions on this particular situation?

Hon. Mr. Simonett: Mr. Chairman, I think the matter the hon. member refers to is before the courts; under those circumstances I would just as soon not.

Mr. Paterson: Could the hon. Minister tell me if there are any municipalities outside the county of Essex which, for any reason, have defaulted in the payment of principal or interest on any water works, or pipeline, or sewage, or sewage works, carried out and financed through the OWRC?

Hon. Mr. Simonett: I am advised that the answer is, "No"—outside of the one we discussed.

Mr. Paterson: In area water and sewage installations throughout the province, is it usual to pay grants in lieu of taxes to the municipality in which the treatment plant is located? I am referring specifically in this case to the union system.

Hon. Mr. Simonett: Is the hon. member referring to where one municipality might have its system in another municipality?

Mr. Paterson: This is the case in the union system; the main plant is located in one township and it feeds several municipalities, and that township has been requested by the municipal board to charge taxes or a grant in lieu of taxes for school purposes. I wonder if this is the case elsewhere in the province?

Hon. Mr. Simonett: Mr. Chairman, I am advised that we do not pay grants, but we do pay taxes.

Mr. Paterson: Does the commission endorse surcharges being levied on water users as a method for payment of sewage treatment plants? I believe this was suggested in Goderich, in the press.

Hon. Mr. Simonett: Yes, we do.

Mr. Paterson: Fine. I wonder if the commission at this point could clarify my thoughts whether in the union system plant, if the capacity there is doubled, the cost per 1,000 gallons of treated water would be lowered substantially? I believe it is somewhere in the neighbourhood of 32 cents per 1,000 gallons. Does the commission feel that the cost per 1,000 should be dropped?

Hon. Mr. Simonett: Mr. Chairman, I understand that it is not a fair question. Not just off the tops of their heads; they could not give—

Mr. Paterson: I realize there is a report out and I do not wish to jeopardize the negotiation. I might ask a question regarding the office of information. Last week I spoke on this topic and suggested that the department put up exhibits in fairs other than the

CNE. I see by the report where they are going into the western fair at London, and the Ottawa fairs. Has the commission considered going into some of the smaller fairs, especially in the Lake Erie area where pollution is so rampant?

Hon. Mr. Simonett: Mr. Chairman, I understand that they will be going into some of the smaller fairs. I would think the hon. member would realize it is very difficult to do all the fairs in Ontario because they all occur within a very short space of time.

Mr. Paterson: Is this department sending out folders, say, to our high schools, as part of an educational programme to get the students to know the problems of pollution and help correct them?

Hon. Mr. Simonett: No, we are not.

Mr. Paterson: Would they consider, before the estimates of next year, entering into some type of folder?

Hon. Mr. Simonett: Yes, we will take it under consideration.

Mr. Paterson: I have one or two more questions here. Could the hon. Minister tell me how many boats on the Great Lakes were prosecuted under the regulations covering the discharge of sewage, in the past year?

Hon. Mr. Simonett: Mr. Chairman, this matter comes under the federal Department of Transport, boats on the Great Lakes; it is an international waterway.

Mr. Paterson: The department would have some involvement in that, in making recommendations to the federal department, I would trust.

On page 8 of the annual report, the real estate branch indicates that they have had a great deal of trouble in finalizing projects, apparently because of imperfect work by lawyers. Is this because of human failing on the part of the legal profession so involved, or is it because the forms are so complicated? Are there no standard forms sent out by the OWRC?

Hon. Mr. Simonett: Mr. Chairman, I doubt if the hon. member would wish me to answer that question.

Mr. Paterson: I believe the hon. Minister has, and I appreciate the problems encountered by both the OWRC and the members of the various localities in which these works are undertaken.

Has the OWRC advised The Department

of Lands and Forests concerning their studies on controlling aquatic plants by covering them with sheets of black plastic? I am particularly referring to the serious problem in Rondeau Bay in Kent county.

Hon. Mr. Simonett: Yes.

Mr. Paterson: That is fine.

Following up the comments of my hon. leader regarding different manufacturers; I wonder, have orders gone out to all processors of tomato products requiring them to put in sewage disposal facilities within a certain period of time?

Hon. Mr. Simonett: Mr. Chairman, I am advised that no orders went out to the different canneries, but we are working very closely with them regarding pollution from canneries.

Mr. Paterson: Most of these canning plants then would have been circularized with the findings of your Chatham study to date, would they? So that they could plan for the future in their own premises?

I have one or two more here on vote 605, Mr. Chairman. On page 129 of the report there is a chart concerning irrigation utilizing surface water. I notice the tremendous upsurge back in 1963 and then a fairly marked drop in 1964. I wonder if the hon. Minister could explain just what has occurred that would cause a tremendous upsurge and sudden drop and what the expectations are for 1965 in this regard?

Hon. Mr. Simonett: Mr. Chairman, I am not sure whether I got the hon. member's question or not. Did I understand that you were wondering why the drop in permits last year?

Mr. Paterson: Yes.

Hon. Mr. Simonett: It was due to the year. There was a lot of rainfall in western Ontario last year, so therefore the people did not need to get permits for irrigation.

Mr. Paterson: One further question. Professor Langford of the Great Lakes institute, spoke about salt used on the roads in the winter. It is causing quite a lot of concern as a pollutant. I happened to have asked a question of the hon. Minister of Highways (Mr. MacNaughton) in this regard.

I wonder if the OWRC has made a study of this specific problem and if they have studied whether anti-rust additives being added to the salt add to the pollution of our waters?

Hon. Mr. Simonett: I understand that we have made some limited studies, but at the present time I do not think they are in a position to say whether there is added pollution through the additives or not.

Mr. Paterson: A final question regarding the comments of the hon. member for Wellington-Dufferin and Dr. Bent's suggestion that water requirements be projected on a realistic basis, I believe one was up to ten years in the future. I have municipalities in my area that can afford a certain size pipeline, yet I believe the engineers feel that this is not adequate for more than our immediate needs. The municipality in this case is going to finance this themselves, but I believe they feel that they would like to put in a larger line.

I wonder if the OWRC gives guidance on this, whether they will disallow the installation of this particular size pipeline; and if they should happen to order a larger sized line, whether they would help finance the difference in the size?

Hon. Mr. Simonett: Mr. Chairman, I am advised that the OWRC will give advice, but if a municipality, or utility or whatever it is, does not take the advice that we will not finance the difference in the price of the pipe.

Mr. Troy: One last question, Mr. Chairman. Does the OWRC keep records of the water content of the snow and the amount of snowfall in northern Ontario, or is that done through Hydro?

Hon. Mr. Simonett: I think Hydro and The Department of Lands and Forests.

Vote 605 agreed to.

Hon. Mr. Simonett: Mr. Chairman, I wonder if we could skip the Hydro vote and go to 609 while I have the Ontario water resources people here, just the capital vote?

Vote 609 agreed to.

Vote 607 agreed to.

On vote 608:

Mr. D. C. MacDonald (York South): Mr. Chairman, there are a number of questions in connection with Hydro. I take it we are going directly into it without a statement from the hon. member; or are we having it?

Mr. Boyer: Mr. Chairman, perhaps I could say a few words about the vote that is before the House. This is a new item in the estimates in the amount of \$1.8 million for the

year, as directed by the Lieutenant-Governor in Council, to provide for the province's share of the preliminary engineering study costs relating to construction of the 1,080,000-kilowatt nuclear power generating station in Pickering township.

The hon. Minister has already spoken of this matter and I think most members are familiar with this project, in which the Ontario government is participating with the government of Canada and Ontario Hydro, providing as its share of the joint financing programme for the development, a total of \$66.5 million. Under this financing agreement, Ontario Hydro will pay \$120 million, with the national government contributing the balance of \$79.5 million.

The site of the plant, to be known as Pickering generating station, is located in the Fairport area of the township of Pickering, on the shore of Lake Ontario, 20 miles east of Toronto. The first of two 540,000-kilowatt generating units is scheduled for service in 1970.

A development of this magnitude requires extensive planning and preparation. Work this year will be concentrated mainly on designing the complex components and equipment required for such a plant, as well as actual investigation and preparation of the site.

I should emphasize to the House the confidence of the parties to the financing agreement. The Ontario government as well as the government of Canada will realize a return on their investments in this highly important power development. As is well known, the Canadian-type reactor differs from others in the world because it uses natural uranium fuel and heavy water as the moderator and coolant. Since more than 70 per cent of Canada's known uranium reserves are located in this province, the future possibilities for expansion of this industry are most encouraging. I believe that in the next decade or two, we shall see a great resurgence of uranium mining enterprises. This will provide, of course, a strong impetus to Ontario's economic and employment prospects.

It has already been stated many times, but is worth repeating, that Canada's pioneering efforts in developing nuclear power stations have created considerable international interest. Several countries are expressing a desire to buy from Canada the components and raw materials for these types of plants, and there are strong indications that a major export item may be developing.

Although our experience with nuclear-electric stations has been fairly limited, we

are fully confident that nuclear power will grow greatly in importance in the years ahead. We are predicting that by 1975 there will be 3.2 million kilowatts of electricity generated by nuclear power stations in Ontario. This transition in the Ontario pattern of power generation illustrates the constantly growing demand for electric power, which, in turn reflects the buoyant state of the provincial economy.

Ontario's total volume of production increased in 1964 over the previous year by an estimated six per cent. It may be said that electrical consumption and demands offer a good yardstick of the economic life of Ontario. Hydro in this province has been growing steadily and efficiently, and solid progress has been recorded on all fronts in the past year.

The peak demand for electricity in 1964 reached 7,210,000 kilowatts, which was an increase of 6.1 per cent over the year before, and this is slightly below the long-term average annual growth of 6.5 per cent. This peak is a remarkable indication, nevertheless, of what is happening, since two factors reduced the final total—an automobile plant strike in the period when the peak demand normally occurs, and an above-average period of warm weather around the same time.

Sir, I may mention to the House that primary energy provided by Ontario Hydro in March just past, totalled 3.82 billion kilowatt hours, and this is an increase of 8.7 per cent over the same month a year ago. For the first three months of 1965 the total is 11.25 billion kilowatt hours, up 7.4 per cent over the same period in 1964. Adjusted for seasonal influences, primary energy demand in March was 3.62 billion kilowatt hours, 1.4 per cent more than the previous month.

The year 1964 has been outstanding in Hydro's history as a year of accelerating expansion. Ontario Hydro authorized more new generating capacity in 1964 than it has ever done in any 12-month period in its entire 58-year history. Generating capacity now under construction, plus that committed for construction in the near future, will add a total of 5.2 million kilowatts to the Hydro system by 1971. This amount of new power is greater than Ontario Hydro's total resources as recently as 1957.

Even so, our estimate of the expansion which must take place in the next decade is amazing. By 1975, it will be necessary to increase Hydro's generating capacity to 16.5 million kilowatts, roughly double the present capacity of the system. These increases in generating capacity are necessary if the commission is to keep pace with the overall

provincial growth. In fact, we must keep somewhat ahead of that growth so that we may ensure the people of Ontario that this province will not be hampered by power shortages in any period.

In recent years, Ontario has contributed around 40 per cent of Canada's gross national product. If our share continues even at the 40 per cent figure over the next few years, which we do not doubt will be the fact, then we can expect substantial increases in capital investment, much of it for equipment using electrical energy. At the same time it is confidently predicted that Ontario's population will rise by 14 to 18 per cent by 1971—from the present 6.6 million to 7.5 million or even 7.75 million of population by 1971. It is from such expectations of the continuing growth and development of Ontario that has come the need for greater Hydro generating resources.

For 1965, the commission's capital expansion programme calls for an expenditure of \$150 million, and I would like to take a moment or two to outline the specific projects under construction and those which are planned for the near future. First, as to the continuing programme of water-power development: The Harmon and Kipling generating stations on the Mattagami River, north of Kapuskasing, are nearing completion. At Harmon, the turbines are in place and generators are being installed, and at this station both units will begin delivering 129,200 kilowatts this summer. About three miles downstream, concreting operations are underway on the Kipling station, which will produce 125,400 kilowatts next year.

Tied in with the development of power resources in the James Bay watershed is our country's first 500,000-volt-extra-high-voltage transmission line. At present, power is being transmitted to Hanmer in the Sudbury area at 230,000 volts from two other generating stations in the watershed—Otter Rapids and Little Long—and we expect that by November the voltage to Hanmer will be raised to 500,000. By next year the line will extend to Kleinburg, northwest of Toronto, coinciding with completion of the Kipling station, and the entire line will be switched to its full capacity.

Ontario Hydro started the \$200 million power development programme in northern Ontario in 1958. The success of this project hinged, for economy's sake, on transmission from the James Bay watershed plants at 500,000 volts, which is more than double Hydro's present maximum transmission voltage.

I should like to mention that Ontario Hydro is studying the feasibility of direct-

current high voltage transmission. This system gives promise of being less costly than present methods, enabling greater quantities of electricity to flow over longer distances with minimum power losses.

Hydro's third current hydro-electric project is at Mountain Chute on the Madawaska River near Renfrew, where a two-unit 160,000-kilowatt station will be completed in 1967.

By far the greatest emphasis today is on thermal generation, both coal-fired and nuclear. In this connection, two important announcements were made last year. The first was that a new coal-fired plant, the Lambton generating station, would be built in Moore township near Sarnia, and the second, that a large nuclear power station was to be constructed in Pickering township, Ontario county.

Initially, it was stated that the Lambton station would have two 500,000-kilowatt units. Later in the year, the decision was made to double the size of the Lambton station by two additional units, duplicates of the pair ordered earlier. Preliminary work has already started and contracts totalling \$75 million were awarded for the four turbo-generators, boilers and auxiliary equipment.

There are many reasons for increasing the capacity of Lambton at this time. Savings on engineering, construction and purchasing of the major equipment will amount to several million dollars, and since it takes five years or more from the time a decision is made to bring one of these plants into service, it is necessary to plan them well ahead.

The total cost of Lambton is estimated at \$220 million, and its four units are scheduled to come into operation, one each year from 1968 to 1971.

Good progress is continuing at the Lakeview generating station, on Toronto's western outskirts. The third 300,000-kilowatt unit was started up last year. The fourth unit will be brought into operation this year, and by 1968, with all eight units in service, the plant will have a total capacity of 2.4 million kilowatts.

In the nuclear-electric field, construction of this country's first full-scale plant, the 200,000-kilowatt Douglas Point station on Lake Huron, will be completed this year.

Mr. Chairman, in view of Ontario Hydro's two-pronged development in the thermal generation field, it should be stressed that both coal-fired and nuclear power stations are vital to the system. Each has a definite and important and interrelated role to play. Nuclear-electric power stations, for economy's

sake, must be operated as base-load plants, working at capacity around the clock. By contrast, coal-fired plants are ideally suited to meet peak demands. They may be started up and shut down on relatively short notice, and thus are valuable and essential in our system of electrical generation. Apart from these considerations, coal-fired units have been gaining in efficiency in recent years. We expect that nuclear and coal-fired plants will represent about 60 per cent of our total generating capacity by 1975, compared with 27 per cent today.

There may be a misunderstanding about the location of plants which I would like to try to clarify. Once a plant site is selected, after thorough study by our engineering staffs, and the announcement made, there are those who appear to believe that a new generating station will provide a vast quantity of low-cost electricity for the exclusive use of the municipality or the area immediately adjacent to the plant.

This is, of course, not the case, since generating stations are constructed for the benefit of the entire system. During the construction period, and to some extent after construction has ended, there is bound to be a beneficial economic influence on any local municipality and the surrounding area.

Through a complex network of transmission lines and transformer stations, the energy supplied by the commission is fed into the Hydro grid system and is ultimately delivered to customers through equally complex distribution systems.

Traditionally, most of the power produced by Ontario Hydro has come from hydro-electric plants. Our present planning indicates that further remaining water power sites, which it is economic to develop, will be included in our future construction programme for the next few years, probably at the rate of about one a year. It is estimated that there are only some 1.5 million kilowatts available from such sites.

In 1964, at the Niagara and St. Lawrence generating stations, power production decreased because of low stream flow to the extent of about 4.4 billion kilowatt-hours. To offset the lower output from these hydro-electric plants, an extra 1.8 million tons of coal were consumed in thermal generating stations.

Total coal consumption for the year was held to 3.1 million tons, through purchases of power from neighbouring utility systems with whom we are interconnected. In mentioning our power interconnections, I would refer to the fact that Ontario Hydro and two

Michigan utilities, Detroit Edison and Consumers' Power companies, have made application to establish another interconnection in the Sarnia area. If approved by government agencies in Ottawa and Washington, the new international tie-line, the third between Ontario and Michigan, will span the St. Clair River between Detroit Edison's St. Clair power plant and a point about 17 miles south of Sarnia.

Two projects, started in 1964, will help to improve the flow of water available at the Niagara generating stations. Deepening and clearing the Chippawa canal, which flows into the forebay of the Sir Adam Beck plants, is expected to increase the output of both stations by 11 per cent. This work ceased during the winter and will be resumed as weather permits. The second project, in cooperation with the power authority of the state of New York, placing a two-mile ice boom across Lake Erie at its outlet into the Niagara River, was completed late last fall. This boom has proved highly successful in forming and stabilizing an ice sheet on the lake to prevent massive discharges of ice into the river which, in the past, have sharply curtailed power production and damaged shoreline installations. Of course, with the coming of spring this boom has now been removed.

It has been known to a number of people in the province that a comprehensive study on costing by Hydro is underway. This is an examination designed to ensure that the costs of generation, transmission and distribution are allocated equitably to the various classes of service. This study is not yet complete.

Mr. Thompson: Sir, could I ask you a question? When was the last study of this kind done?

Mr. Boyer: When was the last study done?

Mr. Thompson: Have you ever done a study before?

Mr. Boyer: I suppose, throughout the entire 58- or 59-year history of Hydro, this matter has been constantly under study. I cannot think there would be a moment when it was not under study.

Mr. Thompson: Yes, sir; but I am asking: You mentioned before that this was the first complete study under consideration; is that what you are saying?

Mr. Boyer: No, I have not said that at all. Perhaps I might continue and give you a little more information.

In the matter of rates it is interesting to note that, in the face of the numerous influences tending to force costs upward, the cost of electricity in Ontario has remained very steady over the past decade or more. While many municipal commissions adjusted their rates during 1964, the average cost per kilowatt-hour to their residential customers, an estimated 1.13 cents, represents no change from the preceding year. Since 1949, the average cost per kilowatt-hour has increased by little more than one-tenth of a cent, or about ten per cent. This is quite an achievement during a period when the consumer price index has risen by more than 33 per cent. If we refer only to the last ten years, the average cost to the residential customer in 1964 was 1.13 cents per kilowatt-hour, 4.2 per cent less than the 1.18 cents average in 1955.

Mr. Chairman, there may be a limit to Ontario Hydro's ability to hold rates at their present levels or nearly so, with all our costs steadily advancing, but I would like to assure the House that the Ontario Hydro commission will continue to maintain this province's outstanding position with respect to low-cost electricity.

The major explanation for Ontario Hydro's present low rates, among the very lowest in the world, is due to the constant search for new and improved operational techniques which reduce costs and promote efficient electrical service. As an example, advances in technology, communications, transportation, and administrative techniques are making it possible to provide electrical service from a reduced number of Hydro rural offices. Thus the commission has progressively implemented a plan to consolidate a number of its rural service areas. Last year, three rural operating areas were amalgamated, and this is expected to result in savings of up to \$250,000 in one year. Over the entire province, this integration plan has enabled Hydro to reduce to a substantial degree its annual operating costs, which is of benefit in maintaining rural rates.

Credit must be given to the municipal electrical utilities for their effective and efficient operational methods. The growing use of electricity by the customers of the 357 municipal Hydro systems is one indication of the effectiveness of their approach. Monthly consumption per residential customer is estimated at 510 kilowatt-hours for 1964, up from 498 in 1963, and, as a further comparison, up from 355 kilowatt-hours in 1953.

At the technical and administrative levels, the utilities have continued a programme of

development and improvement which has won the respect of electrical authorities throughout the world. Working as a unit through the office of the association of municipal electrical utilities, often in co-operation with Ontario Hydro, they dealt with such diverse matters as rates, accident prevention, finance, employee relations and load studies.

The statistics indicate the extent of the municipal Hydro operation in Ontario. Serving an estimated 1,544,000 customers by the end of 1964, the municipal systems purchased 65 per cent of the primary energy sold by Ontario Hydro. Their combined power purchases for the year were 24.3 billion kilowatt-hours, which is an increase of 8.7 per cent over 1963. Total assets of the municipal Hydro systems are about \$500 million. They also have an equity in the provincial Hydro system totalling around \$350 million, which has been paid into Ontario Hydro's sinking fund and applied against the provincial commission's debt.

The effectiveness of Ontario's unique system of electric power distribution was demonstrated in 1964 by the fact that no less than 29 municipally owned systems celebrated 50 years of successful service, and 34 others will attain this mark in 1965.

For Ontario Hydro an important highlight of 1964 was the amicable relations between the commission and its union employees. After five months of bargaining, a two-year contract was reached by the bargaining committees of Ontario Hydro and the Ontario Hydro employees' union. It is worth mentioning that the bargaining agenda covered a total of 199 items, including 187 submitted by the union and 12 by the commission. Considering the involved nature of many of the items, it is a credit to the 8,000-strong union membership and its executive, and to the commission management representatives that mutual agreement was reached so quickly.

I want to refer briefly to load-building. There are several reasons why the Hydro organization, like most North American electrical utilities, is engaged in a concerted drive for a fair and adequate share of the energy market, particularly among residential electrical customers.

Capital investment of the electrical utilities in plant and equipment, in relation to revenue, is higher than most, if not all, other industries. At the same time, the fixed costs of serving residential electrical customers has risen by about 50 per cent in the past 20 years or more.

It is a commonly accepted fact among utilities that the capital outlay to supply mini-

mum electrical service for lighting and television is about the same as the cost of providing power for a home with all the major appliances. In other words, for almost the same capital costs, Hydro can deliver either 250 or 750 kilowatt-hours a month.

In recent years there has been a marked increase in co-operation among all segments of the electrical industry, particularly among the utilities and manufacturers, in developing joint marketing programmes for many types of electrical appliances and equipment. Such programmes have produced interesting and gratifying results.

Ontario's publicly owned Hydro utilities, operating on a non-profit basis, are responsible for supplying power at the lowest possible cost. For greater success, diversity is all-important. Increasing diversification of electrical energy consumption by municipal residential customers has had a marked and beneficial effect on Hydro's rates, because the average use of electric energy by this class of customer has almost tripled in the past 20 years.

Therefore, our advertising and sales programmes are directly aimed at maintaining electrical consumption growth rates at the desired level; this is without doubt the best and surest means of keeping unit costs to a minimum, and at the same time providing a high standard of living for the people of Ontario.

Mr. Chairman, I have endeavoured to bring to the attention of hon. members a number of subjects concerning Ontario Hydro. The commitment which is related to the vote now before the House represents the determination of Ontario and of Canada to advance the peaceful uses of atomic energy in our nation and, by the same means, to bring benefits to our people in this province through further assurances of ample supplies of electricity for the needs of Ontario's future.

Mr. MacDonald: Mr. Chairman, I have listened with interest, and a degree of wonderment to this enthusiastic exposition of the effectiveness of public ownership in the power field. I sometimes wonder why that enthusiasm cannot creep over into other fields where its application has equal validity.

However, I shall leave that for the moment. I have a series of questions and topics I would like to raise and I would judge, by the look of the clock, that if we are adjourning at six we are not going to complete by six.

Hon. J. W. Spooner (Minister of Municipal Affairs): We do not necessarily adjourn at six.

Mr. MacDonald: I was just taking the word of the hon. Prime Minister (Mr. Roberts) that we were adjourning at the regular hour. That was three hours ago, and I thought his word was good for three hours.

Hon. Mr. Spooner: We have 15 minutes and we will get a lot of questions answered.

Mr. MacDonald: Good. My first question, Mr. Chairman, is with regard to the pockets of private power which still exist in the province of Ontario and I think, particularly, of the area of Sault Ste. Marie. This past fall, for example, when the select committee on mining was in that area, there were representations made by spokesmen of the mining industry who were seeking to expand the industry, indicating that the high cost of hydro-electric power was cited as the major problem. The comment came from Graham Duff of Vauze Mines Limited, and it also came from Mr. Dumbrille of Tribag.

Now my question to the spokesman for Hydro in the House is: Has any consideration been given to integrating these few pockets of private power in the province so that you can eliminate what is described—for example, in these news stories—as a margin of at least 12 per cent higher cost for power and therefore an obstacle to the development of the mining industry?

Mr. Boyer: Does the hon. member mean a higher cost charged by Great Lakes Power Company than Hydro rates?

Mr. MacDonald: Right!

Mr. Boyer: I must say that each municipality has the right of forming its own decision as to whether it enters into a contract with Ontario Hydro for the provision of electric energy to that municipality. The people of Sault Ste. Marie are served by the Great Lakes Power Company and we have had no indication in any official way that they are dissatisfied with that or they intend to vote in favour of any different system, Mr. Chairman.

I might say that we are interconnected with the Great Lakes company in serving a certain customer where Great Lakes requires a further supply of electric power. But I think this is a matter that we must leave to local option. There are several other communities around this province where they operate a municipal system or they buy power from a private company and Ontario Hydro, I think, will have to wait until such time as the municipality itself agrees that it would like to enter into a contract with us.

Mr. MacDonald: I suggest to the hon. member that it is not purely a case of the cities. For example the comments of Mr. Dumbrille of Tribag was that he told the select committee that it was unfair to mining companies that they should have to pay additional costs for roads and hydro-electric power when industries located near the towns had the same service at a more favourable cost.

In other words, they were placed in an unfavourable position, comparatively speaking, and therefore their competitive position in the field presumably is that much more difficult, particularly if they are at the development stage.

Let me go on to one or two other related aspects of costs—or did the hon. member have a comment there?

Mr. Boyer: I may have a little later.

Mr. MacDonald: The hon. member referred to the imports of coal from the United States for the thermal nuclear plant. I wonder if he could give me an explanation for something that has been drawn to my attention and puzzles me.

I understand that on each ton of coal imported from the United States that Hydro have to pay a 50 cent import duty. For each ton of coal that is imported by the steel industry, whether it be Stelco in Hamilton or whether it be Algoma in Sault Ste. Marie, I am informed that they get a rebate—and this intrigues me—of 49.9 cents. So that in effect their payment is one-tenth of one cent. I do not know whether that covers the administrative costs or not.

What is the reason for the fact that a public utility like Hydro, providing power at cost, should have to pay an import duty of this nature, whereas the steel industry gets a rebate of 49.9 cents of the 50 cents?

Mr. Boyer: Mr. Chairman, I think we share the idea that has been expressed by the hon. member for York South!

Ontario Hydro has, as a matter of fact, been making representations to the government at Ottawa asking that this 50 cents per ton charge be removed.

The coal is used for purposes of power generation. Personally, I cannot see what objection there could be from any part of the country to removing this 50 cents per ton tariff.

I must tell the hon. member that we are fully aware of this and are doing our utmost to have the policy changed at Ottawa in this respect.

Mr. MacDonald: I assure the hon. member that he has the support of, at least, the New Democrats; whether or not the Liberals are with him in this onslaught from the government at Ottawa, I do not know.

May I ask, by way of a general question to the hon. member: He made reference to Hydro's experiments in direct current transmission. I presume that this is this high-powered, long-distance transmission. Can the hon. member give us any indication as to what Hydro's attitude is on the proposition of a national grid that is being discussed more and more?

I raise it, not only because of the proposition of a national grid itself, but because I recall two or three years ago when Robert Macaulay was spokesman on behalf of Hydro he drew attention to the fact that we do not have any link—I do not think we have one as yet—between the northwestern portion of our Hydro system and the south. Presumably this would provide a link there, as well as tying in with the national grid, and be a further advantage.

In brief, do we favour the proposition of a national grid? Are we participating in the promotion of a national grid in the light of the advantages that might flow from it?

Mr. Boyer: Yes, Mr. Chairman, the Ontario Hydro certainly favours this proposition and we are participating through membership by our chief engineer, Mr. Harold Smith, in the federal-provincial working committee on long-distance transmission. This committee has now been functioning for the past three years. There has already been prepared a preliminary study and an interim report.

If I had known that the hon. member wished more information on this I would have been prepared to bring a more complete answer, but I can assure him that while it is true that in northern Ontario there is the area which is not now interconnected between the eastern and western systems, we are in support of the national principle and are doing what we can toward it.

Mr. MacDonald: I appreciate the hon. member's reply. I recall a year or so ago some considerable controversy in the House with regard to an overestimate as to the needs in the northwest and the construction of a plant at the Lakehead which was more or less idle, not running to full capacity. It would seem to me that if we had a national grid, or even if we had a tie-in with the southern system, you certainly would not be sitting with idle productive capacity in the north, as was the case at that time.

Indeed, is that plant that was built at the Lakehead two or three years ago in full production or is it still idling along?

Mr. Boyer: No, Mr. Chairman, this plant is not yet in full production. At the time this plant was planned it was felt that it was more economic to construct it there than to interconnect the east and west systems.

However, time passes and conditions change and I am advised that it is now regarded as more economically feasible to interconnect the east and west systems of Ontario Hydro.

Mr. MacDonald: I must say that after the hours of discussion we had a few years ago, this is a fascinating announcement. I would think, at five minutes before six, that we are going to have plenty of opportunity to pursue it at some later time.

Mr. Boyer: We live in a changed and changing world.

Mr. MacDonald: I am not criticizing; as a matter of fact, there is such obvious logic in the proposition of linking our northern and southern properties, quite apart from the broader proposition of a national grid, particularly when we are sitting with a plant up there that is not running at 100 per cent capacity. One does not have to be very bright to realize that this kind of situation requires some rationalization and I welcome the announcement of it. It would seem to me, after the rather controversial discussions we had on the relationship between the northern and the southern systems, in standing committee two or three years ago, that perhaps it would be interesting to have Hydro—in fact, has Hydro been before the standing committee this year?

Mr. Boyer: Yes, they have.

Mr. MacDonald: The day I was not there to explore the ramifications of this; however, I pass on to another issue I want to raise.

I am rather interested by the pleas of a few people, farmers—and this may be something the hon. member is aware of—in the district of north Cochrane, in the township of Brower and Lamarche, who had been seeking hydro power for quite some time. The reason I am intrigued with their plight is that they have been trying for three years to get hydro-electric power. In one instance, this man, whose name happens to be Carl W. Moore, lives about two miles from the line; his neighbours in the opposite direction are 1.75 miles from the line. The policy apparently states that Hydro cannot go more

than two-thirds of a mile to service any single farmer.

Now the interesting—

Hon. Mr. Simonett: Unless he wants to pay for it.

Mr. MacDonald: Unless he wants to pay for it, right; and the proposition is that, if he wants to, it is going to cost him \$14,000—which, on the marginal income of northern farmers, I am sure, is not feasible.

Mr. Boyer: I am glad to say that the figure is \$10,000—in the neighbourhood of \$10,000.

Mr. MacDonald: I am sorry, Mr. Chairman, but in the din I just cannot hear.

Mr. Boyer: I am glad to advise the hon. member that the figure is closer to \$10,000.

Mr. MacDonald: Well, I accept the hon. member's revision and my case is well made. The farmer is going to have to pay \$10,000 to get the Hydro lines in.

The thing that interests me about this, Mr. Chairman, is that this farmer is on land which was developed in part on public moneys. It is land which is being subsidized in its development. He is living, for example, in an area where, according to the hon. Minister of Agriculture (Mr. Stewart) in June, 1964, the official view was that a farmer's needs are from five to six units for beef farming, and this would require an area of half a mile to three miles long. As each unit is a half-mile square, if you will take time off sometime and calculate this, I think you will find that it is accurate.

In other words, the specifications laid down by The Department of Agriculture for what is required for beef farming are such that it is impossible to get a farm in the outdated limitation of two-thirds of a mile that Hydro is willing to consider in carrying hydro power to farmers. Combined with that the fact that the land itself has been developed and brought into production in part through public money. I am not talking about land that was brought into production a generation or two ago by mistake. It seems to me you have an odd inconsistency and contradiction between the policy of The Department of Agriculture and the policies, I presume, of The Department of Municipal Affairs, for breaking new land, and Hydro policy, because your policy simply will not make it possible for these people to get hydro-electric power. His contention is that Hydro has said it would cost the farmer \$14,000

notwithstanding the hon. member's suggestion of \$10,000.

An alternative suggestion apparently has been put to these men—that ARDA will visit them this summer and will move them out into some other area. This man is obviously a person of considerable capacities. He has done some calculating and he is quite convinced that it would cost the public purse more through ARDA to pick them up holus-bolus and move them to another area, leaving their farm land, which has been developed in part through public subsidy, to become neglected.

All throughout this you have inconsistencies in public policies, and I want to put the question to the hon. member as to whether or not generally speaking, or at least in circumstances such as this, there would not be some flexibility in his policy which would make it possible for hydro to be taken in to these people. Mr. Moore points out, for example, that situated on his farm is Downard, a station on the ONR line. In other words, he is not away off, completely out of touch with civilization; he is at least close enough to civilization that an ONR station is on his farm. All this leads me to wonder why Hydro cannot introduce a bit of flexibility in its policies, in order to get power to these farmers.

Mr. Boyer: Mr. Chairman, the name of Carl Moore is well known to most hon. Ministers in the government, and certainly is well known to those in Hydro, not only in the local area and the region, but here at headquarters in Toronto. If there was some means of assisting him this means would have been found long ago. I must say that I think that Mr. Moore is a very fine farmer and has a good farm, but I understand that he was advised when locating there that it would be better for him, more advantageous altogether, if he were closer to the highway. Yet this was the land that he decided to go to and to his disappointment he found out our policies in Ontario require contracts of two-thirds of a mile to a bona fide farm.

The hon. member will remember that in the time he and I have been in this House this policy has been relaxed quite considerably. But I can think of hundreds of cases that I know of myself where people have built their own lines from beyond where Hydro could go. How would we justify building a special line for Mr. Moore when all of these other people have done this at their own expense? If there was any way we could be of assistance to him we would be. I can only hope that there will be more

customers along his road and that it will be possible for him to have the benefits of hydro at an early date.

Mr. MacDonald: Mr. Chairman, I suggest that the hon. member who speaks for Hydro should take his cause to the Cabinet and the Cabinet should resolve the inconsistencies in public policy which are enunciated by this government. It is idle for the hon. Minister of Agriculture to get up and to say that a certain area is required for beef farming in the north, when the area required means that the farms are going to be more than two-thirds of a mile apart.

Hon. Mr. Simonett: Mr. Chairman, the government did not say where this man should build his house. He could build his house nearer the services.

Mr. MacDonald: As I understand from Mr. Moore's explanation of the situation to me, he was the recipient of subsidies for the clearing of land. Once again, if you do not want people to clear in a certain area that is going to be too far removed, why are you giving them the subsidy? You were participants in the settling of these farmers at a distance which now you contend is too far from the hydro-electric power.

I come back again to the hon. Minister of Agriculture's contentions. He is with us now and I will quote once again this paragraph for the hon. members who may be interested in following it:

In June, 1964, Mr. Stewart, the Minister of Agriculture, stated that in this area a farmer needs from five to six units to beef farm. This would be an area of one-half mile by three miles long, as each unit is half a mile square.

In other words it is impossible to have adequate—

Hon. W. A. Stewart (Minister of Agriculture): Mr. Chairman, may I say to the hon. member that is the first knowledge I have ever had of having made such a statement as that and I would be interested to know where I made it and under whose authority he is now reading it, because I know nothing about such a statement ever having been made.

Mr. MacDonald: I am reading it in a communication I have had from Carl W. Moore, and I shall find out from Mr. Moore where he got the information, because, as a matter of fact, he came down to visit the hon. Minister and to visit a lot of people down here.

Hon. Mr. Stewart: He never came down to visit me in my office at any time. I was at Mr.

Moore's farm, I have talked to him, I have met him and his wife in his own house, and I have met him at a meeting in northern Ontario.

Mr. Moore, to my knowledge, has never been at my office nor has he ever come to see me.

Mr. MacDonald: I may be in error in his coming to visit you. He came down and visited many people in this government. But I think it is time that somebody said to this government that either it reconcile the inconsistencies in its own policy or stop denying citizens the right to power in this province.

You have relaxed policies so that, for example, you took power into cottages in this province, which ten, 15, 20 or 25 years ago you refused. You have relaxed it because the power system in the province of Ontario has been built on the proposition that everybody in the province of Ontario is entitled to get it—and, as a matter of fact, you are providing subsidies to get it to them. I forget the figures now, but we have had recapitulations of the amount of money that has been paid over the years as a subsidy of this government to get power into every home in the province of Ontario.

Here is a group of people who have been settled and whose farming conditions are now disputed by the hon. Minister of Agriculture. I will get the documentation to it and I would judge from the way Mr. Moore operates that he will be able to provide the documentation for it, too—to show that your refusal to provide power is just inconsistent with your other policies.

I note there are some suggestions to me that they want me to take note of the time. I hope, Mr. Chairman, that we are not going to cut off this debate—we can resume it, I hope, after the Easter recess—because I have a few more things to raise and I understand that some members of the Liberal Party have, too.

Hon. J. P. Robarts (Prime Minister) moves that the committee rise and report progress.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of supply begs to report that it has come to certain resolutions and asks for leave to sit again.

Report agreed to.

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, when we resume there will be certain items on the order paper to deal with and we will then resume the estimates of this department.

Mr. D. C. MacDonald (York South): I wonder if the hon. Prime Minister can give us some indication as to the sequence of estimates after Easter.

Hon. Mr. Robarts: I will let hon. members know what the programme is before we meet. If that is satisfactory, Mr. Speaker, I will let

you and the hon. leader of the Opposition know after I have had a look at the order paper.

Mr. MacDonald: I see.

Hon. Mr. Robarts moves the adjournment of the House.

Motion agreed to.

Mr. Speaker: The House stands adjourned until 3 of the clock, Tuesday, April 27.

The House adjourned at 6.10 o'clock, p.m.





Legislature of Ontario

Debates

OFFICIAL REPORT—DAILY EDITION

Third Session of the Twenty-Seventh Legislature

Tuesday, April 27, 1965
Afternoon Session

Speaker: Honourable Donald H. Morrow
Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, APRIL 27, 1965

The House met at 3 o'clock, p.m.

Prayers.

Mr. Speaker: We are always pleased to have visitors to the Legislature and today we welcome as guests in the east gallery students from Bruce Street public school, Milton.

Petitions.

Presenting reports by committees.

Motions.

Introduction of bills.

Hon. W. A. Stewart (Minister of Agriculture): Mr. Speaker, before the orders of the day, I bring to the attention of the House a matter of considerable importance to those hon. members who represent the cash crop areas of the province.

For some time now, farmers in the cash crop areas have been seriously handicapped in their operations by reason of the problems associated with seasonal labour, particularly as far as the adequate provision of housing accommodation is concerned. Following consideration of the problem involved, I wish to inform the House that a decision has been reached to introduce a programme to assist farmers in providing such housing as might be required to accommodate their seasonal help.

To meet the shortage of accommodation it has been decided to make a grant to assist in the cost of construction of new houses, or for the renovation of established housing, on the basis of 50 per cent of the total cost of construction; but, in any case, not to exceed a maximum payment of \$150 for each worker to be accommodated. The grant will be shared under the current federal-provincial farm labour agreement on a dollar-per-dollar basis. Plans for the construction or renovation must have the approval of the Ontario Department of Agriculture and be in accordance with the health standards determined by the local officer of health. Grants will only

be available to farmers for the accommodation of hired workers and not for members of the farmer's family.

Mr. Speaker, I feel that there is considerable merit in this type of expenditure. I think it is one of the answers to the labour problem that confronts the cash crop areas. It also has the added advantage of giving encouragement to the farmer who in the cash crop area is an important employer of labour.

The plan will be administered by the joint federal-provincial farm labour committee under the chairmanship of R. G. Bennett, assistant Deputy Minister of The Department of Agriculture.

Hon. J. A. C. Auld (Minister of Tourism and Information): Mr. Speaker, hon. members will recall last August that the decision of the government to establish an Ontario centre of science and technology as the provincial centennial project was announced. A timetable for the completion of the first phase of the project was outlined and it indicated that we planned to have the drawings and specifications for the initial building and related structures completed by May of 1965. I am very pleased to tell the hon. members today that we are on schedule and that we have the detailed drawings and sketches prepared. They will be in committee room No. 1 for hon. members who wish to see them.

As the plans and theme for the centre are now more fully developed, we have established the final cost of the first phases of the project, that is, those phases that will be completed in 1967. The total cost is approximately \$14 million, of which the federal government will contribute \$2.5 million under the terms of the Dominion-provincial agreement. The provincial share will be spread over the three-year period from 1965 to 1967.

I may say that we anticipate substantial financial participation and other assistance from private industry. Negotiations are now under way with several corporations and I

expect we will be able to make announcements on some of these co-operative projects in the near future.

One of the major advantages of this project will be that it will interpret science and technology for all our citizens, and at the same time be extremely useful from an educational point of view for our young people of all school ages.

Mr. W. E. Johnston (Carleton): Mr. Speaker, before the orders of the day I would like to draw to the attention of the Legislature, a matter of some significance to hon. members of the House.

Last week when senior executives of education and delegates, assembled in Toronto for their annual conference, top honours in the elementary section of the Ontario public speaking contest finals went to Mark Downey, 12-year-old son of Mr. and Mrs. Cosmo Downey of Carp, Ontario.

This young fellow won in his township contest some weeks ago, went on to win the county contest, later won the eastern Ontario contest and, as I mentioned above, has now taken top honours for the province of Ontario. It is of some interest, I think, that the topic chosen was "My Farm Home."

Mr. Speaker: Orders of the day.

Clerk of the House: The 24th order, House in committee of supply; Mr. W. E. Sandercock in the chair.

ESTIMATES, DEPARTMENT OF
ENERGY AND RESOURCES
MANAGEMENT
(continued)

On vote 608:

Mr. D. C. MacDonald (York South): Mr. Chairman, when we adjourned for Easter, I was in the midst of dealing with a topic in relation to Hydro. I presume that is where we are picking up.

I was presenting the case of a group of farmers in north Cochrane who had not been able to get hydro for some 20 years. The details are all on the record and I am not going to repeat them, but it seems to me, Mr. Chairman, that there emerges from this a policy that I want to present to the hon. member who is our spokesman with the Ontario Hydro-Electric Power Commission (Mr. Boyer). We should give some reconsideration to the underlying principle in publicly owned Hydro, namely, our intention to get hydro power to everybody in this province.

I concede to the hon. member that at the moment, these farmers do not fall into the distance requirements that have been laid down by Hydro, but as I indicated when I was commenting on this prior to Easter, they have established their farms there as a result of agricultural policies for which there has been some public subsidization. They are now operating beef farms, which in accordance with the argument of Mr. Moore, whose letter I quoted quite extensively last time, would not conform with the regulations laid down by Hydro and which Mr. Moore contends are part of a policy that the hon. Minister of Agriculture (Mr. Stewart) enunciated at some point. The hon. Minister appeared to deny this. I have not, over Easter, been able to get the documentation, but I shall, and shall present it to him at some time.

In other words, there seems to be some conflict in various government policies and it occurs to me that, surely, either on an individual case or as a general rule, the policy should be open to reinterpretation, so that we can get hydro to these people. I would remind the hon. member that we have changed our policies many times down through the years, in order, for example, to get hydro to cottages throughout many parts of the province. I am convinced that in the earlier stages, these cottages could not have got it, in accordance with the first statement of policy.

I present that to the hon. Minister in the hope that he will regard it with some sympathetic consideration.

While on Hydro, I want to refer once again to Hydro's inspection. This is a matter that was discussed at considerable length a few years ago in the House—the adequacy of that inspection, and whether or not there should be a greater implementation of a policy that would make inspection more automatic, rather than just on referral. I raise it, because it seems to me that a statement by Fire Chief Frank Coakwell as quoted on March 2 of this year in the *Toronto Daily Star*, points to rather a dangerous situation. If I may just quote briefly from this news story:

The fire chief recommended that Ontario Hydro establish a programme of inspection covering all installations in use 30 years or more. He said defective wiring was the main cause of nine of the 17 major fires involving living quarters last year. Chief Coakwell said that Ontario Hydro cooperated with his department to the extent of accepting and acting upon referrals, but

this is not enough, he said. Last year unsafe wiring was noted in 407 premises which were referred to Ontario Hydro for such action as it might deem necessary. During 1964, he said, building department inspectors covered 4,030 dwellings. Of these, 1,158 were found satisfactory but 2,872 did not meet bylaw requirements.

There is the general situation. But the specific proposition he suggests is that all buildings of more than 30 years of age should come under automatic inspection by Hydro.

Related to it is the reverse kind of situation. On April 14, just as we were adjourning for Easter, the *Globe and Mail* carried a story of Hydro going in and inspecting houses in the St. James Town development area, which are about to be torn down for redevelopment.

At 71 Rose Avenue, Mrs. Walter Blair and Mrs. Eugene McKinley report that an inspection was made last week. Mrs. Blair, a tenant for two years, said it is the first Hydro inspection during her tenancy.

The two families have been given notice to move by today, although no home has been found for them. Hydro has given instructions for certain repairs or changes to be made on the building that is going to be demolished.

I present all of this to the hon. Minister by way of a general request as to what is Hydro's policy, if there have been any changes in it with regard to inspection, and has it given any specific consideration to the proposals of the fire chief that all buildings of more than 30 years of age should be inspected, without exception?

Mr. R. J. Boyer (Muskoka): Mr. Chairman, the matter of inspection of electrical installations in buildings is dealt with under The Fire Marshals Act.

Under an arrangement made a number of years ago, there has been consultation between the fire marshal—who was then W. J. Scott, QC, who has died recently—and officials of Ontario Hydro and several other interested departments. A plan was set up whereby the fire authorities in each municipality would be responsible for inspection of premises, and under that Act the inspector, who represents the fire marshal of Ontario, has the power to order an inspection. Consequently when the Ontario Hydro inspector goes to the premises and finds the electrical arrangements are inadequate, he can then order that they be brought up to the proper standard.

There has been a review of this entire

matter within the past year and it has been considered that this is a good system but perhaps it could be made a little more effective to change the wording in the order itself, issued by the fire marshal's representative.

As to inspection of all dwellings over 30 years of age, there are, of course, about 800,000 such dwellings in Ontario. In some municipalities every dwelling has been inspected, not only by the fire marshal's representative but by the Hydro inspector—these are smaller places, of course.

It seems to us, sir, that this system is adequate because when a dwelling or other premises is being inspected, from the point of view of fire hazard, there are other conditions which may contribute to the hazards which should be inspected by a person who has been properly trained for this work, and, as a matter of fact, the electrical arrangements will only form a part of that whole consideration.

I would like to thank the hon. member for York South for bringing this matter to our attention and it has been considered during the past year.

In the St. James area, certain inspections have been carried out as a result of the order of the fire authorities of the municipality.

Mr. MacDonald: Mr. Chairman, if I may make one comment; I judge from what the hon member has said that the responsibility really rests with the fire chief and his staff for seeking out those areas that need inspection. Presumably, from what the hon. member says, Hydro staff come into the picture purely as mechanics on the job, so to speak.

If this is the case one wonders why the fire chief would, in effect, be passing the responsibility over to Hydro if, in the Act, as the hon. member said, it is really his responsibility.

Other than this proposal for a blanket inspection of everything over 30 years of age, it seems to me that we have a dangerous division of responsibility here. I must confess that up until now, I had assumed it was Hydro's responsibility, but in fact it is not Hydro's responsibility to seek out these areas in the first instance. They, in effect, just do the inspection after they have been told to do it and the people telling them to do it are the fire chiefs and their staffs. Now, whether or not there is an acceptance of this responsibility, as fully as is necessary for the protection of the community, I am not in a position to say, but I think it is rather a

dangerous area in which to leave a division of responsibility unclarified so that we have rather disastrous consequences flowing from it.

One final point that I would like to raise with the hon. member with regard to Hydro is that during the course of the past year, I raised with him the case of a former employee of Hydro. This man had been offered an opportunity to take another job some distance north after he felt that he had been assured of employment in one of the plants out on the lakeshore. He refused, as a result of which he had been forced to leave Hydro. I am not going to argue the case of his departure—the hon. member is aware, I think, to whom I am referring—because, for better or for worse, this has been decided. There has been an appeal board and he has left the employ of Hydro and I do not think that he has any intention of coming back, nor has Hydro any intention of rehiring him, so that is a closed issue. But there is one aspect of this which disturbs me. I am persuaded, having studied the documents in relationship to this case, that part of the deterioration in relationship between this man and Hydro and some of his superiors, was because, as a security officer, he insisted on doing his job in what some people regarded as too rigorous a fashion during a temporary assignment in the Abitibi Canyon area back in 1963—if I recall the date correctly.

In the course of a statement which he prepared and submitted to the personnel officer of Hydro before the committee of inquiry was established, he made these observations, and I want to quote one or two paragraphs and then ask the hon. member whether or not the accusations included in this were investigated or whether they were just sort of slurred over and forgotten about. I am quoting from this statement which was submitted to H. A. Jackson, construction manager of the Lakeview plant, following an interview with H. A. D. Scott:

Mr. Scott then asked me to summarize events leading to my request for the inquiry. As I did so, I brought his attention to what Mr. A. A. Pepper, security officer from North Bay, had told me when he visited me in Abitibi in June, 1963, in connection with the John J. Lavigne case.

Mr. Pepper said: "Dave, I wouldn't touch this case if I were you. I have only a few years to go and it is better for me to look after the little matters than to lose my job. John got into trouble with the post office here; he reported the safe broken into then the postal inspectors came up. He

then confessed to me that he had done it himself and tried to make it look like an outside job by leaving a money order alongside the safe."

Mr. Pepper then said Lavigne was moved from the commission post office in the colony, to take charge of the colony store. The auditing department was called in when the colony residents complained about high prices. Mr. Pepper said Lavigne then admitted that he had been charging one price to the colony employees and one price on his records, and pocketing the proceeds.

Now, if I just give a word of background here. There is rather an out-of-the-ordinary situation with regard to the post office in this instance. I have learned from inquiries elsewhere that the post office was first established back in 1930 and there were such a succession of postmasters, all of whom were employees of Ontario Hydro, that a few years ago Ontario Hydro had in effect been designated as postmaster and one of the employees of Ontario Hydro acts as postmaster when he is in effect assigned this job.

But here you have what appears to be a flat assertion that in this instance there was a simulated robbery, and in quotes on the part of this ex-security officer who has a very creditable record as a security officer in many provinces in this country, the assertions are that he had left money orders outside to give the appearance that the safe had been broken into when in fact he had been engaged in some activity that could not stand the light of day. What does the Hydro do? They move him out as postmaster and put him in charge of the store.

Mr. Boyer: Is that at Fraserdale?

Mr. MacDonald: Right, at Fraserdale. They moved him out as postmaster and put him in charge of the store. And in this statement of the ex-security officer, you have the suggestion that the colony residents complained about high prices. Mr. Pepper said Lavigne, the man involved, admitted that he had been charging one price to the colony employees and one price on the records, and pocketing the proceeds.

Now, Mr. Chairman, I repeat, this man got into difficulty, I am convinced after reading the record rather carefully, in part because of his determination that this situation was going to be cleaned up. He ran into difficulties with senior people and it was not cleaned up. At least he asserts that not only was it not cleaned up, but the man involved was then put in charge of the stores.

What is the hon. member's comment on what actually did take place?

Mr. Boyer: Mr. Chairman, I have read a great deal of so-called evidence in this matter. I have not any of the documents here, but I am glad that the hon. member prefaced something that he just said by the words, "he asserts"; because all of these matters that were raised by Mr. David Johnson were gone into fully. He appeared before a committee of inquiry at his own request. The committee was made up of senior personnel located here in Toronto and they went into the entire matter very thoroughly and referred some of these things which he had spoken of to other departments of Hydro.

I have not the information here at hand to read anything to the House concerning this particular matter, but I think that Mr. Johnson's service, if it could be criticized, might be criticized on the strength that he was perhaps extremely zealous. I am not saying that he was dishonest or that other people were trying to hide things from him or cover up anything at all, nor do I accept the statement of Mr. Johnson as to one of the senior men at Fraserdale, that he was near the point of retirement.

Aside from this matter, which I can assure you has been investigated, I am not able at the moment to relate to the House the results of the investigation. I think the hon. member for York South would agree that every effort was made to retain the services of this man in the security guard. He did not wish to leave Lakeview when there was a surplus of staff and it was necessary to move a number of those who had less seniority to other locations. He was offered a very good post at Mountain Chute, which is near Renfrew. But he was unwilling to leave Metro Toronto and therefore he was given, I think, considerable notice so that he could state his willingness to go.

He had already signed a statement saying that he was willing to abide by the findings of the committee of inquiry and to accept alternative employment, but he did not accept alternative employment; and as he did not live up to the commitment that he had given, there was really nothing that we could do for him. He had service of some years with the security guard of Ontario Hydro, but because of his unwillingness to move elsewhere in the province, which, of course, is a condition of anyone's employment, it was therefore on his motion, really, that his employment with Hydro was terminated.

Mr. MacDonald: Mr. Chairman, I am sorry, I have to come back to this. The hon. mem-

ber has rather skillfully, or unwittingly, not dealt with the point that I am really raising. I said as far as the dismissal or the departure from the employment of Hydro of David Johnson is concerned I am not arguing the case. For better or for worse, he is gone. He does not want to come back, Hydro does not want him back. I am not interested in that.

What I am interested in is the hon. member's statement that if the man was open to some criticism it was because he was over-zealous as a security officer.

Now here is a man who has been a security officer—and I will not take the time of the House to give documentation—with the RCMP, with responsible bodies in British Columbia, in Ontario, and I believe in other parts of the country. He has a very creditable, honourable record as a security officer.

What I would like to ask the hon. member is: Where do you draw the line in so-called over-zealous effort on the part of a security officer? If material of Hydro is disappearing—gasoline, equipment—is the officer being over-zealous when he insists that they find out who took it; and that it be returned?

Mr. Boyer: No, not at all.

Mr. MacDonald: Well, this is part of the problem; this is what he did.

Mr. Boyer: But what evidence is there now? The hon. member is not presenting evidence.

Mr. MacDonald: I am not going to get into all of the detail in presenting the evidence. It would take a solid hour. I am just raising with the hon. member the proposition of he himself suggesting that it was over-zealousness. For example, let me deal with one specific that I put to the hon. Minister (Mr. Simonett).

Mr. Boyer: I point out to the hon. member that he is quoting this man's statement.

Mr. MacDonald: Right!

Mr. Boyer: And he has nothing else before him.

Mr. MacDonald: All right!

He quotes directly from Mr. Pepper, who is your security officer from the north, with reference to Lavigne in the post office episode—a simulated robbery for purposes of covering up the tracks in terms of his own activity—in which Pepper states: "He then confessed"—he being Lavigne—"that he had done the job himself and had tried to make it

look like an outside job by leaving a money order alongside the safe."

Now is this right or wrong?

Mr. Boyer: And what resulted from that? A court action?

Mr. MacDonald: What resulted from it? He was transferred from being postmaster to being head of the store and when head of the store, and I quote once again from the document which is in your files:

The auditing department was called in when the colony residents complained about high prices. Mr. Pepper said Lavigne then admitted that he had been charging one price to the colony employees and one price on his records and pocketing the proceeds.

Now it is all very well for the hon. member to get up and to complain about overzealous security officers, but what I am asking the hon. member is: Is it a case that the security officer was annoyed—

Mr. Boyer: Really; that is not very fair!

Mr. MacDonald:—that Lavigne confessed to being involved in the simulated robbery, that he was then switched to the head of the stores, that in the store he became guilty of charging more and pocketing the difference?

Now did this take place? Because if this is the kind of thing that takes place, I do not think that the hon. member, as one of the top people in Hydro, is serving the public interest by slurring over this kind of thing.

Mr. Boyer: Well, now, I am really not slurring over anything of the sort, nor slurring over anything; but at the moment I have not the information here to explain this matter to the House. I will certainly take an early opportunity to look into the whole thing.

Mr. G. Bukator (Niagara Falls): Mr. Chairman, I heard a speech that the hon. member who is the vice chairman of Hydro made in Niagara Falls last night. I only heard a part of it on the radio in Toronto—

Mr. Boyer: The speech was made in Toronto.

Mr. Bukator: Oh it was in Toronto he made the speech. I heard it on the radio in Toronto. I happened to be here while he was making it.

Mr. Boyer: I could give the hon. member a copy of it.

Mr. Bukator: I should like very much to have a copy of that speech.

Regardless, the essence of the speech was that grants in lieu of taxes are paid by power-houses, or to cities, and in the instance of Niagara Falls they are paying the equivalent of any other taxpayer by way of grants in lieu of taxes. This is what I heard on the radio this morning. I am wondering if that comment is exactly how the hon. member put it, or is it what reporters thought he said.

Mr. Boyer: Mr. Chairman, it had been my expectation to go to Niagara Falls today to speak at the noon luncheon of the Niagara Falls Rotary Club. I had been invited about six weeks ago to go to Niagara Falls and to speak on Hydro's relationship with that beautiful city. Owing to the business that is before the House, although it is only an hour-and-a-half drive these days to Niagara Falls, I was not able to go and Mr. Strike, the chairman of Ontario Hydro, went to Niagara today and spoke, I would suppose by this time, to the Rotarians there.

I have a copy of the remarks that I intended to make, I cannot just immediately locate what the hon. member has mentioned, but it might be well to say something about this matter and about grants in lieu of taxes in general, although I did touch on this in the estimates last year, and certainly the hon. member for Niagara Falls has frequently raised this matter in this House.

In the year 1964, Hydro paid in excess of \$5 million to Ontario municipalities in the form of grants in lieu of taxes. In addition, more than \$6 million was paid to the government in water taxes for the use of water passing through hydro-electric stations.

Hydro's tax responsibility differs from that of an individual or a private corporation in several ways. Land holdings and buildings are assessed by The Department of Municipal Affairs and this is an arrangement which assures the municipalities of uniform treatment. Moreover, The Power Commission Act provides the municipalities with the right of appeal against evaluation through the Ontario municipal board. Grants for lands owned by Hydro are equivalent to full municipal taxes. In addition, Hydro pays a business tax on all land and buildings equal to 60 per cent of the real property tax.

Under The Assessment Act, a private corporation engaged in developing and distributing electricity, pays a business tax of 60 per cent on generating stations only, but for the balance of its holdings the rate is 25 per cent, which is less than half of that paid by Hydro.

Grants for installations directly involved in the production and distribution of electricity are established by a special formula, which recognizes that it would be unfair for one municipality to benefit unduly at the expense of power consumers in other parts of the province because it has such installations within its boundaries. The founding principle of Hydro was that the power resources of this province should be developed to benefit everyone, not just those who happen to be placed in a fortunate position by geography.

Therefore, grants in lieu of taxes are paid on the basis of meeting in a fair manner Hydro's responsibilities to the communities in which it owns property, no more and no less. The system of grants in lieu of taxes is under regular review and adjustments have been made from time to time in accordance with changing conditions.

Divisions during the last 12 years, for example, have almost doubled Hydro's contributions to municipal treasuries. In 1952 The Power Commission Act was amended to include payment on buildings used for executive and administrative purposes. In 1958 the business tax paid on these buildings, and all land, was raised from 25 per cent to 60 per cent of the regional property tax. In the following year, provision was made for the payment of a grant in lieu of taxes on power installations. The basis of assessment for generating and transformer station buildings is at the rate of \$2 for each square foot of inside ground floor area to which the equalization factor used in the current year by The Department of Municipal Affairs is applied.

In summary, Hydro pays the equivalent of full taxes or better on all property, except generating and transformer stations.

With these general principles in mind, I would like to refer to the specific case of the city of Niagara Falls, because it is the site of Hydro's largest hydro-electric power installation. In 1964, Niagara Falls received from Ontario Hydro, a grant in lieu of taxes of \$461,000. Including estimated payments for 1965, Hydro during the last 20 years, has paid more than \$5 million in grants to the city of Niagara Falls, including the annex area which was formerly Stamford township.

In spite of this, some city officials feel that the community's economic well-being is in jeopardy, and that the local taxpayer is carrying an unfair burden, all because of Ontario Hydro. To correct this situation, they have said that Hydro should pay full taxes on its power-producing facilities. This would be a wonderful thing for the city of Niagara Falls, but I submit that it would be less welcome

by power consumers in other parts of the province who would have to supply the money.

Let us not forget that Hydro's only source of revenue is its customers. As a public utility it makes no profit and the money to pay full taxes on power installations would come from the pockets of the more than two million customers served by Ontario Hydro and the municipal utilities.

In supporting the argument that Hydro should pay full taxes, an editorial in the *Niagara Falls Review* suggested that Hydro should be to Niagara Falls what General Motors is to Oshawa. I quote from that editorial:

Hydro was conceived and created as a supplier of electricity at cost and not as a source of revenue to municipal governments.

Moreover, the comparison with a labour-intensive industry employing upwards of 17,000 people is misleading. Hydro's Sir Adam Beck plant, with an estimated assessed value almost \$10 million higher than that of GM's Oshawa complex, employs only 197 workers.

Hydro has an unusually small labour force in terms of capital investment. A massive power installation costing many millions can be operated 24 hours a day by a staff of a few hundred.

Since the purpose of taxes, Mr. Chairman, is the provision of services needed by the people, such as education, police protection, and so forth, a huge hydro power development costing many millions of dollars creates a very small tax need.

On a per-employee basis, Hydro is more than paying its way. Here is a specific example: Three of the largest industries in Niagara Falls collectively employ a total of 1,138 people who, with their families, require expensive municipal services — roads, water, sewers, schools, and so forth. Last year these three companies paid the city in taxes, the equivalent of \$561.28 per employee; Hydro's grant, in lieu of taxes, represented \$1,317 for each employee. Another interesting point of comparison is Hydro's payment of taxes on a per-capita basis. Last year, the grant in lieu of taxes paid by Hydro to the city of Niagara Falls was equal to \$8.55 for each person in that city's population of about 54,000. Among the 20 largest municipalities in Ontario, the closest to Niagara Falls on a per-capita basis is Etobicoke, where Hydro's grant worked out to about \$3.89 a person last year.

I submit that these facts suggest Niagara

Falls receives a fair payment from Ontario Hydro in relation to the demands made upon it for municipal services.

Perhaps the best measure of whether Niagara Falls is carrying an unfair burden can be found in a look at that community's present state of economic health. The special research and surveys branch of The Department of Economics and Development has done a number of studies on the Niagara Falls district. These studies, I suggest, show that the city of Niagara Falls has a favourable debenture debt. The per-capita debt is lower than the provincial average and the trend is actually decreasing—the opposite of the general trend in the province, which is up.

A rising commercial building rate reflects the healthy state of the tourist industry. In addition, the studies that I mentioned show 19 new manufacturing operations were started in the city in the last 15 years and are still in operation today. Existing companies, including some of the 17 largest companies in the city, have continued to expand facilities and production in recent years, indicating a continued satisfaction with the area and optimism for the future.

Recent employment trends in the Niagara area are similar to the provincial average. Industrial service land values are comparable or lower than in similar centres in the region. Finally, industrial rates for electricity in Niagara Falls are lower than in Welland or St. Catharines. In fact, the power rate for industry at Niagara Falls is lower than in the city of Toronto.

If Niagara Falls, according to statements which have been made quite frequently, is suffering from economic ills, I would think this hardly indicates that is the case. I am not suggesting that Niagara Falls is without problems or that its elected representatives do not face large and varied difficulties—which are common to other communities in Ontario in an era of rapid urban growth—but I think that no one should lose sight of what Hydro contributes to Niagara Falls and the surrounding area, in addition to the payment of grants in lieu of taxes.

I mentioned at the beginning of what I have just been saying, the matter of water rentals, through which Hydro pays for the water used to generate electricity as it passes through hydro-electric stations. Since the end of World War II, Hydro has paid more than \$12 million directly to the Niagara parks commission in the form of water rentals. This large sum has been used in the development of a parks system which has few rivals

anywhere in the world. In a statement earlier this year, the general manager of the parks commission, Mr. Max Gray, noted that roughly half of the park commission's income comes from water rentals paid by Ontario Hydro. This park system, which was built and maintained at no cost to Niagara Falls taxpayers, has played an important part in the growth of the local tourist industry to its present place of prime importance.

Any evaluation of Hydro's contribution to the economic growth and prosperity should give full recognition to what the creation of this beautiful park system has meant to Niagara Falls and district. Until only recently, the scenic attractions of the Ontario side of the river contrasted vividly with the situation in Niagara Falls, New York, with the result that the bulk of the tourist business flows into the Canadian community. Only with the development of the United States share of the Niagara River's power potential by a public authority, did the creation of a park system, and other amenities to attract visitors, receive serious attention in New York state. The expansion of tourist facilities in the city, of course, has a direct bearing on the tax assessment and revenue.

Another important contribution by Hydro is assistance in providing local services. Critics in Niagara Falls have complained that the Hydro power canal divides the community. But municipal sewage is disposed of in the canal. It acts as a major storm sewer for some areas and it is also a source of water supply for local industries. These are only a few examples of services worth hundreds of thousands of dollars which have been provided by Hydro over the years at no cost to Niagara Falls.

During the last 15 years, Hydro's payroll in the area has seldom been less than \$5 million a year, and in several years has reached between \$10 and \$15 million, totalling \$125 million in this period. In the last two decades, Hydro has purchased nearly \$250 million worth of goods and services in the Niagara region. Hydro installations themselves are important tourist attractions. Regular tours are conducted through the Queenston plant seven days a week, the year around, and approximately 500,000 people visit Hydro's floral clock each year. No other community receives the same benefits from Hydro in the development of local commerce.

Over the years, Hydro has undertaken extensive remedial work at the Canadian Falls and channel improvements upstream. This

work has preserved and enhanced the scenic spectacle of the Falls—which attracts hundreds of thousands of visitors each year—by reducing the effects of erosion and spreading an unbroken curtain of water along the length of the crest. In total, this work has involved an expenditure of more than \$20 million by Ontario Hydro and United States authorities.

The argument might be made that these improvements were to the advantage of the power utilities. That is true, but it should also be noted that the Niagara Treaty between Canada and the United States, signed in 1950, specified for the first time in the history of the river that the preservation of the Falls takes precedence over the needs of the utilities on both sides of the Niagara River. The treaty set a statutory minimum on the amount of water passing over the Falls, and the remainder, which varies with the season, is available to the utilities for the production of electricity.

Mr. Chairman, I could list many other advantages, ranging from the illumination of the Canadian Falls, free of charge, to the transfer of miles of well-constructed roads to the municipality at little or no cost.

A criticism that has also been heard frequently, suggests that Hydro's ownership of land in Niagara Falls is of such major proportions that property development of the municipality is hampered, and despite this, Hydro does not pay appropriate taxes. The facts are that Hydro owns some 13 per cent of the land within Niagara Falls but much of it is of low value and is located in outlying areas. As I have explained, Hydro pays more than full real estate taxes on this property, even though few services are required in the way of fire and police protection, garbage disposal, road cleaning, and so forth. True, full taxes are not paid on power systems facilities themselves—the generating and transformer stations. However, they occupy a relatively small usable land area, and a special formula of \$2 per square foot of ground floor area, by which payments are made for these installations, more than offsets the cost of any municipal services they may require. The largest power stations at Niagara, the two Sir Adam Beck plants, are built into the side of the Niagara Gorge, land of no use for any other purpose.

If the demands of Niagara Falls' spokesmen for full taxation on power installations were met, the other municipalities of Ontario would rightfully ask for equal treatment. They also might be justified in asking for a share of the tourist revenue gained by Niagara Falls, as the result of public expenditure on that city's parks system.

If Hydro were taxed as a private organization, what would be the result? For communities such as Niagara Falls it would provide a staggering new source of tax revenue, but where would the money come from? Hydro is a non-profit organization which supplies power at cost, and every dollar of expenditure must be recovered in electric rates. Electricity bills would therefore go up all over the province. Industry, as a heavy user of electric power, would bear much of the new tax load with all that this implies for its competitive welfare at home and abroad.

I hardly need to remind hon. members that other provinces are aggressively promoting the location of new industry through various preferences and other blandishments. We in Ontario must take care not to push any industry now operating here, into the arms of these ardent suitors.

However, some taxpayers would end up paying both higher municipal taxes and higher electricity bills. If Hydro pays full taxation, the special business tax payment, in fairness, should be lowered from 60 to 25 per cent, which is normal. In a city such as North Bay, for example, where Hydro's major property holding is a regional office building, this change would mean a tax loss of \$4,400 to that community.

I have taken some time to express these thoughts but I would like to conclude by putting this in a broader perspective and reminding you, Mr. Chairman, of the hope with which this Legislature almost 60 years ago passed an Act creating Ontario Hydro. It was that the power resources of this province be developed for the benefit of all people of Ontario at the lowest possible cost. This Hydro has done in association with municipal utility systems. Power rates in Ontario today are recognized as being among the lowest in the world.

The availability of natural quantities of cheap electric power has contributed in no small measure to Ontario's pre-eminent place in the national economy, possessing almost one-third of the country's total population and producing one-half of all manufactured goods and offering its citizens one of the highest standards of living in the world. If the goals which led to the creation of Hydro in Ontario are still valid, and I believe that they are, then the principle under which grants in lieu of taxes are paid is right. The benefits of this province's power resources should be enjoyed equally by all and certainly no community should be financially burdened by the existence of Hydro installations. But, by the same measure, no community should gain at

the expense of the rest of the citizens of this province.

Mr. Bukator: Mr. Chairman, if I did not know where the hon. member came from, I would say he was a member from Niagara Falls representing them exceptionally well. I am going to get his writer, whoever he is, to write my speech next year and this alone on that very subject would re-elect me.

However, there is another side to the story and I feel that I should tell it to you. I have been listening with interest and the hon. member has headed off in many directions, he has taken into consideration that the parks commission get water rentals. He has not told this House that because of the large amount paid to the parks commission for water rentals, some three or four years ago the Hydro, or the government, or someone, decided to take a part of that money back into the province, because that is where it belongs. I think the figure was \$625,000 of the water rental money that ordinarily went to the parks commission was reverted back to the parks integration board.

Now the hon. member at this point can correct me if I am wrong.

Mr. Boyer: I understand that the amount that I mentioned is paid directly to the parks commission.

Mr. Bukator: Yes. Well, I was making reference to the fact that when Sir Adam Beck No. 1 was there alone, they were getting water rentals at the rate of \$1.25 per horsepower generated. Then when they added Sir Adam Beck No. 2 they found that there was an exceptionally large amount of money going to the parks commissions and there was some agreement made. And justly so. Part of this money should come back and go into the parks integration board to develop other parks and I think this is good, I agree with it.

Since that time I think the money goes directly to the consolidated revenue fund. I do not know where to find that figure, where it is transferred somewhere—Hydro to the parks integration board, to the consolidated revenue fund—but I am quite sure the figures are there somewhere. However, we agree on the figure. As I say, justly so.

However, the hon. member touched on that beautiful parks system and I will touch on that when the right estimates come up, because I do believe that while the hon. member paints a rosy picture and talks of the beautiful parks—and I agree that they are—there is an injustice there also. However, I will touch on that at another time.

Getting back to Hydro and their assessment. The hon. member has made the statement that they paid full taxes—the equivalent of full taxes—on certain areas such as on the land but not on the buildings, and he mentioned the fact that \$461,000 was paid to them last year and that has been correct. However, I would like to draw to your attention the assessor's opinion on what has taken place in Niagara Falls since they have taken in that large section of Stamford township, or all of Stamford township. The assessor, Ben R. Prior, wrote this account:

The figures are arrived at in an analysis of the assessment report submitted to the city council Monday by the assessment commissioner, Ben R. Prior. The report places the total taxable assessment of the city of Niagara Falls at \$115,153,700. In addition, exempt from taxation is another \$76,377,019 in Crown corporation, government and public institution holdings. Exempt from city taxes is a total of \$77 million—

I will give it in round figures:

—\$77 million and Ontario Hydro provides the largest segment. Ontario Hydro has an assessment in that city of \$54 million.

To be exact, \$54,516,999.

Hydro does, however, pay grants in lieu of taxes—

and get this:

—on an additional \$4,037,940 in local holdings.

Now then, you have an assessment, a total assessment in the city of Niagara Falls of Hydro holdings, of \$54 million and you pay grants in lieu of taxes on \$4 million. If it were the same as the Canadian Niagara, that pays exactly as any other taxpayer according to the provincial manual or according to their assessment, Hydro will be paying taxes on \$54 million instead—and you are paying on \$4 million, rather than on \$54 million, according to the assessor. And I would think he would know his business.

Mr. Boyer: Well, would the hon. member like me to speak to that?

Mr. Bukator: Yes, we might as well clear it up now.

Mr. Boyer: We are not able to reconcile this figure of \$54 million with anything that we have. We have made some inquiries of The Department of Municipal Affairs and we have been told that the department is not aware as to the number and type of structures which are valued by the city at

\$54,516,999. Nor do they know the basis the city assessor used to develop such valuation.

Our thought is that there are many structures which are exempted normally from municipal taxation—subterranean structures such as the tunnels—and yet the assessor has taken these and made up a figure.

Mr. Bukator: I doubt whether he touched the tunnels, he may have.

Mr. Boyer: Yes, but we cannot really reconcile this figure and I do not know whether we should pursue this and get some different figure.

Mr. Bukator: What I am trying to say to this House—and I hope it gets to the ears of the right people—is that the assessor uses a certain method to assess everyone in that city, and it is my understanding—and I think justly so—that they are using the same method to assess Hydro property that they would to assess anybody else's property. I do not think they are using a different yardstick and by the same token they are using the same method for the Canadian Niagara powerhouse that has about 111 acres. They are paying equal to what you are paying, if not more, while you people have holdings there of some—and correct me again if I am wrong—some 3,500 acres of land in the city of Niagara Falls.

Now you were talking about this canal that was cut through many years ago. It is quite a profitable thing to the city because they can use that for drainage. I might say to you that the water that is used for drainage also develops power, I imagine. I do not think the powerhouses segregate what comes in the drainage from the city, so it assists you also if you are going to use that by way of an argument. But I would say that this particular canal is an eyesore to the city, and you have had a brief pertaining to that also.

I am not going to argue that you should cover up the canal at this particular time. The point I am trying to make with you is that there is \$54 million that you should be paying taxes on and you are paying them only on \$4 million, no matter how you calculate it.

Now, to pursue that a bit further, you said that the city of Niagara Falls is essentially well-off financially and that they are not suffering any aches and pains. Now, I do not think that is any credit to you people because you are not carrying your just portion of that particular burden. We have tourists coming to see the great Niagara that we have

there and you say that you have improved the crest of the falls; you have spread a little water over a whole lot more than they had previously, but I will tell you the turbulent waters that we had above that falls many years ago, and that the people were amazed at, are not there any more.

Come in before 8 o'clock in the morning and you can see the rocks high and dry, you can see many areas on which the gulls land. I do not think it is the same falls that I knew as a boy, simply because you people have diverted the water not only through your tunnels but the Robert Moses plant on the American side, and not only through those two tunnels but recently you have diverted 6,800 cubic feet per second to the new job that you are doing in the old canal.

Now, I say that the source of revenue to the province—the source of revenue to the Hydro—call it what you will, although you say that it is not a profit-making organization, I say to you that it is one of the largest profit-making organizations in the province of Ontario simply because you have added to your capital investment. We can argue from now to Doomsday, but you cannot run an operation like that without making dollars. You have made them, and you have added to it, and this is good for the province, but I say to you that a small portion on the bill of each one of those 2 million consumers would give to us our just dues also.

I say to you, Mr. Vice-Chairman of Hydro, that you have members in this House who have a similar condition and if we have a large portion paid to us, many of your members are suffering. I would like to know what the Port Credit plant and the Toronto plant and many of the other plants are paying in the way of grants in lieu of taxes by way of comparison.

I say that they are being taken. I say it is about time you paid taxes, the same exactly as the Royal York hotel is paying as of only a year ago. I say to you that you should pay your just dues to these municipalities. I argued with the former Minister of Energy and at least he could see this one point. He said full taxes we will not pay; but Mr. Macaulay did say this: Let us take a look, maybe we will help you with a portion for school purposes. This we are happy to hear, he conceded one point to us.

I say to you, Mr. Vice-Chairman of Hydro, that your picture was a rosy one; but as I see it, if you are paying grants in lieu of taxes to cover just \$4 million of the assessment which is \$54 million, you are coming nowhere near the mark at all.

If the district of Niagara Falls is enjoying this great prosperity of which you speak, more power to them. They set an example for the rest of the province. I say that they have treated the customers—or at least the tourists that come to our city—they have treated them well and they come back. If we have tourist establishments there, is that any credit to Hydro or is it any credit to the hon. Minister himself? I say it is a credit to the city council and enterprising business men who have taken advantage of a good thing.

They have added beautiful structures. Many of the government bodies have come there on conventions, and I invite them back again, but I want to make this point very forcibly to you; that in three or four areas you are not treating them right and this is what I am trying to get across to you. I say you are paying grants in lieu of taxes on \$4 million instead of \$54 million—and I do not say you should pay the whole “boodle”, no, I would concede a point to you there—but you should take another look at these figures after you have surveyed the whole province of Ontario, because there are many municipalities which are not getting what is coming to them tax-wise, or in grants in lieu of taxes, call it what you like.

Mr. B. Newman (Windsor-Walkerville): Mr. Chairman, the municipal Hydro employees pension fund has caused some concern in my community. Is it undergoing some revision at the present moment, is that the reason for the concern?

Mr. Boyer: Yes, the plan is undergoing some revision at the present time, but I am not able to give any complete story of this revision at the moment.

Mr. Newman: Will it be an upward revision as far as pensions are concerned?

Mr. Boyer: Oh, no, it is to bring the plan into conformity with other plans.

Mr. Newman: Well, if there is a combined surplus of, I think it is, \$15.5 million that has been accumulated and a further surplus of \$633,000, surely this surplus has been accumulated by the employees who are in there now and should be distributed as benefits to those who are going to retire in the immediate future.

Mr. Boyer: There is no need for anybody to worry about that.

Mr. Newman: If this will be taken care of, then all is well.

Mr. E. Sargent (Grey North): Mr. Chairman, may I ask the hon. member, what is the capital cost of the multi-unit nuclear project at Pickering?

Mr. Boyer: \$266 million.

Mr. Sargent: What is the federal share?

Mr. Boyer: I gave these figures last week—not last week, but when we were last considering these matters—the national government is contributing \$79.5 million.

Mr. Sargent: Well, Mr. Chairman, the point is that this is another case of a commission not responsible to the people of Ontario with its hand in the public till with no control. Now, we know that nuclear power is no cheaper than coal; we do know that we have as yet no experience at Douglas Point. What is the justification for Hydro to squander \$200 million of the taxpayers' money pioneering, they call it, for the world, pioneering a project unlike anything else in the world, when they had to raise the gasoline tax of the ordinary fellow to balance the Budget—they also had to raise the hospital tax.

The point I am asking, Mr. Chairman, where do you get off at asking the ordinary man to pay increased gasoline tax, to pay increased hospital tax, and you come under this vote and ask us to give you \$1,800,000 for a project in the future, when you have a project now in construction on which you have no experience? What right have you, a board not responsible to the people of Ontario, to spend this kind of money?

Some may say, what right have you to question Hydro? Why not? What right has this commission to commit the people of Ontario for another X million dollars when the debenture debt is now \$2 billion and all we get from the hon. Minister here is one line on page F6 of our budget, no breakdown of how this money is spent?

This body is not responsible to the people. On page F6 there is an item here of \$824,000 rural bonus. That is in the public accounts, moneys already spent. I do not see it in the estimates under 608. Where is that money?

Mr. Boyer: It is under a statutory item at the top of the same page

Hon. J. R. Simonett (Minister of Energy and Resources Management): \$1,056,000.

Mr. Sargent: Mr. Chairman, many people of Ontario and hon. members of this House

will recall that back in the conversion from 25 to 60 cycle power, Hydro had the audacity to charge the people who were on 60 cycle power for the conversion in southern Ontario. It cost the people in my area \$1 million to pay your conversion.

In summary I would like to suggest to you that here is another case where a commission not responsible to the people of Ontario is spending money without control and it is time that they should be stopped.

Hon. Mr. Simonett: Mr. Chairman, I might say that this was not a commission decision. This was a decision made through negotiations with the commission, the federal government and the provincial government, and to me and to this government, and I think to most of the people of Ontario, it was a good decision. True, we have not got all the experience that we would like to have on nuclear energy plants, but with the information we have, we have faith enough in the experience we have already had and in the future—

Mr. Sargent: Two million dollars?

Hon. Mr. Simonett: Yes, it is just a mere trickle, if this plant proves out, as to that for which this plant will produce power. Now, if we have not faith enough in the future of Ontario—we have uranium mines today that we are very anxious to get in production again and anything that we know or can find out from the scientists will be useful—this is a source of energy to be used in the future. I think we would be severely criticized, both the federal and provincial governments, if we did not spend some money to develop it.

Mr. Newman: Mr. Chairman, if I may ask the vice-chairman of Hydro, what is the end result of all of the fly ash from the coal-burning process in the manufacture of electric power?

Mr. Boyer: Fly ash is used as fill on different land. At the moment we are using several properties in the Metro Toronto area and I presume the same is true at Windsor. We are filling old gravel pits and ravines and so on, under contract to trucking firms which should look after this matter and convey the fly ash from the plants to places where it can be proved of benefit in filling land.

Mr. Newman: Does Hydro do any experimenting with other uses for fly ash, or has Hydro even asked the Ontario research

council to conduct experiments for other uses?

Mr. Boyer: Yes, I must say that our own forces have been considering this matter from every angle and obtaining all the information that could be obtained from other utilities which have the same matter to take care of. One of the interesting uses for fly ash is that it can be integrated into concrete and can be put to good use in the construction industry.

Mr. Newman: May I suggest to the hon. Minister then that he send delegates or groups of Hydro personnel to visit the Waylite Corporation in Detroit, which actually uses fly ash for the manufacture of concrete blocks and other building materials. This process has been in operation for several years. Surely if it will work across the border with our friends to the south of us, it should be able to work well here. They get \$1 a ton for it, so that it is a big operation as far as our U.S. friends are concerned.

Mr. Boyer: I thank the hon. member for mentioning this matter, but I think we are right up with him and this matter has the attention—

Mr. Newman: You cannot be up to it, because the Americans are using it. You are just thinking of it as yet.

May I ask the vice-chairman if Hydro conducts any experiments with the electric light bulbs, so that when the average consumer purchases an electric light bulb, he can at least get some type of life out of the bulb, rather than have the bulb burn out within 15 or 20 hours of operation? Certain companies in Ontario manufacture bulbs that are guaranteed for five years.

Hon. Mr. Simonett: You can already get them, if you want to pay the price.

Mr. Boyer: Mr. Chairman, I am not just sure where our responsibilities are in this. This is a matter for industry, which produces electric light bulbs, and I would think that the industry is constantly endeavouring to improve its product. I have not experienced in my own home or business, the troubles that the hon. member is mentioning, but if Hydro can assist in the matter, I am sure we will.

Mr. Newman: May I ask the vice-chairman if he plans on erecting some type of plaque in the city of Windsor in recognition of the first electric streetcar in North America?

Mr. Boyer: Mr. Chairman, the hon. member and I have carried on a conversation across

the House going back over a year, I think, on this matter and I wish the news that I have to give him were more favourable. I would certainly like to see a plaque erected in Windsor for the purpose he mentioned, but after the hon. member brought this forward, we did cause some research to be made. We took this matter up with The Department of Tourism and Information and we also followed this up with the provincial archives.

This has to do, of course, with the historical significance of the first electrically operated streetcar in Windsor and the year was 1886. I would like to agree with him that this was the first electrically operated street railway, but I have to say that there was an electrically operated street railway run by the Toronto Electric Light Company commencing in 1883. This is reported to have been the first full-scale electrically operated railway of commercial significance. It travelled on approximately one mile of track in the exhibition grounds, from Strachan Avenue to Machinery Hall.

I am sorry that the information did not meet with our hopes, but I would think that the Essex historical society perhaps could mark some suitable site in the city of Windsor as the place from which this early street railway ran.

Mr. Newman: Mr. Chairman, I will accept the remarks of the vice-chairman. My information was that the first electric streetcar in North America left on its initial journey from the corner of Ouellette Avenue and Riverside Drive on June 3, 1886, and if the hon. gentleman says there was one in Toronto in 1883, we accept that.

Mr. Sargent: Mr. Chairman, may I ask the hon. Minister whether the budget of Hydro has come before this House?

Hon. Mr. Simonett: No, it has not.

Mr. Sargent: Why not?

Hon. Mr. Simonett: Mr. Chairman, I might say that the Hydro commission went before a government committee on commissions, where any questions could be asked regarding the Budget. That was some time ago and I think every hon. member had notice of that meeting.

Mr. Sargent: How much was the advertising budget last year?

Mr. Boyer: Mr. Chairman, this question was asked last year and I feel I have to give the same answer, or very nearly, that I gave last year—that we are not anxious to reveal

to our competitors the extent of our advertising programme. If the hon. member cares to tell us how much the gas industry is spending on advertising, perhaps we can accommodate him.

Mr. Sargent: Mr. Chairman, this is a ridiculous statement to make. This is a publicly owned power corporation—

Hon. H. L. Rowntree (Minister of Labour): You do not want to wreck it, do you?

Mr. Sargent:—and we have a right to know how much money is being spent in every department.

Hon. Mr. Rowntree: Even if it affects the operation of Hydro?

Mr. Sargent: The fact is that we are repeatedly getting four-colour brochures by Hydro, at how much money? I do not think any corporation in America can afford the presentations that we are doing for Hydro. In *Hydro '64*, this beautiful document, there is not one item, no place in this book, where I can find the cost of the Pickering project. Everything is mentioned in millions of kilowatts. This is strictly for mechanical people, but this is a publicly owned corporation.

Mr. Boyer: Mr. Chairman, perhaps it might help the hon. member if I assured him that Ontario Hydro's expenses in connection with advertising are well within the average amount which is spent in the electrical utility industry on this continent.

Mr. Sargent: In the \$200 million projected cost for the Pickering project, what is the amortization programme planned, and what are the interest rates?

Hon. Mr. Simonett: Thirty years, with interest rate at whatever the going interest rate is at the time when the money is borrowed.

Mr. Sargent: What is the interest rate now?

Hon. Mr. Simonett: 5.35 per cent.

Mr. Sargent: Since 1951, in municipal and government financing on this type of project, the interest rates have increased from two-point-something, to five-point-something now. In this field a professor of economics in the University of Michigan states that:

The lower the interest rates used in the calculation of these big projects, the better. The same goes for any public works project.

Interjections by hon. members.

Mr. Sargent: That is an intelligent statement coming from these fellows, but I will illustrate this:

The long-term interest rates
Determine any project's fate:
At two per cent, the case is clear,
At three some sneaking doubts appear,
At four it draws its final breath,
While five per cent is certain death.

And here we have—

Hon. Mr. Simonett: Mr. Chairman, does the hon. member believe that five per cent interest money is certain death to any industry?

Mr. Sargent: He would know what he is talking about; he is a top—

Hon. Mr. Simonett: Does the hon. member believe that?

Mr. Sargent: He knows more than the hon. Minister does about it.

Hon. Mr. Simonett: Does the hon. member believe it?

Mr. Sargent: I certainly do.

Hon. Mr. Simonett: I do not; five per cent—I would like to get all I can take at five per cent—

Mr. Sargent: Mr. Chairman, it all boils down to the fact that here we have another commission not responsible to the people of Ontario, through two Ministers who try to answer the questions. Then they are asked a very important question, possibly involving \$1 million—we do not know how much it is—

Hon. Mr. Simonett: Could be \$50 million—

Mr. Sargent: The hon. Minister is the last of the big spenders, I know that, but the people of Ontario have trouble paying their taxes, so I suggest that it is time that when I ask a question, as the representative of my people, to find out how much money is being spent on advertising, I have a right to know, and so do they.

Mr. R. Gisborn (Wentworth East): Mr. Chairman, I want to raise a brief question with the hon. member on the Hydro commission. I thought that the hon. Minister was going to tell the hon. member how much was being spent on advertising.

The people of Saltfleet township have been disturbed for some time about the hydro

rates—maybe not just the rates, but the fact that the rates are higher than they are in the city of Hamilton. About five or six weeks ago a meeting was called by a group of the citizens in a particular area—the Leckie Park area in Saltfleet township—and I understand that in attendance were officials from Hydro and councillors from the township council.

Apparently they had been paying their hydro bills on a three-month basis and then the bills were reduced to a two-month basis and there was very little if any change in the amount of the payments. Whether it was coincidental that an increase in rates went into effect at the time they changed from a three-month basis payment to a two-month basis payment, I do not know, but the outcome of the meeting, as I understand, was that the citizens were told by the officials that to have a reduction in their rates the township should take over the distribution of the hydro.

My question is, is this a fact, that if the townships take over the distribution of the hydro themselves this will reduce the rate for the consumer in that particular township, and what is the reason for this?

Mr. Boyer: Mr. Chairman, I might refer to the township of Nepean on the outskirts of Ottawa, where the residents had similar thoughts to those of the good people of Saltfleet. The result of this was, after two or three years of consideration, that the township of Nepean has taken over the local distribution system—it purchased it from Ontario Hydro—and has established there a local municipal utility. It came into operation this year.

The hon. member for Carleton (Mr. W. E. Johnston) was down at the official opening of the offices of the township of Nepean's local commission. This is the principle on which Nepean has operated: It has taken over the distribution system; it buys power from Ontario Hydro at wholesale rates; because it is a concentrated area, it is able, with the high density of homes and businesses and industry, to provide power at a lower rate than Ontario Hydro is able to do through its regular retail rates.

There are, of course, differences in the retail rates as between the actual rural countryside and suburban areas, because there is a lower rate for suburban communities, such as in the township of Saltfleet. But what was told to the people of Saltfleet is quite correct and it may be that they will be considering something on the same lines as many other communities of a similar nature.

Mr. Gisborn: Mr. Chairman, I do not quite understand. What is the reason that the township could distribute the hydro at a cheaper rate than Ontario Hydro was doing before the township took over? Would the township not have to set up its public utilities office and would it not have to have employees and commissioners? My question is why can it distribute hydro cheaper, if it takes it over, than the Hydro itself can distribute it?

Mr. Boyer: It is true that the township might not be able to, but I feel sure that it can. It is on the uniform rural rate which is, of course, higher than the rate in the organized municipality in the township's own local system which buys power wholesale from Hydro. I hope that I have made that clear to the hon. member.

Mr. Gisborn: Well, no. My question is not answered yet. The township may not be able to distribute hydro cheaper if it took it over, but in some cases it can. I understand that Saltfleet township has been told that if it took it over, it might get hydro at a cheaper rate. My question is how can a township buy from Ontario Hydro and redistribute the power and reduce the rates? Is Hydro now charging too much?

Hon. Mr. Simonett: Mr. Chairman, if I might just add a few words to what the vice-chairman said. When you get into a populated area and you are selling many kilowatts for a mile of line—many more than you do in a rural area—you can readily see how you would buy power cheaper, and this is where the difference is. When you go into the rural areas, you have to build many miles of line for a small amount of power that is being sold. In addition, there is the upkeep on this line. Therefore there are two different rates.

Then you get into the city where kilowatt hours are bought at a certain price and the city has its own distribution lines and its own collection. Of course, it sells quantities in a block, I suppose, much more than would be sold in a township when you get to a rural area, and therefore you can see why there is a difference in price.

Mr. Gisborn: Then I understand that the hon. Minister is saying that the rural distribution rate is set, and that a high-density area would be subsidizing a low-density area because there is a provincial rural rate. If townships take it over themselves and are able to distribute it at a cheaper rate, how does Hydro make up the money that they

lose? Somebody must be losing on income. Are distribution costs then cut down?

Mr. Boyer: I agree that that is a matter of some concern to us when we lose annexed areas from the rural system. It has caused us concern because we are trying to maintain the rural rates and we have lost a great many customers through annexation to cities. I also would not put that on the same basis as that the hon. member has mentioned.

Vote 608 agreed to.

Mr. Chairman: This concludes the estimates of The Department of Energy and Resources Management.

ESTIMATES, DEPARTMENT OF ECONOMICS AND DEVELOPMENT

Hon. S. J. Randall (Minister of Economics and Development): Mr. Chairman, in preparing my estimates and my estimates speech this year, I obviously did not have an opportunity of knowing what was in Mr. Gordon's mind last evening, although nothing in yesterday's Budget speech should make necessary a change in what I am going to say today. In passing, I should like to make one or two brief comments on the Budget.

First, I was pleased to see Mr. Gordon emphasize the Canada economic council targets, which I will outline in much greater detail today. The Ontario government believes that the 1970 targets of the Canada economic council will have a much better chance of being met if governmental and private organizations across Canada make these targets their own and work toward their fulfilment. Even though Mr. Gordon called his Budget "a growth budget" its net effect will not be expansionary next year. Although we welcome the tax cuts, they will be more than offset by the Canada pension plan contributions next year—

Mr. K. Bryden (Woodbine): Just lower income groups.

Hon. Mr. Randall:—which are the equivalent of a \$400-million increase in taxes. Let me quote from the Ontario government's submission to the special joint committee of the Senate and House of Commons on the Canada pension plan, which was released on January 21, 1965, and I quote:

Ontario is concerned about some of the immediate economic effects of the proposed methods of financing. For example, the substantial contributions contemplated for 1966 with no offsetting pension payments

will tend to act as a brake on economic growth. Any possible tax cut in the federal Budget would have to exceed the amount of contributions to exert a stimulating effect on the economy. The net result is some loss in the flexibility of fiscal policy.

I do recognize that the tax cut will have a stimulating effect during the final six months of this year, which will help to prevent any slow-down in economic activity.

We also welcome the continuation, until the end of 1966, of the accelerated rate of capital cost allowances on new manufacturing machinery and equipment. Of more importance to Ontario is the announcement that legislation will be introduced to provide a cash grant, or a credit against tax liabilities, of 25 per cent of capital expenditures for scientific research and development.

Ontario industries should also benefit from the fact that this new legislation will be administered by The Department of Industry rather than The Department of National Revenue. I have made representation to The Department of Industry to have expenditures on land included in the definition of capital cost and I hope we will hear from Mr. Drury on this before too long.

In this way we hope to have an added incentive for industry to establish research facilities in the Sheridan Park research community.

I should also like to withhold comment at this time on the proposed Canada development corporation. The corporation could provide a useful addition to investment outlets for Canadian capital, and I think most of us recognize that. I hope, though, that it is not going to be used as the means of assisting uneconomic enterprises purely because they are Canadian owned.

Mr. Bryden: You know something about that.

Hon. Mr. Randall: We shall be commenting further on the corporation after we have had a chance to observe its actual operation; and I will have an answer for the hon. member for Woodbine before too long.

An hon. member: The voice of experience!

Hon. Mr. Randall: In my estimates speech I forecast an increase in the gross provincial product of about six or four per cent in constant dollars. Mr. Gordon predicted a slightly higher rate of seven and five per cent for Canada. While I hope that Mr. Gordon's predictions will be realized, we have based our own predictions on a realistic interpreta-

tion of all the indications of current and prospective economy activity at our disposal. The stimulating effect of the tax cut in the last six months of this year might be sufficient to raise the overall level of the economic activity in 1965. In any case, we do not expect Ontario's rate of increase this year to be less than that of Canada as a whole.

And now, Mr. Chairman, I am not going to dwell too long on past history because almost four months have gone by since the end of the year and anything I would say about last year has already been in the newspapers. Most people have read it, so I will devote most of my comments to the present, and I hope to the future.

In my estimates speech this year, I should like to refer to a speech by the hon. Prime Minister of Ontario (Mr. Robarts) in Montreal in January, 1962. At that time he cited the importance of maintaining high levels of employment and economic growth, and said that we could not be satisfied with a growth rate of less than five or six per cent per year in real terms.

In January, 1965, the economic council of Canada published its first annual review. Highlights of that review were economic targets for 1970 which included an average annual growth rate from the base of 1963 to 1970 of 5.5 per cent per year—7.5 per cent in current dollars—a three per cent unemployment rate and an average of 217,000 new jobs a year. The Ontario government fully supports the objectives set out by the economic council of Canada. Over the next five years, the Ontario government's economic programme will be devoted to the achievement of these goals as they apply to Ontario. And perhaps I could outline Ontario's economic goals during this period:

1. An average of at least 75,000 new jobs a year.
2. An unemployment rate of no more than two per cent by 1970.
3. An average productivity increase of 2.5 per cent per year.
4. A sharp increase in exports of manufactured goods.
5. An overall annual growth rate in gross provincial product of at least 5.5 per cent in constant dollars.

The Canadian economy grew faster than these target rates in 1964 and Ontario did even better. To give you a few examples, I would like to cite the following:

1. The dollar value of production in Canada last year increased by 8.9 per cent.

In Ontario it increased by more than nine per cent.

2. Manufacturing shipments from Ontario factories increased by 8.4 per cent last year. The increase in the rest of Canada was 7.1 per cent.

3. The unemployment rate in Ontario in 1964 was 3.3 per cent. In the other nine provinces the average rate was 5.5 per cent.

4. Housing contracts in Ontario in 1964 increased by 31.5 per cent. In the rest of Canada they increased by 15.2 per cent.

5. Employment in Ontario in 1964 rose by 89,000 as compared to the target rate for the years 1963 to 1970 of 75,000 a year.

And last but by no means least:

6. Exports of fully manufactured goods in 1964 increased by 42 per cent compared to the target increase of 10 per cent a year.

Before going on to the prospects for 1965, I should like to discuss for a moment one of the most heartening characteristics of economic activity in 1964. The high rate of economic growth last year was not concentrated in a few metropolitan centres but was spread across the whole province. This is an excellent illustration of the point made by the economic council of Canada that rapid overall economic growth is one of the best ways of stimulating economic activity in areas that have been lagging.

For instance, let us look at employment. In February of this year, only two of the 35 national employment service labour market areas in Ontario had substantial labour surpluses. This is the lowest number for this period since 1953. In January only one area was in this category. Seven areas reported a balance of labour demand and supply in both months—the highest number since 1953.

The winter employment picture this year illustrates not only the widespread nature of economic growth in recent months but also a substantial change in the degree of seasonal unemployment. The winter housing bonus, the winter works programme, improved construction techniques and better industrial scheduling are making great progress in alleviating one of Canada's most persistent problems, that of winter unemployment.

The balanced distribution of economic growth in 1964 can be illustrated in other ways. For example, in 1964 Ontario Hydro figures indicated that 16 out of 17 reporting centres showed an increase in consumption of hydro-electric power by industrial users. The increase in Toronto was close to the provincial average, while centres such as

Brantford, Galt, Kingston, Niagara Falls and Windsor showed even higher increases.

Turning to 1965, we expect that the economy will grow by about six per cent, or four per cent in real terms. This is approximately the average annual growth rate of the post-war period.

Here are some of the reasons for our evaluation of the prospects in 1965. The major forces behind the rapid expansion in 1964 were capital investment and exports. All indications point to a repeat of the sharp increase in investment of 1964. Within the past few months plans have been announced for the construction of new manufacturing plants and expansions of existing plants in all regions of the province at a rate not experienced since 1955-1957. Housing starts will again be high and the construction industry generally is preparing for a record year.

The other dynamic force in 1964 is exports. These will not rise as fast in 1965, we do not believe. Some of the factors which led to the dramatic 19.1 per cent rise in 1964 are not present this year. Last year's special customers for wheat and flour are not likely to place orders of similar size this year because their own supplies are more abundant. This could reduce farm incomes in western Canada and slow down the sale of Ontario manufactured products to the prairie provinces.

Although prospects in the United States indicate another year of substantial economic growth, the outlook for the United Kingdom and most of the European countries is not as encouraging. These countries are facing labour shortages and rapidly increasing costs and their growth rates are declining. While this means that demand for Canadian goods in Europe may slacken, our exports of manufactured goods could become more competitive because our unit costs of output have not been rising as quickly, so there are some compensating factors there.

On the whole, the Ontario economy is currently in a sound condition. Costs per unit of output have been held in reasonable check and profits have been sustained at good levels. Inventories have been maintained at an appropriate relationship to sales and the high capital expenditures have not been excessive in terms of productive requirements.

The economy may grow somewhat slower than the target rate in 1965. But taking the two years of 1964 and 1965 together, it appears that the economy, at the end of this year, will be very close to the trend line

required to reach the 1970 targets. To reach the targets, the average rate of growth for the rest of the decade will have to be 5.5 per cent in real terms.

This will be a difficult task but there are a number of underlying factors which will help to make the target attainable.

First, the post-war baby boom is beginning to stimulate the rate of family formation in Canada. At the present time there are about 533,000 young people in the 15-19 age group in Ontario. By 1970 there will be about 660,000. This will increase the demand for educational facilities. There will be an even sharper increase in the numbers in the 20-24 age group, from 413,000 to 580,000. This age group is a key factor in the domestic market for consumer durables, all household goods, clothing, children's wear and housing.

Second, this increase in potential demand will coincide with record levels of replacement demand for consumer durables and for older housing.

Third, the Canadian economy has already entered a period of record levels of replacement demand for plant, machinery and equipment. Rapid replacement of aging machinery and equipment will be essential for improvement of Canada's competitive position.

Fourth, we can be reasonably confident that the United States government will continue its expansionary monetary and fiscal policy. It is just into office a few short months and we hope that this will continue. This cannot fail to exert a major impact on the rate of economic growth in North America.

Fifth, the review of the economic council of Canada has sparked a new awareness in this country of the potential growth of the economy over the remainder of this decade.

These factors do not guarantee an uninterrupted economic expansion. They do indicate, however, that determined efforts and appropriate policies by both private and public agencies will find support from the favourable underlying forces I have just mentioned.

The economic council of Canada published no separate targets for individual provinces or regions nor did it separate out Canadian targets for such broad groups as manufacturing. We have attempted in my department not only to set targets for Ontario but also to provide a greater breakdown of the Canadian targets.

These targets for Ontario are spelled out in a set of statistical tables which I will make available to hon. members of the

House. You will have them very shortly on your desks. They show the employment increases in the various sectors of the Ontario economy which will be necessary if the province is to meet the 1970 targets.

They show what the employment and output structure of the Ontario economy could potentially be in 1970 and they compare the actual growth rate in Ontario between 1956 and 1963 with the required growth rates for the period 1963 to 1970. An additional table shows a breakdown of potential output in Canada in each of the manufacturing groups in 1970. This table pinpoints the areas of manufacturing where the most rapid growth will have to take place if the targets are to be reached. It points out that the key industrial groups—transportation equipment, which includes the automotive industry, electrical apparatus and iron and steel products, which includes machinery—are the very industries which are now most heavily concentrated in the province of Ontario.

The economic council of Canada set as one of its objectives balanced growth in all the major economic regions of Canada and improvement in the economic position of the lagging regions. We in Ontario do not believe that this implies a deterioration in Ontario's relative position in Canada. So long as development takes place on a rational economic basis, people in all parts of the country will benefit. Ontario stands to benefit from the achievement of the council's goals through the rapid expansion in secondary manufacturing, particularly for export markets. To take only one example, the recent automotive industry agreement with the United States opens an enormous potential for growth in Ontario output and employment in this industry in the next five years.

There is currently much speculation on the advantages and disadvantages this new approach to tariff elimination or reduction will have on the future of many Canadian companies associated with automobile producers. I firmly believe the immediate problems facing some manufacturers and their employees, and those problems anticipated in the future as a result of the agreement, can be solved. I should not like to see its ultimate success impeded by controversy which has recently arisen over short-term transformation problems. This is particularly important while the U.S. Congress is still discussing legislation to fulfill its part of the agreement.

To assist in easing some of the problems, we have extended the services of our department and that of this government, without

reservation, to the federal authorities, the automobile manufacturers and the car parts industry. Not only does Ontario have a great deal to gain with 90 per cent of the industry located in this province, but the success of this agreement could pave the way for greater Canadian access into the huge U.S. market, so close to our manufacturing and raw material sources. It could very well lead to more Canadian investment in the U.S., which now approximates \$4 billion.

The present Kennedy round of tariff negotiations could bring about radical changes in Canada's participation in world markets, if these negotiations are successful. We should be ever conscious, however, of the foreign trading blocs now formed, which leave this country, at least for the present, in much the same trading strait-jacket as the United States, but with only 19 million people as our domestic base, compared to their 190 million.

I hope, therefore, that industry, labour and governments at all levels will recognize the fact that the world, and Canada in particular, is at the crossroads in domestic and international trade. We must, as a nation, accept our responsibility to bargain left, right and centre for a more flexible tariff policy, that will help all nations to trade on a more equitable basis. The constant crisis brought about by trade and balance of payments problems now being experienced by even the most affluent nations, should indicate quite clearly, that stopgap legislation does much to hamper and impede international trade. As trade becomes freer, there will be less necessity for restrictive legislation and more need for aggressive selling efforts. If we make the most of international trade negotiations, we are much more likely to reach our 1970 goals.

May we look ahead at some of the changes that will take place in the structure of the Ontario economy in reaching our 1970 targets:

1. Population will increase to 7,600,000 and employment to almost 3,000,000.

2. Since a larger proportion of Ontario's labour force will remain in activities less affected by seasonal unemployment than in other parts of Canada, we expect Ontario's unemployment rate to be two per cent of the labour force in 1970. Canada's target unemployment rate is three per cent of the labour force.

3. Total employment in 1970 will have to be 634,000 higher than it was in 1961. This means that 70,000 additional jobs will have to be created on an average each year between 1961 and 1970. For the period from 1964 to 1970, this means an average of 75,000

new jobs each year must be found in the province of Ontario.

4. The service sector—transportation, trade, finance, public administration, community and other services—will provide by far the largest absolute number of new jobs in the period up to 1970—an average of 60,000 jobs a year of the 75,000 we have been talking about. The service sector as a whole will continue to increase in relative importance in the economy in terms of both employment and value of production.

5. Employment will decline in the natural resource industries of agriculture, forestry and mining. In this sector of the economy we expect that employment will drop from 230,000 in 1961 to 190,000 in 1970. This is a natural and understanding development. A century ago it was almost inconceivable that society could function without 50 or 60 per cent of the labour force in agriculture, but by 1970 our agricultural requirements will be met by less than five per cent of the work force.

6. A rapid improvement in productivity is also taking place in manufacturing. In 1951 manufacturing absorbed 34 per cent of Ontario's total employment. By 1961 this proportion had been reduced to 29 per cent. Even though we expect a sharp increase in manufacturing output, employment in manufacturing in 1970 will be only 26 per cent of the Ontario labour force. In spite of this relative decline in manufacturing output, manufacturing employment in Ontario has to grow between 1961 and 1970 by an average of 15,000 jobs per year, which is more than four times the average annual increase between 1951 and 1961.

7. Within manufacturing, between now and 1970 the output of durable manufactured goods will grow by 50 per cent and will provide the main stimulus to economic growth. An increase in output of this magnitude will be achieved only if productivity is improved dramatically, the competitive position of our industries is enhanced, and exports of manufactured goods are sharply expanded.

This brings us to the policy implications of these targets:

1. Manufacturing: The Department of Economics and Development must continue to assist business in penetrating foreign markets, in promoting technological innovation, product and marketing research and development, and in improving managerial techniques and performance.

2. Labour Force: (a) The actual and potential labour force must be provided with

adequate opportunities for obtaining the education and skills required for effective participation in the modern economy; (b) The actual and potential labour force must be provided with sufficient health services to reduce absenteeism and promote efficient work on the job; (c) There is a close correlation between the conditions in which people are raised, live and work and their capacity to achieve adequate education, skills and health. This implies an economic necessity to reduce poverty and promote urban redevelopment. This is a complicated matter, and one should look twice at simple solutions.

3. Capital Formation: Business must be encouraged to develop and adopt the most advanced technological innovations. If the economic climate is conducive to market growth and the quality and mobility of labour are suitable, management will provide the capital necessary to expand output.

4. Mobility of Capital: The government must avoid constructing uneconomic inducements or barriers that restrain capital from moving out of less competitive into more competitive activities. Capital should not be encouraged to stay in uneconomic production, whether in agriculture, manufacturing or any other activity.

5. Mobility of Labour: Industry should be encouraged to economize on the use of labour, by utilizing the latest technology and management techniques and by achieving an efficient scale of production. This will make labour available to industries requiring more labour. The most obvious industries that can economize on labour requirements are agriculture, forestry, mining and material processing. The operation of the labour market must be improved so that labour is aware of the availability of better jobs and is assisted in moving to such better opportunities.

6. New Competitive Opportunities: Research activities must be accelerated to develop new competitive opportunities in all areas of the economy.

7. Economic Infrastructure: Governments, their agencies and private utilities must provide adequate, high quality, and well-located transportation, communication, energy, sewage and other facilities to enable the private economy to improve its competitiveness.

These are seven basic requirements. The Ontario government helps to provide them in a variety of ways, many of which directly involve my own department and its associated agencies.

The managerial advice and financial assistance offered by the Ontario development

agency is one means of increasing manufacturing productivity, particularly in smaller firms. At a time when technological innovation is vital to improvement of productivity, the support we are giving to industrial research through the Ontario research foundation and the Sheridan Park corporation is of prime importance.

Our export promotion programme not only increases total production but helps to achieve greater economies through longer production runs. Management's efficiency is increased through the knowledge gained in export activity, as selling in foreign markets demands that management be more alert because the cushion of tariff protection is not available.

The economic council of Canada says:

It is essential that manufacturing exports continue to rise at a very rapid rate . . . this requires a commercial policy directed at securing a substantial improvement in access to foreign markets, coupled with a vigorous programme of export promotion.

Later in my remarks I will outline some of the Ontario government's specific activities in the area of export promotion.

Ever since taking office I have been exhorting Ontario manufacturers to export now, so they will be prepared for a possible future reduction in present tariff protection. I have written privately to the federal Minister of Trade and Commerce and spoken publicly about Ontario's support for freer trade. This has been Ontario's position throughout the current discussions on Canadian commercial policy. In my correspondence with the federal government I have repeatedly stressed the importance of the approach now suggested by the economic council of Canada.

The council states, and I quote:

We need a special programme of adjustment assistance to facilitate adaptation among workers and firms to the more competitive conditions arising from future reductions in Canadian trade barriers. The purpose of this programme should be to cushion the impact of such reductions and to promote the necessary adjustments to more competitive production, including new lines of productive activity.

I do not want to leave the impression that direct assistance to manufacturing alone is the most important means of reaching our economic objectives. Only one out of five of the new jobs in the Ontario economy from 1961 to 1970 will be in manufacturing. Four out of five new jobs will be found in transportation, storage, communications, construction, wholesale and retail trade, finance,

insurance, real estate, education, health, recreation, and business and personal services. These are the main sectors in which men and women will find jobs in the years ahead.

May I stress a point so often overlooked: Jobs to absorb those no longer required in agriculture and manufacturing must be found in the service industries and construction. Many of the job opportunities in these areas will only be generated through increased manufacturing activity, since people will be needed to supply related services.

This points out the tremendous importance of education, which is the chief means by which society adapts to changing times. It has to assist in the transition, by preparing the labour force for the new occupations that will be required in the future. Improvements in manufacturing productivity will continue to eliminate manual work from many jobs, so that those who have been performing this work must be trained for other tasks. The growing sophistication of jobs in manufacturing requires a continuous effort to upgrade skills among manufacturing employees. It is a challenge Ontario has accepted.

The economic council of Canada stressed the vital role of labour market policy in attempting to achieve the targets set for 1970. This is an area which was stressed in my estimates speech last year in commenting on labour mobility.

Our policy is to assess our labour requirements, train and retrain skilled labour to the fullest extent of expanded facilities—with increasing emphasis on “on-the-job instruction”—and where necessary, meet specific skill gaps through immigration.

In this way, we are attempting to prevent shortages of skilled workers from creating bottlenecks and impeding us from reaching our production goals. Full statements on this subject were given to the House recently by the hon. Prime Minister when he discussed automation and technological change and by the hon. Minister of Labour (Mr. Rowntree) when he presented his estimates.

The search for skilled and professional workers goes on constantly. The Ontario labour market is currently inadequate to meet the demands of our industry. In 1964 Ontario's manufacturing output and exports did not reach their full potential because of a shortage of skilled labour in certain industries.

A survey by the department last year showed that at least 30,000 skilled workers were urgently needed in this province at that time. Last year 160 companies and institutions in Ontario requested assistance

in obtaining skilled workers, and 96 of these firms authorized the immigration branch to advertise their requirements. Nearly 40 companies sent representatives to the United Kingdom to interview and select personnel obtained by the branch.

In preceding years Ontario's immigration branch has confined its efforts solely to the United Kingdom, but the department has now arranged with the federal authorities for recruitment in Scandinavia, Holland and Germany. On January 11, 1965, the immigration branch opened an office in Glasgow, which Scottish authorities welcomed with considerable enthusiasm.

A first quarter report from this office states that 123 skilled and professional immigrants were referred to Ontario employers and 62 of these were offered positions. These were heads of families and the number does not include wives and children, nor does it include those who are proceeding without jobs guaranteed in advance. Since the office opened, 995 people have been interviewed, 585 personal inquiries by letter have been received and 1,027 letters of information have been sent out of this office.

This office's efforts to attract skilled workers to help fill Ontario's needs, along with the programme through Ontario House and other provincial and federal offices abroad, are assisting materially in filling this skill gap.

It will be clear to everyone that many factors involved in reaching our targets are beyond the control of the provincial government. In particular, much will depend upon the policies followed by the federal government.

The most costly activities of the Ontario government are those of improving the quality of the potential and actual labour force, improving the efficiency of urban areas and providing the adequate high-quality infrastructure essential to economic growth.

These are all long-run growing commitments, and furthermore they are responsibilities that must be confronted every year. They cannot be subject to fluctuations in response to changes in the rate of economic activity.

These commitments sharply differentiate provincial from federal responsibilities and programmes. On the one hand, we have the provinces faced with long-term growth commitments; and on the other hand, we have the federal government with access to the growth sources of revenue and the tools for short-run monetary and fiscal management.

The flexibility of the provinces in short-run policy is severely limited by the nature of their responsibilities. The integration of short-run fiscal policy with the federal government is therefore a difficult task. The obviously rational solution is to ensure that the provinces have financial resources suitable for their long-run growth commitments. The federal government must retain the responsibility for the alleviation of short-run economic fluctuations through the policies over which it has exclusive jurisdiction. These are monetary, federal debt management, exchange rate and foreign exchange reserve policies, which must be supplemented by appropriate adjustments in federal fiscal policies.

In managing these policies the federal government must take into consideration the policies of the provinces. Normally, the federal government brings down its budget after the bulk of the provincial budgetary plans have been made known. The federal government is therefore in a position to weigh these plans in conjunction with its assessment of the prospects for the private economy and the estimates of municipal financial policies and then to chart an appropriate course for its short-run policies.

Ontario's ability to meet the goals I have outlined is dependent on a number of factors beyond our control. These include:

1. The quality of federal government monetary, fiscal, and exchange rate policies.
2. The achievement of productivity gains which are not wiped out by price increases.
3. Favourable conditions in international trade and capital markets.

Given these conditions, we are confident that Ontario can meet its targets.

I would like for a moment to speak on the office of the chief economist. The newly created office, under The Department of Economics and Development, represents a substantial change in both the scope and organization of the department. The principal responsibility for advising the government on its general economic policy and objectives is assigned to him, and he acts as senior economic adviser to the government. Administratively, the office of the chief economist has drawn together the economic research branches, the statistics branch, and the regional development division. We are planning an extensive reorganization to take account of new requirements for economic research within the department as well as the increasing sophistication of economic analysis and the greater complexity of economic policy.

The reorganization under the chief economist reflects the requirements for economic research appropriate to modern governments, as well as three additional areas assigned to that office: co-ordination of matters pertaining to federal-provincial affairs; co-ordination of the economic research of our various provincial agencies, and co-ordination of research and co-operation with federal agencies.

The office of the chief economist will include six units:

1. Economics branch—This branch will continue to provide the core of general economic advice, both on domestic and international matters. It is concerned with the economy as a whole and with the analysis of trends, patterns, developments and forecasts of future economic events. Such research provides the basis of advice to the government on the implications of economic events and trends for government policy.

2. Economic surveys and resource studies branch—This branch will continue to carry out and distribute feasibility studies on an area and industry basis, specializing in problems of transportation and the resource industries. A large part of its work is concerned with the preparation of surveys which are of great assistance in providing support for regional development. It is also the core of research studies requested by other departments and agencies, and will devote greater effort to the co-ordination of such research with these departments.

3. Financial research branch—This branch undertakes studies relating to the financial position of the government and carries out special projects of a financial nature for various government departments, agencies and committees. It will also undertake financial analysis as a guide to the future patterns of economic growth in Ontario and will provide support to the studies being carried out in the important field of federal-provincial economic and financial affairs.

4. Regional development—The government is cognizant of the need for a stronger regional development programme. This is why we convened the international conference on that theme last February, and why the Ontario economic council has devoted much of its work to regional problems since its inception. As all of you who were present at the conference appreciate, a philosophy of regional development can be approached from many angles. Our staff is now in the process of evaluating the papers and discussions from the conference in an effort to make the best use of this expert advice for the province of Ontario.

The Ontario government does not intend to embark on a massive decentralization programme in the next 100 days. Our growth targets demand that our primary concern must be rapid increase in the productivity and competitiveness of industry. Our regional development programme must not open us to the charge of misallocating our human, material and financial resources, and creating inefficiency that will decrease, rather than increase, the productivity of the economy.

There are areas of slow growth in Ontario. Our department has been helping to define them, and throughout last year has been distributing information showing the differences in growth and income levels among the counties and districts of Ontario. But do not let such figures mislead you. Compared with most jurisdictions, including the other provinces of Canada, Ontario's economy is well balanced. When reviewing the economic situation, I pointed out that the current expansion is being shared by all regions of the province. The main reason for this is the diversity of Ontario's economy, with each area concentrating on those activities which can be most effectively carried on within its borders.

Last year the expansion of mining and pulp and paper stimulated prosperity in northern Ontario. The rapid growth of secondary manufacturing was distributed across all industrial groups, and thus it was shared by all regions in southern Ontario. Windsor and Brantford, which had experienced serious unemployment problems during the 1950s, benefited from the tax incentives under the designated area programme, and economic activity in both centres increased much more rapidly than in the province as a whole. Windsor's revival was sparked by the success of the Chrysler Corporation and automobile parts firms, and Brantford's by the increased demand for agricultural implements. Fortunately, construction activity was spread across the entire province. The continued growth of government services in the Ottawa area has been a counter-balancing factor in eastern Ontario to some economic sectors which have not been growing as rapidly.

Naturally, there is a disparity between incomes in urban and agricultural areas in Ontario. Expressed in dollar terms, this disparity appears much more serious than it actually is. These calculations too often ignore non-cash income, such as family use of its own agricultural produce, and differences in living costs, primarily in housing. In 1961 the average per-capita disposable income in the richest counties of Ontario—Halton and Peel—was about twice as high as in the two or three agricultural counties with the lowest incomes

in the province. In Quebec, on the other hand, the disparity is more than four times between the Montreal area and the poorest county. In that year there were only seven counties or census districts in the other nine provinces with a per-capita disposable personal income higher than the Ontario average. Four of these districts were in British Columbia, one in Alberta, one in Manitoba, and one in Quebec.

These comments in no way suggest that we in this province can afford to be complacent about low incomes and slow growth areas. They do, however, suggest that by recognizing the problem exists we can take remedial action and direct our efforts to helping those areas to a greater share of provincial prosperity.

Therefore, establishing a regional development plan tuned to economic reality will be an important part of this department's programme in 1965-66. We propose to organize a regional development branch under the office of the chief economist. It will incorporate the present regional development division to continue the promotion and co-ordination services now in effect with the various regional development associations. Such a programme will require further co-ordination within the government, on an interdepartmental basis, as well as effective co-operation at the levels of local and regional government. It is essential that the various regional services of the provincial government work toward common goals in close co-operation with each other, and a prime requirement of this new branch will be to gather together these services in a single focus.

We recognize that much of the value of any department's regional services is diminished if they do not complement other regional activities of the government. Therefore, the regional development branch will provide an overall approach to regional development in this province and suggest the best methods of co-ordinating the regional activities of all the government agencies and departments now involved. The recommendations of the branch will form the basis for discussions by an interdepartmental high-level advisory group on regional development. This group will be in a position to advise departments on the location of public services and facilities, such as educational, health and welfare institutions, transportation and energy facilities—requirements which both arise from and support regional development.

In regional development planning, we do

not intend to dictate or impose any hard-and-fast plans on the various areas of the province. I firmly agree with the hon. member for York South (Mr. MacDonald), when he said in the Legislature a few weeks ago, that proper regional development has to take place with active participation at the grass roots level. This is as it should be, if any plan is to be acceptable to those who are to benefit from it. We were complimented and encouraged by the speakers from other countries at the regional development conference, who were tremendously impressed by the participation and enthusiasm of so many representatives of local governments, local planning boards and regional development associations who attended.

Perhaps you may not realize the scope of coverage that the regional development associations encompass. Some 350 municipalities comprising 2,500,000 people, or approximately 60 per cent of the population of Ontario—exclusive of the metropolitan economic region—are now represented by nine regional development associations. Preliminary meetings to present the regional development programme to potential members of the central Ontario regional development association—metropolitan economic region—have been held in several municipalities in the counties of Ontario, York, Halton and Peel. The presentation of the programme to date has been favourably received, and further meetings are scheduled for 1965.

We intend to make the maximum possible use of the dedication of such people from local areas. It is up to us to assist them to know the potential of their areas, the best methods of local and regional organization, and to ensure that public services and facilities are adequate to form the base for balanced economic growth. In the coming year the department will support a greatly increased amount of research on the economic characteristics and potential of the different regions of Ontario. This research will be carried out for the government and the regional development associations, both within the public service and universities. The development of new universities across the province is a most timely event for the support of such research at the local level.

5. Statistics branch—The statistics branch, which was established in 1964, will be expanded and equipped with modern techniques of statistical analysis. At present the preliminary work of compiling and analyzing a large amount of administrative statistics from a variety of departments and agencies is under way. The Department of Economics

and Development administers The Ontario Statistics Act and the data collected under the Act will be co-ordinated with information from the Dominion bureau of statistics and will make possible a much more informed attack on provincial and regional economic problems.

6. Federal-provincial affairs—As I have mentioned, the office of the chief economist will co-ordinate economic research within the provincial government departments as a basis of economic policy advice. This is essential for the added reason that the government of this province must be in a position to co-operate effectively with the federal government. Such co-operation involves preparation of studies for federal-provincial conferences and consultations and arrangements for the co-ordination of federal-provincial programmes and policy. It is essential that one centre in the provincial government be equipped to take the overall view of these problems, and this will be one of the principal tasks of the office of the chief economist.

Accordingly, it is proposed that a new unit be established as the centre for the complicated economic research on relations between the provincial and federal governments and other provinces, in order to provide, in effect, a secretariat for federal-provincial co-ordination of programmes and to prepare background material for federal-provincial affairs and conferences. In particular, it will co-ordinate the research studies and materials that the chief economist will require to support the two central committees of which he acts as chairman: the Ontario advisory committee on Confederation and the inter-departmental committee on fiscal relations and tax structure, which is charged with the responsibility of preparing work for the federal-provincial tax structure committee.

Federal-provincial fiscal and economic studies are the obvious starting point for a considered examination of the province's long-term growth potential. Therefore, they must be closely related to the economic research in the department and other agencies, on the province's economic problems and potential. The chief economist will be convening a committee of heads of research units in each of the departments where such research is undertaken, with the focus on economic growth. Central to this question is the study of the province's total manpower requirements. The Ontario economic council will be directing attention to the problems of automation and labour retraining in the light of technological change, and this forms a part of the broader issue of economic

growth in the province. The direction and co-ordination of research in that matter will come within the broader sweep of research on manpower and economic growth.

The provincial perspective must be aligned with the federal perspective for policies concerned with economic growth: manpower, labour mobility, technological change, regional development and general welfare, as well as supporting research requirements. In order to assure that this will happen, the office of the chief economist will work in co-operation with his counterpart in the economic council of Canada and other federal agencies. The research studies of the economic council of Canada, for example, provide valuable background which can be applied to the provincial scene and care must be taken to co-ordinate these research efforts.

As work on these projects is furthered, the lines of reorganization in the department will become clear. What is certain, however, is the requirement for more professional staff of a highly specialized nature to supervise these research studies. The success of these ventures, upon which the economic life of this province largely relies, will depend in turn upon attracting and retraining skilled and highly qualified economists.

For this reason, the chief economist will place strong emphasis on the establishment of close liaison with the universities of the province as a source of research assistance, as well as for future staff—such as the attraction of economic research in a provincial government at a time when the economics of Confederation is under reconstruction and when so many new dimensions are being added to provincial life. We feel confident that the office of the chief economist will become the fertile field necessary to attract the best professional talent the country can provide.

And now, Mr. Chairman, I would like to speak for a few minutes on the Ontario economic council. The sponsorship of economic research is also one of the major activities of the Ontario economic council. This work, which is concentrated on the effects of technological change, is being co-ordinated with similar research to that being carried on by the economic council of Canada, counterpart organizations in other provinces, and federal and provincial government departments. The council will, of course, work very closely with the chief economist.

In the areas of technological change, three reports have been completed:

(1) "A survey of changing employment

patterns at the Lakehead cities of Port Arthur and Fort William," sponsored by the Ontario economic council and undertaken by a research team from the University of Western Ontario.

(2) "A survey of labour market conditions, Windsor, Ontario, 1964," sponsored by the economic council of Canada and undertaken by a research team from the University of Windsor.

(3) "Automation and worker displacement—the impact of change within a company," undertaken by the joint Nova Scotia labour-management study committee and endorsed by the Nova Scotia voluntary planning board.

The Lakehead and Windsor reports, which have already been published and made available to the Legislature, are now being evaluated.

In co-operation with the productivity branch of the economic council of Canada, the Ontario economic council sponsored a series of two-week pilot courses in basic work study in communities more remote from the major metropolitan centres, where foreman training facilities are less readily available. Following evaluation of the results of these initial courses, a recommendation has gone forward that these courses be continued and expanded through The Department of Education.

In the coming fiscal year, the council will intensify its work in the area of technological displacement, retraining of workers, unemployment cycles and specific skill shortages. It will continue its association with other economic councils and will co-operate with Ontario government departments through a continuing interdepartmental committee of senior civil servants.

In recognition of the increasingly close interrelationship between Ontario's economic growth and the ability of industry in this province to compete internationally, the Ontario economic council, in co-operation with the economic council of Canada and the Ryerson polytechnical institute, will sponsor in May of this year a public conference on productivity through advancing technology. Particular emphasis will be placed on the implications of such technology in the expansion of small and medium-sized secondary industries. In addition, the council will be sponsoring special research studies on the manpower impact of improved productivity in agriculture and the forest-based industries.

To explore means of meeting critical skill shortages and more effectively integrating future labour requirements with available

manpower, the economic council has sponsored a series of meetings of federal and provincial authorities on the roles of immigration, education, and labour training policies and practices. The first report of this committee was approved by the council in February. During the coming year, further research will be undertaken on the various means of meeting skilled labour requirements.

Another area of concentration of the council has been regional development—particularly in northern Ontario. In addition to its study of employment conditions at the Lakehead and the manpower implications of technological change in the forest-based industries, the council endorsed the Cochrane economic survey of the northeastern Ontario development association as a pilot study which could be extended to other districts in northern Ontario. Subsequently, the council commissioned a similar survey of the Timiskaming district, which is now nearing completion.

The Ontario research foundation and other agencies have completed 15 feasibility studies on potential industries in northern Ontario, which are now being studied by municipal and regional groups throughout the north. The hon. members may be interested to know that Professor Krueger's paper presented at the regional development conference was the result of research commissioned by the economic council.

Among its other activities, the council has sponsored a study of government purchasing practices in Ontario; has helped manufacturers obtain a greater share of the market for souvenirs distributed through the Niagara and St. Lawrence parks commissions; has, in association with the economic council of Canada, undertaken the publication of an annual index of research being carried out by governments, public agencies, universities and other like bodies.

The close liaison with business, government and labour by the Ontario economic council has proven most productive and the many services the council can render to the government of this province will continue to make a very great contribution to the future welfare of Ontario.

And now, Mr. Chairman, I would like to discuss the Ontario development agency. One of the major tools of The Department of Economics and Development is the Ontario development agency. Our experience since the agency's inception has reinforced the views of many experts, that the basic productivity problem of small industry is primarily managerial, and not financial. The economic council of Canada has started, and we are in

agreement, that a shortage of managerial skills may be one of Canada's most serious problems in the near future. This is the area where the agency has been able to make its most valuable contribution.

At the recent international conference on regional development the difficulties of the non-metropolitan areas in obtaining normal financing were stressed by delegates from different parts of Ontario. The ODA has helped alleviate this situation by its active assistance to those parts of the province which have not participated in our industrial growth to the same extent as other areas.

During the 1964-65 period, nine guarantees were recommended by the agency's financial advisory committee, raising the total number of guarantees to 43 by the end of 1964. These 43 guarantees, which total \$4.7 million, were made to 40 companies. Twenty-four of these companies are operating successfully. Only seven have failed, and one of these is in the course of reconstruction. Three guarantees are awaiting further action by the applicants. Six guarantees have not been acted upon because of breach of contract.

The total of 43 guarantees are maintaining employment for 1,700 persons and, as well, are in the process of creating 1,400 additional jobs, for a total of 3,100 direct employment opportunities. ODA is also generating, or in the process of creating, through these guarantees, additional annual exports valued at \$14.1 million and of replacing annual imports of \$5.2 million.

Enough time has now elapsed to evaluate the performance of the successful companies which are in receipt of guarantees. Many of these companies have far exceeded our initial expectations, particularly in view of the fact that for various reasons they were unable to obtain funds from the normal lending institutions. A number of them have been so pleased, not only with the financial assistance received from the agency, but also with the continuing management and other advisory services provided, that they have authorized the agency to make public the details of their operations. I am, therefore, pleased to tell the House of three success stories of companies in receipt of guaranteed loans.

The first is the company Tweed Veneers Limited located in the small town of Tweed in eastern Ontario. The owner of this company had a successful background in the veneer business and wished to start a new plant in Tweed to produce maple veneers. There were ample supplies of maple in the Tweed area which were not being utilized. His experience had also indicated that there was a ready market in the United States.

The owner attempted to obtain funds from the conventional lending institutions and was turned down. He then approached the Ontario development agency and was recommended for a guaranteed loan. The company commenced operations in the early part of 1964 and quickly moved into a profit position. Within a few months its performance was such that it was able to obtain a normal line of credit from one of the conventional lending institutions. It has ended its first year of operations with a substantial profit.

The company is employing 40 people in its plant. Not only is maple wood being purchased from local farmers, but about 50 of these farmers are employed during the season in cutting and hauling logs. Virtually all of the production of the plant is exported to the United States. In fact, the plant is booked to capacity with orders for 1965.

It is most doubtful that this success story would have happened without the aid of the agency.

The second company is Leigh Instruments Limited, located in Carleton Place near Ottawa. This company, which was established in 1961 by a group of highly qualified electronic and design engineers, acquired the rights from the national research council to a unique automatic beacon for guiding rescuers to downed aircraft. Contained in the beacon is a record of instrument readings and other information of the preceding half-hour's flight. All RCAF planes are to be equipped with this device in the future and interest is also being shown by Great Britain and other NATO countries. I might add that substantial orders for this new electronic device have just been received from the United States Air Force.

Following the formation of the company, it received financial support from the federal government to perfect the device. By the summer of 1963 the company was ready to start commercial production. It unsuccessfully sought financing from the conventional lending institutions which were unwilling to provide working capital until the firm had demonstrated a record of achievement in the commercial field. At this point, the company was considering either selling out to American interests or moving to the United States.

Had this happened, sir, Ontario would have lost not only an industry but also a team of exceptionally well qualified scientists and engineers. In July, 1963, the financial advisory committee of ODA recommended a guarantee to the company.

Since that time the firm has moved into a profit position. Its sales now approach \$1 million annually, of which a substantial proportion is in exports of a Canadian-designed invention. Employment at the plant, which totalled 35 at the time of the guarantee, has been increased to 85 early this year.

The hon. members should also note that as a result of the establishment of Leigh Instruments in Carleton Place, three small industries, including another electronics company, have also established in that general area and this is attested to by the industrial commissioner for Carleton Place.

It is likely that the provincial guarantee made to this company will be completely discharged within the very near future.

The third company is Thompson-Heyland Lumber Limited in Burks Falls. They operate a sawmill and a plant for processing wood for the furniture trade. They were anxious to enter the export market, particularly the United States. Unfortunately, the company lacked sufficient working capital to finance these exports. It unsuccessfully sought funds from the conventional lending institutions and in 1964 applied for and was granted a guaranteed loan by the Ontario development agency.

Since receiving the guarantee, the company has increased its work force from 60 to 80. Additional exports to the United States last year amounted to \$125,000. In 1965 the company anticipates that a further 20 persons will be added to its payroll and its exports to the United States will be doubled to a total of \$250,000.

The company, which is now in a profit position, will have created 40 jobs in two years as a direct result of the provincial guarantee, and about \$375,000 in additional exports to the United States will have been achieved.

Other successful companies are operating in widely scattered locations across the province—in Sapawé, Markham, Brampton, Huntsville, Breslau, Thessalon, Orangeville, Neustadt, Windsor and Woodstock, as well as in Metropolitan Toronto. The agency has, therefore, made a contribution to the decentralization of industry within the province, which it is hoped can be accelerated in the future.

Hon. members might be interested to learn that almost half of the guarantees provided by the agency have been to companies engaged in the production of new products, new techniques, or new ideas, and repayments of the outstanding loans have been highly satisfactory.

During the last year the agency expanded its programme to advisory services to small business in the province. Teams of consultants visited both northwestern and northeastern Ontario to provide on-the-spot advisory and consultative services to small businesses in these areas. More than 50 companies and individuals discussed their business problems with agency consultants.

Special advisory and consultative sessions were also held for tourist operators in Smiths Falls and Peterborough. These special services were well received and will be repeated in 1965. The agency is preparing special accounting and other material for use by small tourist operators.

To date, more than 3,000 companies and individuals have received advisory, technical and consultative services through the Ontario development agency. As a result of the assistance provided, many of these companies are now operating more successfully and efficiently and, therefore, adding to Ontario's economic and employment potential. In a number of cases the managerial advice received from the agency has made the difference between companies going out of business and operating successfully.

More than 170 inventors have had their projects reviewed by the agency. More than half of these new ideas were referred to the Ontario research foundation for scientific evaluation at no cost to the applicant. Of course, not all of the inventions have proved to be feasible, but about 40 have been assisted to bring their products from the prototype stage on to the market.

The agency also assists companies to obtain financing from the conventional lending institutions, without government financial participation. Since the agency's inception, 18 companies have been assisted to obtain a total of \$3.8 million in additional financing, which they were unable to get on their own. Another 60 companies have been able to obtain a total of \$4 million in additional financing from the conventional lending institutions because of advisory services they received from the agency.

The hon. members will also be interested to learn that those companies in receipt of guarantees obtained additional funds in the amount of \$3.7 million from the conventional lending institutions as a direct result of being backed by the province.

Since the Ontario development agency began operations, small businesses in Ontario have been enabled to raise a minimum of \$16.2 million in additional financing to further their operations. A total of 5 900 direct job

opportunities have either been maintained, or are in the course of creation, as a result of the work of the agency. Canada's annual balance of trade is also being improved by \$19.3 million, through \$14.1 million of additional exports and the replacement of \$5.2 million of imports.

The losses on guaranteed loans amounted to \$197,000 in the last fiscal year. In a guaranteed loan programme which confines its financial assistance to companies in high risk categories, it is difficult to avoid losses, but it should be recognized that the cost of this programme, judged by reasonable standards, has been relatively small in relation to what has been gained. There are now 24 companies operating successfully in the province which would not have been able to add to our economic potential and provide employment if guarantees had not been made available through the agency. This investment in small business created 24 successful plants and 3,100 direct job opportunities.

On assuming responsibility for the agency, I recognized the need to strengthen the staff work in view of the risks the agency was called upon to assume, and this was done immediately. Of the guarantees given since that time, only one small loan of \$5,000 has had to be paid out by the agency.

When the guaranteed loan programme was initiated in 1963, the government realized that it was entering into a new field of endeavour—a field both rewarding and fraught with many problems and difficulties. For this reason, the programme was limited to essentials, so that the government could obtain practical experience of the real needs of small business in Ontario.

We have been carefully studying the ways and means by which the programme of the Ontario development agency may be expanded and sharpened into a more comprehensive tool for regional development. We are also anxious to reap the benefits from the recent international conference on regional development and economic change, at which experts from many parts of the world examined the problems of economic and regional development.

The reduction in the number of loan guarantees approved in 1964 reflects, of course, not only the increase in our management advisory services but also the buoyant state of the Ontario economy. It may be, however, that when our assessment of the situation is complete, a change in the emphasis of the agency's work is desirable. If so, we shall make whatever changes are necessary in the terms of reference of the agency in

order to meet the need and to accomplish our objectives.

Mr. Chairman, I think I can finish by 6 o'clock on this next item, Sheridan Park, and then I will postpone until after dinner.

I stated earlier that the encouragement of industrial research was an essential element of any programme to improve manufacturing productivity. I should like now to discuss my department's assistance to industrial research through the Sheridan Park research community.

As hon. members know, the idea for the research community was sparked by the fact that the Ontario research foundation had outgrown its facilities in the city. In its 35 years of operation, the foundation has gained an international reputation for high-quality industrial research, and as a result, the demands on it from industry necessitated the decision to relocate. The concept of a research community received a decidedly favourable reaction from industry and readily obtained the support of the Ontario government.

The research community is the first such project designed for, and devoted exclusively to, industrial research and development, and there are already plans under way by other provinces to develop similar communities in other parts of Canada. All the services at Sheridan Park—its supply of water, electricity, natural gas and waste disposal facilities—are designed specifically to serve research.

Sheridan Park covers 340 acres, and is situated, with a frontage of about one mile, along the Queen Elizabeth Highway, 17 miles west of Toronto. At present there are ten property owners, with 239 acres of land either purchased or committed for purchase.

The British American Research and Development Co. Ltd. has three major experimental and pilot research buildings which have been in occupancy since last mid-summer. Consolidated Mining and Smelting Co. of Canada Ltd. is occupying its first building. Currently, the Dunlop Research Centre is being erected and will be opened in September of this year. The Warner Lambert Research Institute of Canada Ltd. is already under construction and is expected to be occupied the latter part of this year. Atomic Energy of Canada Ltd. and International Nickel Company of Canada Ltd. have also commenced work. Both Abitibi Power and Paper Co. Ltd. and the Ontario research foundation will start construction in June.

These structures represent considerably more than the mere purchase of land. They

represent large investments and continuing operating budgets. For instance, new structures underway or committed at the beginning of 1965 amounted to between \$17 million and \$19 million excluding the price of lands and services. The British American Research and Development Co. Ltd. and the Consolidated Mining and Smelting Co. of Canada Ltd., together with the initial investment in plant and equipment, water reservoir, underground services and all, represent a current investment of \$8 million. These figures show that Sheridan Park will have a current value this year of about \$26 million.

Sheridan Park will be unique in that it will have as its nucleus the Ontario research foundation which will be ready to move its 100-acre site on or about September 1966. The foundation will provide experienced scientists, information services, modern equipment and an excellent technical library. It is hoped that some time in the future Sheridan Park will include an international conference centre, a large computation and data complex, a geological museum and a helicopter landing site.

The Sheridan Park Corporation was established last year by this Legislature to ensure that the land in the research community was reserved exclusively for research operations and to prevent land speculation. It can be seen from my account of developments to date, that this corporation has been successful in finding new members for the community.

I am not able, at this time, to tell the hon. members how many firms will locate at Sheridan Park. This operation reminds me very much of going fishing—you know there are plenty of fish in the lake, and you know that several are nibbling and some are even biting, but until they are landed in the boat they cannot be counted. However, judging from our experience to date, it would appear that the remaining portion of Sheridan Park lands, held by the Sheridan Park Corporation, will be sold within the next few years.

We expect that by 1970 the present area of the community will be built up. Last summer when the appointment of the members of the Sheridan Park Corporation was announced, I said that we expected the research community would represent an investment of more than \$100 million. It will provide employment for more than 6,000, including 2,400 university graduates and post-graduates, an equivalent number of graduates from such institutes as Ryerson polytechnical institute, and an administrative and clerical staff of about 1,200. The

annual payroll will be upwards of \$42 million.

Sheridan Park can, and I am sure will, make a great contribution to the economic development of Ontario. The services of the Ontario research foundation can bring the benefits of the current technological revolution to Ontario firms of all sizes. We hope that the research atmosphere of the community will encourage many other firms to

develop research facilities of their own. Above all, Sheridan Park can help to conserve our greatest natural resource—gifted young men and women who will stay in Canada, because Sheridan Park and related centres will provide for them both a challenge and a creative opportunity.

It being 6 o'clock, p.m., the House took recess.

ADDENDUM

The vote on the motion for third reading of Bill No. 45, An Act to amend The Expropriation Procedures Act, 1962-1963, recorded during the sitting of Wednesday, April 14, 1965 (*Hansard* page 2257), was as follows:

The motion was carried on the following division:

YEAS	NAYS	YEAS
Allan	Braithwaite	Knox
Auld	Bukator	Lawrence
Bales	Gaunt	(Russell)
Boyer	Gibson	Letherby
Brunelle	Gordon	Lewis
Bryden	Newman	(Humber)
Butler	Nixon	MacDonald
Carruthers	Oliver	Morningstar
Carton	Paterson	McKeough
Cass	Racine	McNeil
Cecile	Sargent	Peck
Connell	Singer	Pittock
Cowling	Spence	Price
Davis	Taylor	Pritchard
Davison	Thompson	Randall
Demers	Trotter	Reilly
Downer	Troy	Renwick
Dunlop	Whicher	Reuter
Dymond	Worton—19	Robarts
Edwards		Roberts
Evans		Rollins
Freeman		Root
Gisborn		Rowe
Gomme		Rowntree
Grossman		Sandercock
Guindon		Simonett
Hamilton		Spooner
Haskett		Stewart
Henderson		Villeneuve
Hodgson		Walker
(Scarborough East)		Wardrobe
Hodgson		Wells
(Victoria)		White
Johnston		Whitney
(Parry Sound)		Wishart
Johnston		Yakabuski
(Carleton)		Yaremko—69
Kerr		

No. 78



ONTARIO

Legislature of Ontario

Debates

OFFICIAL REPORT—DAILY EDITION

Third Session of the Twenty-Seventh Legislature

Tuesday, April 27, 1965

Evening Session

Speaker: Honourable Donald H. Morrow

Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, APRIL 27, 1965

The House resumed at 8 o'clock, p.m.

ESTIMATES, DEPARTMENT OF ECONOMICS AND DEVELOPMENT

(continued)

Hon. S. J. Randall (Minister of Economics and Development): Mr. Chairman, I would like to speak now on the trade and industry branch. I was afraid for a moment that there were not going to be enough hon. members in the House to hear the rest of the speech and thought perhaps I could get the six votes put through in a hurry and we could all go and listen to the hockey game.

Some hon. members: Hear, hear!

Hon. Mr. Randall: The operational core of The Department of Economics and Development is its trade and industry branch. Supported in its industrial development activities by the research and special facilities of our other divisions, this department's industrial development work has been made doubly important by the targets which we have set for 1970.

There are two measures that are essential if we in Ontario are to provide job opportunities in the future. One is by retraining men and women, whose jobs become redundant due perhaps to automation or other unforeseeable circumstances, to enable them to fit into other occupations. In this area, The Departments of Education and Labour are now deeply involved. The other is by selling the production of our factories, forests, mines and farms, either at home or abroad. The constant movement of goods and services is the best insurance we have for maintaining economic growth and assuring full employment.

In this respect, the province of Ontario has led the way in Canada in creating and meeting consumer demands. We have been practising this marketing philosophy, spearheaded by The Department of Economics and Development, since September, 1964. Since that time we have organized and sent to foreign markets a total of 38 sales missions. From the sales figures compiled for the department by those participating in the missions, all have

been successful. We know that many Ontario companies have increased their earnings and given employment to a very large number of people.

It is interesting to note the stress placed on the value of exporting in the first review of the economic council of Canada. This feeling is growing among Canadian businessmen and was expressed very clearly by the Hon. Mitchell Sharp when he spoke recently in Toronto, and I quote:

In the years that lie immediately ahead, there is going to be a big bulge in the Canadian labour force. To absorb these young people, Canada must industrialize. There is no alternative. I am convinced that to industrialize successfully, we must become exporters of manufactured goods.

May I say we heartily endorse these comments, and the province of Ontario has led the way in Canada, in building manufacturing through exports. We have, since our industrial development emphasis was changed from domestic to international markets in September, 1962, practised this philosophy continuously.

During the last year, we sent out 16 sales missions and chalked up several firsts in our most successful year to date. Our enterprising salesmen visited new markets—in Central and South America, Nigeria and Ghana, and Japan—with more than 150 companies involved. We polled these firms and were advised that total sales of Ontario-made products as a result of these selling trips amounted to some \$30 million. The 38 sales missions to date have accounted for \$81 million worth of secondary manufactured goods, and this does not take into account the repeat business secured, which we are not able to record.

We have taken Ontario businessmen, who had never planned on selling in foreign markets, and converted them into "instant" international salesmen. Almost overnight, through this programme of planned export selling, we have created more than 350 international salesmen. By surveying the market first and setting up contacts beforehand, selling time is utilized to the best advantage, as

a good salesman has no time to waste when so much time is utilized in coming and going. Experienced trade and industry leaders accompany each of our missions. Appointments and contacts are arranged with the people who are most likely to buy, so that each member is guided to potential buyers without delay. This is generally the shortest route to a sale. Through this planned and experienced approach, mission members become familiar with new markets and return time and time again on their own for repeat business. In this way the seed was planted—if they could succeed in one market, they could duplicate their success in others. This, therefore, is the story of Ontario's international salesmen and one which we hope to expand very materially.

We have more than 13,000 manufacturers in Ontario, of which almost 11,000 employ less than 50 people. Most of these have never exported. May I suggest, if only 10 per cent—or 1,100—of these employers can be encouraged to export their products, the growth possibilities for them and the jobs they would create, would be enormous.

Increased business created through export sales has been one of the supporting factors contributing to plant expansions in the province.

A total of 523 manufacturing companies expanded facilities in Ontario during 1964. These expansions involved more than 17,000 new employees, more than 11,000,000 square feet of new manufacturing capacity, and more than \$237 million in capital expenditure on new buildings, property and machinery.

Most of our sales missions are directed to the United States and European markets where growing purchasing power has created new demands for consumer goods. But we have not stopped here. We have gone into other markets on an exploratory basis, to determine what the short-run and long-term prospects are for the sale of Canadian products. Sometimes these distant and still unexploited markets have not yet reached the stage where they can absorb our goods in any worthwhile quantity. We feel, however, that they could employ our skills and techniques on a consulting basis and, through this approach, purchase entire manufacturing processes and plants in the very near future.

Last December I led one of our sales missions to Nigeria and Ghana. These and other African countries represent almost limitless markets for our products in the years ahead, provided we are prepared to demonstrate the availability and quality of Canadian goods at competitive prices. For

instance, a Toronto company selling water sealants obtained a \$36,000 order in these countries, where two of Africa's largest hydro-electric power projects are being built—the Niger Dam in Nigeria and the Volta Dam in Ghana.

This was a most important sales mission. We explored a completely new market area, which, I would say, is representative of the African continent, comprising 35 countries, all striving to become self-sufficient. This is one of the fastest-developing areas of the world, with great need for the products we in Canada have to sell.

We also sent a sales mission to Japan last year. Our party was composed of leading authorities in the nuclear technology field. Our mission was to acquaint Japanese government and utilities officials with CANDU, the Canadian nuclear concept as developed and now in use in this province.

We in Ontario, along with Atomic Energy of Canada Ltd., will have invested almost \$400 million in our nuclear generating plants by 1970. This was one of our greatest selling points when we were discussing our nuclear concept in Japan. Our own investment indicated complete confidence in the superiority of our CANDU concept, and this had much to do with the great interest shown by the Japanese. I am confident that when Japan is ready to provide its future power needs through nuclear energy, Canada's nuclear system and products will be given careful consideration.

In 1965-66 we anticipate sending a minimum of 18 Ontario sales missions abroad. These are planned for the United States, Europe, Central and South America, and new markets such as New Zealand and Australia, Turkey, Egypt and other Middle East countries.

We have proposed to the federal government a co-operative plan that would enable Canada to send abroad a minimum of 100 salesmen a month, or 1,200 each year. These men would represent all provinces and would use the world-wide, federally established trade offices to sell the commodities of their respective provinces. I believe this would revolutionize Canada's participation in foreign markets and spread the opportunities for industrial and economic expansion across our nation. But more important than this, it would create more internationally trained salesmen as we have done in Ontario. With the changing emphasis on world trade, with the unbridled competition we can anticipate from other highly industrialized nations,

Canada has no alternative but to accept this challenge.

I believe it should be noted that the companies represented on our sales missions are located in every economic region of the province. We choose our people carefully because we know some people are better at opening trade doors than others. Although the hon. members opposite may not agree, there are many occasions when a Minister of the Crown is an effective instrument for opening doors to greater trade opportunities.

It has often been said that a prophet is without honour in his own country. This is also apropos for a politician in North America. It has been my experience, however, that this does not hold true in most areas of the world. Our sales missions have only a certain amount of time in each market area, and contacts must be made quickly. A Minister of the Crown can be invaluable in introducing his business colleagues to key people. Not only does his presence add prestige to the purpose of the mission, it ensures interest and attention at the highest level.

These sales missions are what we call our "outgoing" programme; we also have an "incoming" programme. Our "incoming" programme consists of bringing in buyers from other countries to look at our fine-quality manufactured goods. Last year we brought in hardware buyers from France, furniture buyers from the United States, and fur garment buyers from the United Kingdom. The fur garment buyers alone purchased nearly \$500,000 worth of Ontario fur garments, and these have since been promoted and sold in prestige stores throughout the United Kingdom.

In 1965 we will bring in at least 90 buyers for a first-hand look at our fashion industry, our housing, our heating equipment, our excellent food products.

This year the department will participate in at least eight international fairs. I know of no better way to place Canadian goods before the buying public than to exhibit in fairs—stack our products up against those of other nations, and let people see the difference.

In the last three months my department has sponsored Ontario businessmen at a toy fair and a warm-air heating show in the United Kingdom, and a sporting goods show in Philadelphia. The success that our manufacturers have had as a result of these three shows has encouraged us to continue this worthwhile sales promotion programme.

Later this year we plan to participate in a hardware and household goods show and a general trade fair in Germany; a general trade fair in Italy; a toy fair in the United Kingdom and at least one exhibition in the United States. In most of these fairs we will have a wide range of Canadian products on display in a special Ontario section. In other shows we will have an information booth where foreign businessmen and investors can obtain information about Ontario, the "Province of Opportunity."

In relation to our sales mission programme and our participation in international fairs, I would like to stress the importance of co-operation with the federal government. One of the cornerstones of our marketing policy is federal-provincial co-operation. Every sales mission we send out is planned in conjunction with the Canadian trade offices abroad. We do not duplicate the federal effort; we supplement it. Any government, whether federal or provincial, can do only so much because of budget limitation, and I can assure the hon. members that the federal authorities welcome our efforts to sell more Canadian products.

I cannot commend highly enough the dedicated and hard-working federal trade commissioners who are serving Canada around the world. We are fortunate in being able to work with them and they, in turn, are delighted to see Canadians in their far-flung posts making calls and getting orders.

Tied in with these various trade promotion activities this year will be an international advertising programme. This will be concentrated primarily in the United States where even in some border areas, people know very little about the products and manufacturing capacities of Canadian industry.

To project our promotion and sales efforts to greater advantage, the department completed two major studies in the United States last year to discover the extent of U.S. knowledge about Canada and the provinces and the products we produce. These studies were carried out by the Institute for Analytical Research and by International Surveys Ltd. Unfortunately, Mr. Chairman, not all U.S. citizens see Canada as an industrial power when, in fact, we are one of the leading industrial nations of the world. Our surveys reveal that Canada is not visualized as a prime exporter of manufactured goods, and there is a strong belief in the United States that there are not too many products which are truly and distinctively Canadian. It is significant, however, to find that given equal opportunity and comparative prices, U.S. shoppers would prefer to buy more goods

from Canada than from many other exporting countries. To capitalize on this strong expression of fraternal feeling and reservoir of goodwill which exists in the United States for Canada, we must design our advertising campaign accordingly.

The "image" we hope to achieve in the United States already exists to a high degree in the United Kingdom. For example: Central heating. Our heating equipment manufacturers had to conduct an extensive educational programme in the United Kingdom before central heating was accepted. Even now, though Canada currently supplies 50 per cent of all gas- and oil-fired central heating in Britain, the battle to sell heating devices to British homes is only just beginning. Part of this acceptance of central heating in the United Kingdom is the result of the work carried out at Ontario House in London. The success that Canadian manufacturers have had in selling there since import restrictions were lifted in that country in 1959 has much to do with the adverse trade balance the United Kingdom has with Canada at the present time.

Now, reconstructed and enlarged, and reopened last June by the hon. Prime Minister (Mr. Robarts), Ontario House has truly become the province's "showcase" in the United Kingdom. Here, Ontario products are continuously displayed, Ontario businessmen are put in contact with U.K. buyers, Ontario tourists are helped, and immigrants to Ontario are given counsel. The province's other offices—in Milan, Dusseldorf, New York and Chicago—perform the same variety of duties.

My department will continue the programme to export our technical and engineering capabilities. As the hon. members know, one year ago we launched a drive to assist small engineering firms in Ontario to secure foreign contracts. At present, preliminary engineering surveys are currently underway in Nicaragua, Guatemala, Paraguay, Nigeria, Ghana and Iraq, which perhaps would not have been possible if we had not established our plan for selling Canadian engineering services abroad. This could be termed the export of know-how.

There will be no letup in our department's efforts to attract new investment to our province—through branch plants, licensing agreements and joint ventures. The year 1964 was another successful year in this regard.

Although there were ten fewer branch plants obtained in 1964 than in 1963, the end results were considerably better in land purchases and capital investment. The 173 branch plants in 1963 resulted in 3,873 jobs, 755 acres of land purchased, \$8.5 million in buildings, and some \$23 million in machinery

and equipment. In 1964, 163 branch plants were established in Ontario, giving industrial employment to some 5,000 people. These companies purchased 1,129 acres of land, and invested \$22.5 million in buildings and \$56 million in machinery and equipment.

Last year a new programme was introduced whereby a foreign manufacturer was invited to join in equity participation with an Ontario firm. This resulted in 12 new joint ventures last year and we anticipate this programme can be expanded in the coming year.

In addition, 104 manufacturing arrangements were completed to produce products not sold or formerly imported into Ontario, and as previously mentioned, 523 companies expanded their plants and facilities throughout the province. Details of these arrangements are contained in the *Ontario Industrial Review*, which was put on your desks at dinner time.

One of our most successful programmes in the search for new investment is the business opportunity missions to the United States. These are teams of trade and industry experts, which go to the major U.S. cities to hold confidential interviews with possible investors. The department conducted seven of these missions in 1964-65 and this year our teams will visit such cities as Detroit, St. Louis, Minneapolis and Rochester.

Our programme to assist the corporations already operating in Ontario will be expanded from seven to nine industrial and export clinics in 1965-66. Nurturing the businesses we already have is just as important as our efforts to attract new ones and perhaps would be less costly. The seven clinics held last year were attended by more than 1,500 people, representing business, labour, education and government. They stimulated the interest and activity of many to expand their product lines and export plans.

The department will continue to reward initiative by presenting "A for Achievement" awards to Ontario companies showing outstanding accomplishment in exporting, import replacement, development of new products and introduction of new or improved production techniques and processes. These flags of recognition are flying over factories in many areas of the province, and several more will be awarded shortly.

The department will consider holding an import replacement show of international scope. The recent automotive agreement between Canada and the United States requiring more Canadian content will mean that automobile companies will have a strong

incentive to find new sources of efficient parts production in Canada.

In the new year, the department will organize further "Shop Canadian" campaigns. Nine of these special retail promotions were held across Ontario last year, creating a new awareness of the fine quality of Canadian manufactured goods. The department will also participate in local fairs and exhibitions during the 1965-66 year to encourage the Ontario consumer to shop Canadian when the price and quality are competitive with imports, and to advise local businessmen of the many services available through the department.

A major part of the province's "Shop Canadian" programme is played by the women's advisory committee of the department. This group, representing women from across the province, held nine special conferences last year. Nearly 5,000 women, representing about 700 women's organizations, attended.

Speakers at these special forums and symposiums represented the consumer, the government, the financial community, manufacturers and various authorities on retailing, design and fashion. Time and time again, women approached the advisory committee following these meetings to say no one had ever told them before that they were important to the economy of the country through their everyday purchasing habits.

We will be holding eight of these one-day consumer forums in Toronto, Sault Ste. Marie, Windsor, Cornwall, Guelph, Belleville, Kingston and Hamilton this year. They will precede the department's "Shop Canadian" retail promotions by a day or two in order to set the mood among the local consumers.

The women's advisory committee has directed much of its efforts to the clothing industry of Ontario. This is one of the industries which has experienced difficulties during the last few years. It is also an industry that could create a great many new jobs for men and women.

We are helping the garment industry by taking its representatives on sales missions abroad and placing them in contact with sales agents and retail outlets in other countries. The women's advisory committee has had a role in this promotion by holding fashion shows of all-Canadian garments throughout the province. We are assisting the industry in its endeavours to make Ontario the garment and fashion centre of Canada, and I might add, with some success.

In recognition of this work, our women's

advisory committee was presented recently with the highest award attainable in Canada in the fields of garment manufacturing, distribution and retailing. This was the president's Judy Award which has been presented only twice before and is donated by the fashion industry. The citation reads: "For activities in the promotion of interest and support, through the Ontario trade crusade, on the part of the consumer for Canadian fashions at home and abroad."

One of the most imaginative programmes now underway by the women's advisory committee is a fashion design award competition for Ontario designers. This competition is being held to encourage established Ontario manufacturers to design, and produce, distinctive Canadian ladies' and children's apparel, which we sincerely believe will help stimulate domestic and export sales.

Manufacturers of textiles are also involved since rules for the designers stipulate that Canadian manufactured materials must be used in the manufacture of clothing submitted for the competition. Categories include all fields of women's and children's clothing.

In order to maintain an all-Canadian theme for the competition, each creation designed must be inspired by one of a series of Canadian paintings made available for the promotion by the Toronto Art Gallery. Colours, line or form of these paintings may all contribute to the final design.

Highlight of the competition will be a showing of the finest creations entered in each category and the presentation of Eedee awards to winning manufacturers and designers in Toronto on May 20. The Eedee award is a three dimensional statuette. Other similar awards usually have short titles, such as Judy, Emmy, Oscar and so on. We have named ours Eedee because ED stands for economics and development or excellence of design. Eedee is also a woman's name and since the competition concerns women's apparel the name is particularly fitting.

To tie in with the fashion design competition, and in line with our incoming buyer programme, we are inviting foreign buyers, representing major retail outlets in some of the world's largest cities. These buyers represent a potential billion dollar market. They will come from Austria, Belgium, Eire, England, Scotland, Wales, France, Germany, Italy, Holland, Denmark, Switzerland, Spain, Lebanon and the United States. After the showing of new designs, the buyers will spend three days meeting with 60 or more Ontario garment manufacturers and looking at their selections. These companies will take sample

rooms in the hotel to display their summer and fall fashions of all wearing apparel.

The women's advisory committee has done an excellent job. From discussions with retailers in communities across the province, we know consumers have begun to shop with greater care and are repeatedly asking for Canadian-made products. A greater awareness on the part of women as to the importance of their day-to-day purchasing power in the creation of more jobs has awakened manufacturers, and retailers to the fact that they must cater more to the desires and needs of the consumer. If they do, it is already obvious, our manufacturers can successfully meet import competition.

And now, Mr. Chairman, I will touch for a few minutes on the world's fair to be held in Montreal.

The hon. members are aware that my department has the special assignment of planning and creating the Ontario pavilion at the 1967 world's fair. This is a tremendous undertaking. Not only must we do credit to the people of Ontario, but we must also portray the true life story of our province, for visitors from near and far.

We have been asked: What will the world's fair mean to Ontario? For one thing, I believe it will mean increased business for our manufacturing and tourist industries. By the very nature of the material and goods to be used throughout the fair, we estimate about 25 per cent will be supplied by Ontario industry. This is only a guesstimate, but I do not think we will be far off the mark.

We see our pavilion at Montreal as a unique opportunity to spotlight Ontario as the province of opportunity and to explain our social and business environment to our sister provinces and visitors from other lands.

At no other time in our history has there been such a need for Canadians to know each other better. Our pavilion will tell the exciting story of Ontario—its cultural, educational, agricultural and industrial life—past, present and future. I am sure the hon. members are now familiar with the plans since our preview for Expo '67. I need not describe in detail the Ontario pavilion, except to say that we are on schedule. We were the first to release details and model designs, which have been widely publicized, and this has helped to stimulate greater interest in Expo '67, for which the Expo officials are most appreciative.

Now, Mr. Chairman, to finalize, I should like to speak on the Ontario housing corporation. This is an area for which I have a very special interest and concern. I refer to the Ontario housing corporation, and more

particularly to the rental housing programme for modest income families and senior citizens.

During the past year, housing has taken great strides toward attaining full stature. Although it is just one of the many social service programmes undertaken by this government, it is looked upon as a programme of major significance and dimensions.

Ontario housing corporation, created by the Legislature last year, provides a means whereby the Ontario housing programme can be operated along lines closely allied to private enterprise. What is perhaps more important, it has provided a means whereby both government and private enterprise can work together toward a common goal.

It has been no secret in the past that private enterprise resented governmental intrusion in the rental housing field. Perhaps our most gratifying experience to date, therefore, has been the wholehearted support which we have received from the merchant builders and the real estate brokers. A great deal of our preparatory work in evolving proposal documents and other procedures has been established in close collaboration with the builders and real estate broker organizations. This has done much to assure a clear understanding on their part of how they can work with the Ontario housing corporation to expedite the housing programme.

Ontario housing corporation reports to me, and through me, to the Legislature. That is about the extent of its similarity to a department of government. In its day-to-day operations, in its procedures and policies, it enjoys the freedom of a private business organization similar to that of Central Mortgage and Housing Corporation at Ottawa.

As the Minister responsible for stimulating trade and industry in this province, it is essential that I spend as much time as possible working throughout the province and leading as many trade missions as time will permit to achieve our objectives of full employment and economic expansion. In order that my absences would not affect the operations of Ontario housing corporation, and to expedite the housing programme the corporation was established under the supervision of a very capable chairman and board of directors.

I have every confidence in the perception and dedication to public service that imbues the chairman and members of the board. They are a highly qualified group, with each member having a particular skill to contribute and each, I might add, selected on his or her merits alone without regard to political beliefs. The hon. member for York South (Mr. MacDonald) suggested in this House a

few weeks ago that we should avail ourselves of the services offered by dedicated citizens who want to make a worthwhile contribution to the province's welfare. This is what has been achieved in housing matters.

Having created the Ontario housing corporation and selected highly qualified people to guide its affairs, it would be utterly illogical not to grant the director, chairman and members of the board, full freedom to do the job for which it was created. The problem of adequate housing is not a short-term project but one we in this province will be faced with for many years to come. As our society becomes more affluent, as it most certainly will, the gap between those who can afford adequate housing, and those who cannot, will widen. Therefore, I felt the need to establish an entity to carry out the province's responsibilities for its citizens and do the job regardless of who is the Minister or what government is in office. This was the prime reason for its creation.

The Ontario Housing Corporation Act was passed and the proclamation of the Act took place on August 11, 1964. You may recall that we pre-empted the federal government in passing our legislation; therefore, we had to wait for them to bring in changes to The National Housing Act before Ontario housing corporation could get into action. In point of fact, the changes to The National Housing Act received Royal assent on June 18, 1964. Since that time, the housing branch and the Metropolitan Toronto housing authority have been merged to form the nucleus of staff required by Ontario housing corporation. A complete staff reorganization has taken place to enable the corporation to assume its new responsibilities, and the corporation has merged into one main office. It has also made tremendous inroads into the procedural red tape which bogged down earlier programmes, and has made a decisive start on its prime task of producing housing across this province. It has also assumed other responsibilities in the housing field which I will refer to later.

The extent to which the corporation has succeeded in slashing intergovernmental procedures can be briefly summarized as follows:

In the past, both capital and operating costs were shared by the three levels of government involved—75 per cent federal, 17.5 per cent provincial and 7.5 per cent municipal. Because of this sharing of costs, all three levels of government had a finger in the development of each project. Now, Ontario housing corporation borrows 90 per

cent of the capital costs from Central Mortgage and Housing Corporation and the government of Ontario puts up the remaining 10 per cent. There is no municipal share of capital costs whatsoever, and Ontario housing corporation assumes full responsibility for providing the necessary housing, on request from the municipality needing it. If there is an operating loss after the houses are completed and occupied, the municipal share is 7.5 per cent. On this basis, closer attention to all cost factors can be given, and this will assist in reducing liabilities to the minimum in the interests of all three levels of government.

The important role which the municipality has to play is that of leadership. Municipal councils can spearhead the drive for better housing conditions and the removal of sub-standard dwellings. If it is apparent to any council that a need for housing exists, the council can enlist the help and assistance of Ontario housing corporation by a simple request. The corporation will then determine the number of houses required, and if the municipality is willing, develop them by the quickest possible means. Depending upon conditions in the municipality concerned, this may be by any one of the following methods:

Direct construction—where we design the units and call tenders; builder proposals—where the builders submit proposals and build units of their own design; purchase of newly completed housing; purchase and repair or conversion of older dwellings.

In its dealings with Central Mortgage and Housing Corporation, the Ontario housing corporation is treated in much the same way as any other borrower. CMHC naturally expects a good standard of design and construction, and responsible management of the completed units—but that is all. In the past, much has been said and published about the multiplicity of approvals required and desks to cross before a project could come into being. I believe the term, "54 desks to cross" was that most commonly used. If that number of approvals was correct, then we have reduced these to infinitesimal proportions. For example, in direct construction projects, the approvals which Ontario housing corporation must obtain from CMHC have been reduced to three, as follows:

1. When the need for a project has been determined by Ontario housing corporation, CMHC is advised of the number of units required and the approximate cost. CMHC is asked at that time to give an undertaking that it considers the proposed development

justified, is prepared to provide the necessary financing, and to share in any operating losses on the basis which I previously outlined.

2. When preliminary designs have been completed, they are submitted to CMHC for approval. If they meet National Housing Act standards and the estimated cost is realistic, CMHC then gives a definite commitment that it will finance the project.

3. When final designs are completed and tenders are about to be called, a formal application is made to CMHC for a 90 per cent loan and participation in operating losses. The mortgage is adjusted, when the project is completed, to take care of any minor changes in cost which may have arisen during the construction period. Where the builder proposal technique is used, these procedures are equally simple, and an even greater saving of time can be effected because the preliminary design process has been carried out by the builder before making the proposal. I might add that provided a builder's designs comply with National Housing Act standards, it is possible for Ontario housing corporation to award a contract within 60 days of receiving the builder's submission.

A further example of the excellent co-operation Ontario housing corporation has received from CMHC is the procedures which have been evolved for purchasing existing single properties. First, Ontario housing corporation submits an estimate to CMHC of the number of dwellings it hopes to purchase and an indication of what each dwelling will cost. These figures are then used as the basis for a federal order-in-council, authorizing CMHC to make loans to Ontario Housing Corporation on a certain number of properties in a given municipality. Then, as individual properties are offered, a joint CMHC-OHC team consisting of an inspector and an appraiser, inspects the property. If the property is structurally sound, and the asking price is within the appraised value, the local manager of CMHC has authority to make a loan commitment to Ontario housing corporation immediately. Using this technique, Ontario housing corporation can offer to purchase a house within two to three days of receiving the listing from the real estate broker.

I cannot speak too highly of the co-operation which has been extended both by the hon. Mr. Nicholson, the federal Minister responsible for housing, and also by CMHC itself. Everything possible has been done to remove potential roadblocks and to set up their own operating procedures and staff

structure to deal with the vastly increased influx of proposals resulting from the new legislation and the formation of Ontario housing corporation. I very much doubt whether the federal government had anticipated any province taking immediate advantage of their new legislation, and for that reason, CMHC has had to evolve its new operating procedures, while at the same time processing proposals submitted to it by Ontario housing corporation. Perhaps this has been of some value because it has enabled both organizations to dovetail and simplify their procedures to the greatest possible extent. We have been fortunate also in that CMHC has lent to Ontario housing corporation a number of senior staff during the reorganization period.

Another essential task has been that of making Ontario municipalities aware of the assistance available to them through Ontario housing corporation. Equally important, the purpose of our housing programme has had to be placed in its true perspective. The job of Ontario housing corporation is to provide adequate housing accommodation for families and senior citizens at rentals which they can afford and in a quantity sufficient to meet the needs of this province. Perhaps I might pause here to define what we term inadequate accommodation to be.

It may be physically inadequate because the roof leaks, or it is lacking essential sanitary facilities. It may be spatially inadequate because there are too few bedrooms to accommodate the number of children in the family. It may be inadequate from a location standpoint in that it is too far distant from sources of employment and amenities. Lastly, it may be inadequate from a financial standpoint in that the rent is simply beyond the tenant family's ability to pay without the other necessities of life being jeopardized.

These are the factors which municipalities must take into account, when they are considering whether there is a need for "Ontario housing" in their community.

To further municipal understanding of our aims and objectives, Ontario housing corporation has provided every organized community in Ontario with full details of the assistance available under the new legislation. In addition, we have sponsored symposiums in Toronto and Sault Ste. Marie, in conjunction with the federal government and my colleague, the hon. Minister of Municipal Affairs (Mr. Spooner). The purpose of these conferences, to which every municipality in the province was invited to send its senior

elected and appointed representatives, was to explain the new housing and urban renewal legislation and to answer questions which might be giving concern to municipalities. Panel discussions and question periods gave every municipal representative the opportunity to become fully informed of the assistance, financial and otherwise, available in this field. The two conferences were very well attended. I was very pleased to see a number of the hon. members of this Legislature at the one held here in Toronto. Judging from the question periods and formal discussions, a great deal of interest in urban renewal and Ontario housing has been stimulated as a result.

Despite its organizational and educational activities, Ontario housing corporation has not neglected its prime purpose of developing houses. I am satisfied that the progress made to date justifies our decision to create Ontario housing corporation. I cannot produce dramatic statistics of houses completed and occupied across Ontario, when the corporation has only been in existence for a matter of eight months. But there is no necessity for me to apologize for the results that have been achieved. You must judge for yourself whether or not these figures represent progress in housing matters in Ontario.

Since the fall of last year when the corporation opened its doors for business, a total of 31 municipalities has requested surveys to determine the need for rental housing. Requests for specific projects have been received from 26 municipalities for a total of 5,748 family units and 500 senior citizen units. Tenders have already been called for 1,951 units.

Now let me give you a few specific examples of requests received since the corporation came into being.

Mr. V. M. Singer (Downsview): How about building, not just requests?

Hon. Mr. Randall: The city of Hamilton requested 100 senior citizen units on September 15, 1964 and a further 100 units on February 26, 1965. A contract for the construction of the first 40 units was awarded on February 24, 1965. The remaining units will be developed on a site overlooking Hamilton harbour and tenders for the construction of these will be called during May of this year.

The city of Hamilton also requested 200 units of family housing on September 15, 1964. Ontario housing corporation advertised for builder proposals and a commit-

ment for the first 46 units was made on March 24, 1965. Unfortunately, the response was limited due to a shortage of land and the corporation is now in the process of making federal-provincial owned land available so that proposals may again be called for the balance of the units.

The municipality of Metropolitan Toronto on February 10, 1965, requested the corporation to undertake a three-year programme of 4,500 family units. On February 27, the corporation advertised for a minimum of 1,250 units, either existing or to be constructed this year. The closing date for existing units was March 18, 1965, and over 1,500 units were offered. These are now being appraised and it is expected that at least 1,000 units will meet OHC requirements. Purchase of acceptable units will be carried out during May 1965. The closing date for units to be constructed by builders on their own land was April 8, 1965. The response, again, was extremely good and plans and specifications are now being checked to ensure conformity with National Housing Act standards.

Many of the units will be completed and occupied this year. During this month, proposals will be invited from builders for the development of approximately 250 units on land owned by CMHC and OHC at Stableford Farm, Scarborough. At Metro's request, only 25 per cent of the units scattered throughout the project will be purchased by Ontario housing corporation for Ontario housing purposes. The remainder will be sold or rented by the builder so as to achieve a fully integrated development.

Mr. Singer: That has only taken nine years.

Hon. Mr. Randall: In Alexandra Park, approximately 500 units will be developed on land to be cleared by the city of Toronto. The city's timetable to purchase and demolish the existing buildings will provide a two-acre site for new construction by September of this year. Ontario housing corporation will call tenders in July so that construction can commence as soon as the cleared land is available. It will then maintain a continuous construction programme as cleared land becomes available until the project is complete.

Other projects in Metro on which construction will commence this year are the 237 unit O'Connor Drive development and 309 units in Thistletown.

Mr. K. Bryden (Woodbine): This has been announced a few times before.

Hon. Mr. Randall: Both of these developments were initiated under the earlier federal-provincial arrangements that have now been taken over by the Ontario housing corporation.

The city of Windsor requested a total of 170 units on November 13, 1964. Design of the first 80 units is virtually completed and tenders will be called in June of this year.

Mr. B. Newman (Windsor-Walkerville): For how many?

Hon. Mr. Randall: The remaining 90 units which are to be located on scattered sites throughout the city will go to tender during July 1965.

Mr. Singer: That is if you do not run out of land.

Hon. Mr. Randall: We will find it, we will find it!

Mr. L. Letherby (Simcoe East): Oh, quiet, the man is reading off his statement.

Mr. W. D. McKeough (Kent West): We do not need you.

Hon. Mr. Randall: These are just a few illustrations indicating how we have overcome much of the difficulties of the former housing programme. Now, instead of measuring the period from municipal request to commencement of construction in years, we are able to measure it in months. The new programme offers a variety of techniques which can be utilized to meet the circumstances obtaining in a particular municipality. For example, the builder proposal technique is not always successful, as we learned in the city of Hamilton and in the small communities of Listowel and Riverside. In Hamilton we did receive some response, but in the other two communities there was no response from the local merchant builders to our advertisement. This means Ontario housing corporation will now have to design units for these communities and go to tender on a direct construction basis. In point of fact, design is already underway.

During the debate on the hon. Provincial Treasurer's (Mr. Allan's) Budget speech, mention was made of the amount set aside for housing requirements in the coming year, namely, \$9,750,000. I hasten to assure those who feel this is insufficient that it represents only 10 per cent of the moneys available for housing purposes.

If this provincial amount is spent, it will call for a total expenditure of over \$90 million

—the \$81 million being borrowed from the federal government through Central Mortgage and Housing Corporation. So you see we have ample funds.

Perhaps a unique plan in housing is taking place in Brunetville on the periphery of Kapuskasing. This unorganized settlement of about 200 homes grew over the years until it became a major problem for the town of Kapuskasing. There were no roads, no sewers and no schools. Even septic tanks were a rarity and more frequently open ditches served as sewers. About a year ago, as a result of discussions between the town of Kapuskasing and The Department of Municipal Affairs, the area was annexed to Kapuskasing. At the same time arrangements were made whereby the government of Ontario would assist Kapuskasing in cleaning up the area and bringing it up to the town's standards. This involved placing the land on a plan of subdivision, providing adequate municipal services, including a source of water supply and sewage treatment facilities, clearing the area of the unbelievable quantity of refuse which had accumulated, and making it financially possible for the residents to improve their homes.

Ontario housing corporation came into the picture as a partner in the improvement programme, with the town and The Department of Municipal Affairs, to provide the means of financial assistance on a longer term than would be possible under the federal home improvement plan.

By arrangement with the banks and other lending institutions, the corporation has undertaken to guarantee loans, or alternatively to make direct loans, to enable the residents to meet their share of the costs of the municipal services which are now being provided and to carry out essential improvements to their homes. Where a home has to be moved to conform with the new street pattern, this will be done at no cost to the owner of the house. Where a house is totally unsuited for rehabilitation and the occupant cannot afford the cost of another home, arrangements will be made by Ontario housing corporation in conjunction with the town to provide rental accommodation on a geared-to-income basis, the same as our standard housing programme. This will apply also to residents who cannot afford the cost of improving their homes.

As I mentioned a moment ago, nearly 200 dwellings are involved in this improvement of an entire community. Upon completion of the scheme, Brunetville should be transformed into a well planned, pleasant community, forming an integral part of the town of Kapuskasing, instead of the blighted, un-

organized community, which only a short while ago was a problem and a liability to the town.

May I now shed some light on the many conflicting reports as to the role played by Ontario housing corporation in respect to urban renewal programmes.

A. When a municipality has decided that an area such as Blake street or Alexandra Park should be the subject of an urban renewal scheme, the proposal is first dealt with by the municipality, The Department of Municipal Affairs, and Central Mortgage and Housing Corporation.

B. When the urban renewal area has been designated; when the renewal plan for the area has been approved and demolition of existing houses or establishments begins, Ontario housing corporation has two jobs to do: (i) Assist the municipality by providing temporary housing required by those families who are displaced; (ii) Commence building new homes and rehabilitating existing dwellings in accordance with the urban renewal plan.

If those who are continually suggesting there is a conflict of interest between Ontario housing corporation and other interested bodies would direct constructive criticism toward the real problems, I am confident we could eliminate a great deal of time-wasting, which has held up programmes in the past, and devote all our efforts to expediting our responsibility to get houses built.

The Ontario housing corporation will dedicate itself to providing, rehabilitating and building housing, on receipt of formal requests from municipal councils, immediately it can have the ground to build on. We must recognize that the cost of land, where it is purchased and cleared in urban renewal areas, can be as high as \$300,000 per acre. A private developer, undertaking a project on land at this cost, must build housing of a high density or for high income families in order to make it economically worthwhile. The only way in which housing can be developed for low income families in these areas is as part of an urban renewal programme where the federal, provincial and municipal governments "write down" the land to a figure which is economically feasible.

I have endeavoured to give you a concise yet complete report on Ontario housing corporation during its first few months of operation. The corporation's board of directors has already set a three-year target which, when accomplished, will more than equal the total number of units developed in Canada to date. The corporation has already demon-

strated the speed with which it can undertake developments. I am confident it will continue to do so, and in this it will have my full and complete support.

Mr. Chairman, while this report has been of some length, covering the many diversified activities of The Department of Economics and Development, it does emphasize the department's role in the affairs of the province and the part it must play in conforming and co-ordinating with other departments of the provincial government and the federal authorities. I look forward to discussing any matters the hon. members may wish to pursue in greater detail.

On vote 401:

Mr. R. A. H. Taylor (Timiskaming): Mr. Chairman, I would first like to congratulate the hon. Minister of Economics and Development on his most complete and detailed report concerning the affairs of his department. It was typical of the hon. Minister's energy and enthusiasm that all aspects of his department's activities have been covered so thoroughly. However, it is that very thoroughness, that very concern for detail as evidenced by his report, which gives rise to the question as to whether the hon. Minister really sees the overall picture and is really concentrating on the more important objectives of economics and development in this province. Sometimes a close and meticulous attention to detail blinds a person to the broader picture.

I should like tonight to discuss that broader picture as we see it from this side. The main function of The Department of Economics and Development should be to plan and programme the development of the resources of this province and to utilize to the maximum the energies and abilities of the people of Ontario in a steady, orderly manner, so as to achieve the highest standard of living. Such prosperity should accrue not just to a few of our people but to all those living within our borders—and partly as a result of our efforts, to all those living in Canada.

It seems to me that there are five areas of responsibility that should be at the top of the hon. Minister's permanent agenda for action and that all other efforts put forth by the department should only be supplemental to these main objectives.

First there is a need to set up a master plan, a long-term blueprint for growth. This is basic for any development planning. Guidelines must be established to chart where we are going and what we need to

accomplish on the way. An inventory of our resources, both physical and human, must be taken and decisions must be made on how these resources may best be developed and utilized. A timetable must be set up for the orderly development of Ontario so that all parts of our province can progress at a relatively even rate. The skills and educational attainments of our people must be fitted to the necessities of our modern and fast-changing industrial economy. These things all need to be thought through and sorted out. Goals need to be established, Mr. Chairman, if we are to meet the challenges of the decades ahead.

Of second importance is the matter of regional development, which I propose to discuss in more detail in a few moments. For the time being, suffice it to say that if we are to avoid the ups and downs and the growth pains of the past, more attention must be given by the hon. Minister and by the Cabinet to the development of all portions of our province on a much more uniform basis.

Third, Mr. Chairman, there is the matter to which the hon. Minister referred, of urban renewal and housing. In this area we apparently have all the necessary machinery for action—but nobody presses the button. We have been advised of plans and programmes both federally and provincially, and the financial aspects have all been taken care of, but still we are stalled. Someone must act, not just react. Here we need leadership and I submit, sir, that this leadership must come from the provincial government, not from the individual municipality.

The fourth item on the agenda is the matter covered so ably recently by the hon. member for Scarborough West (Mr. S. Lewis). It is the retraining of the members of our work force who are going to be displaced suddenly and in very large numbers by the full impact of automation. The spectre of automation has been brought up before under the estimates of Labour and University Affairs, and I expect it will be brought up again under Education, but I believe it will have such a profound impact upon our economic growth that it must be a matter for considerable concern by this department. One of the main difficulties seems to be to convince the leaders and the public that this problem is imminent. It is not something that can be shoved aside for further study. The problem is not one of limitation of the total number of jobs to be available. It is rather one of training our workers to fit the new jobs that will be created. Here again is where real leadership

is needed to forestall the economic and social disorders that traditionally accompany dramatic and sudden changes in employment opportunities.

Fifth, and here we are concerned with the lifeblood of a sparsely populated yet industrialized society such as ours, we must substantially increase our exports. We must accomplish this to provide full employment, to improve our balance of payments and to ensure a high enough base for our industrial production, to assure competitive production costs and from there full employment. It might be urged that such problems as balance of payments and exports properly belong in the federal sphere. However, to this the answer is plain. Ontario provides such a large percentage of both Canadian production and consumption that as Ontario goes in this area so goes our nation.

These five items, Mr. Chairman—economic planning, regional development, housing and urban renewal, training and retraining, and our international competitive standing—seem to me to be of the highest importance to the department and to the hon. Minister. All of these problems should claim the full attention and support of this government.

In dealing with the estimates tonight, I propose to dwell in detail only on the matters of regional development and of exports. Not that the other subjects are of any lesser importance but they will be examined thoroughly by my hon. colleagues and myself a little later in the debate.

We have all been awaiting with the greatest degree of interest the speech by the hon. Minister as to the part which his ministry will play in the development of the province. There has been the conference on regional development which the hon. Minister was courageous enough to call even though some of the shortcomings of his department would be exposed and criticized. This conference showed the widespread concern in many countries with the question of economic development in a regional context: the many different ways that were being explored for solving the problems that came from urban overcrowding and rural depopulation; the need for taking a long-range view of future developments so that these problems could be anticipated and averted by intelligent action; the necessity of leadership from a central government in the form of plans, policies, administrative action and financial provisions; and above all, the long-delayed recognition that the growth and prosperity of a larger region is dependent on similar progress in all the smaller areas that make it up, and will be stronger and more

effective if the particular resources of these smaller areas are utilized to the best advantage and if all the people have an opportunity to use their talents and their skills.

We have had indications that there might be beginnings of a new and rational approach to the internal development of Ontario. The report from the select committee on The Municipal Act indicates that the scale and scope of local governments' responsibilities are inadequate for the needs of today. The hon. Minister of Municipal Affairs stated a short time ago that circumstances were such as to make it desirable for study of development in certain areas to be made in a wider framework than that offered by traditional local government boundaries.

These and other indications gave us some expectation that tonight we would have a statement of policy from the hon. Minister regarding his government's programme for the internal economic development of the province. And what have we heard? The statement, sir, that gives some recognition to the questions that are exercising everyone's concern at the moment: a shifting of the regional development division into the office of the chief economist; a proposal for some minor adjustment to the previous way of doing things; but a statement that fails to specify government policy clearly or to lay out a real long-term programme, a programme that tries to substitute a series of palliatives for past ills rather than a programme geared to the requirements of the future.

Of course, the hon. Minister is not solely to blame for the failure to produce the policies and the programme that the province needs, although his must be the prime responsibility since his department is, after all, The Department of Economics and Development for the province. The fault lies, I think, after all, with the government as a whole, since it has never recognized its duty to consider all aspects of the economic development of Ontario. It has not appreciated the functions that a government must discharge if development is to be brought about in a coherent fashion to benefit all the people of the province.

At the conference on regional development, we have seen and heard discussed the ramshackle pattern of duplication of agencies among different departments and the multiplicity of overlapping regional organizations that exist, and I do not propose to cover that ground again. However, I wish to stress the wastefulness of such lack of co-ordination, of such lack of common policy, the delays,

the frustrations and the extra costs of administration which mean that taxpayers are being burdened needlessly because of basic government inefficiency. And furthermore, there are added costs that arise from opportunities lost and from under-utilization of resources and of the talents of our people in Ontario because, again, of the lack of coherent government policies. The Department of Economics and Development which should be the co-ordinator and the mainspring of all government action in the economic field has been merely one other government department among all the others. It was to meet these needs and to correct these shortcomings that our party has suggested that there be integrated administration within and between departments. It was to permit economic-policy-making at the highest level that we recommended that there be a Cabinet economic committee, that the Ontario economic council have its functions recast and be enlarged and strengthened and that an Ontario bureau of statistics be set up to co-ordinate the gathering of economic data in this province.

Nothing less than a complete rethinking of our approach and a total reorganization of our methods is necessary if we are to meet the challenges that face us; and if we are to provide the best economic environment for the people of Ontario. I do not propose to cover the report of the economic council of Canada which we have referred to previously. I would point out, though, that if maximum productivity is desirable for economic betterment as the council suggests and with which we would all agree, productivity improvements should not be confined to business activity alone. It is at least equally important that the government should improve the efficiency of its performance and that of its agencies. It is ironic but it is happening, that the welfare of the people and the businessmen of Ontario is being hampered by poor performance of its functions by government.

I would also point out the clear recognition by the council in its report that, in our modern society, governments have functions to perform far beyond what they are now doing in the fields of education, health, communications, utilities, labour training, resources and labour mobility—the whole area of productive social capital which only they are capable of performing.

Government responsibility is wider than that of providing minimum services and following along behind the pace of developments, patching here and correcting there, responding to circumstances rather than

anticipating them. One would hesitate to labour this point except for the suspicion that hon. members opposite have not even yet taken to heart the words of the hon. Minister's predecessor in 1961 when he said:

In the past, governments have been content to provide essential services to industry and to promote an environment suitable to growth. Today government must more actively promote growth.

That means conscious, deliberate action by the government and its agencies to ensure the fullest utilization of the potential of Ontario. It means policies regarding natural resources development to speed growth in northern Ontario. For business it means the provision of adequate and efficient services and facilities under policies that are clearly stated so that the business community will know where it stands and may be able to plan ahead over a long period. For people it means the opportunity to utilize fully their ability and to lead a fuller life. For all in Ontario it means government action to ensure that, as our numbers increase greatly in the future, there will be adequate recreational space, clean water for industrial and personal use, well-planned urban communities and dispersed industrial locations, so that overcrowding in one area will not be accompanied by the running down and emptying of others.

For instance, does the government have even the beginnings of an overall policy on land use for industrial, agricultural, residential, tourist and resort purposes? Has the government made any assessment of the cost and availability of services with regard to industrial location, including the cost of power, gas, water and transportation? In what way is policy in these fields related to programmes for education, not only in terms of universities, community colleges, high schools and public schools, but with regard to technical schools, trade training centres and agricultural colleges? Is it not that the government is following, rather than anticipating, future requirements for housing, hospitals and medical centres?

To pose these questions is not to suggest that they are the only ones that need to be asked, nor that answers will ever be available in full and final form, even after the most intensive study, but it is our view that it is with matters like these that this government should be concerned, if it is to play an active and responsible part in the future development of Ontario.

Public funds are a large component of total expenditures in these fields of social capital and it seems to me only reasonable, and tax-

payers have a right to expect, that these funds be committed intelligently on the basis of requirements as they are likely to be in the future and in advance of costly expenditures to cope with emergency situations which have been allowed to develop through the lack of forethought.

Businesses nowadays are accustomed to taking a long view forward before they commit large quantities of capital, taking into account as many future developments as can be foreseen with any degree of confidence.

Obviously, a government should do likewise and should assess, as far as can be foreseen, the trend of developments in the future so that it can plan its activities accordingly. However, this assessment will be inadequate if carried out only by the provincial government without close consultation with the people in the different regions of the province.

First, people living and working in a region usually have a livelier and more immediate appreciation of their circumstances, of the things they think should be done to develop their region, than those who are not so close to the local scene. Secondly, things imposed from outside a region without regional support are going to have little likelihood of permanent success.

Provincial policies, then, need to be broad in their terms to provide a framework within which regions can proceed in accord with their own particular circumstances. At the same time, once experience has been gained, there will be important benefits to the provincial government from the experience of these regions. Development will rapidly become a co-operative venture between the regions and the province.

What is required initially, however, is real leadership from the provincial government and it is idle for the hon. Minister to suggest that any announcements so far have given that leadership. We have proposed that there should be a municipal and regional development committee at Cabinet level. There will need to be commissions to examine the patchwork of regional and administrative regions that have sprung up as a result of the activities of the various government departments, unrelated to each other or to any particular programme. There will need to be an eventual realignment of regional boundaries for the regional development programme and these and other basic decisions cannot be made without prior study and consideration.

For regional development to be effective, some form of regional government will be necessary with broad powers. In my view the

relatively restricted powers for regional governments contemplated by the select committee on The Municipal Act are inadequate if most benefit is to be derived from this new organization. Functions relating to assessment, taxation, arterial roads, public health, hospitals, welfare and policing, are, so to speak, administrative functions. The planning function which the select committee proposes for regional government contemplates planning activities with regard to the provision of services and basic utilities, but a regional government concerned with wider questions of economic development would require more extensive planning responsibilities in order to be effective.

I consider that the tasks and needs of regional developments are far beyond the scope of the regional development associations, no matter to what extent these might be strengthened. In the past they have been, by and large, ineffective, due to lack of basic support from the provincial government, which gave no indication at any time that it really expected them to be agencies for major improvement and change. Financial contributions have been meagre in relation to the amounts needed for the job to be done properly. Moreover, membership by municipalities was permissive only, with the result that there has not been continuity of local support. The energies of officers of the association have been devoted largely to just keeping the association in being; they have not had sufficient time to do their real jobs.

Another shortcoming was that they had no real role to play. They would often be bypassed and local people would make a direct approach to the various government ministries.

Perhaps as an interim measure the associations should be provided with more adequate funds, entirely from the provincial Treasury so that they could be sure of continuity of their work in these regions. However, I would not regard that as being a feasible long-term solution for the problem. Rather it would seem that there is need for some form of regional administration that would not only be representative of the region but would have the direct involvement of provincial government personnel as well. The function of this body would be to coordinate and stimulate efforts within the region to advance the region's development, and to serve as a two-way channel of communication with the provincial government, both in terms of regional proposals and in relation to provincial government policy and/or decisions.

Accompanying this type of administration, there could be decentralization of certain provincial government departments to these regions, thus providing the service and commercial jobs which would do as much to stimulate activity in a region as would a manufacturing industry. The seat of the regional governments could be in selected growth areas, the development of which, with all the necessary services, could give a real impetus to industrial development in a region, as the proceedings of the recent conference made very clear.

Obviously the form of such a regional administration requires careful assessment and such major changes in our government system cannot be brought about overnight. The experience of other countries and other provinces will be relevant but we will need to develop something that is particularly suited to our own requirements.

The important point, however, is that something needs to be done now if we are to adjust our government structure to the age in which we are living, if we are to overcome past deficiencies, and if we are to take best advantage of the opportunities for our people that will present themselves in the future.

Let me mention, too, that our concern not only should be for the outlying regions. We sometimes tend, when speaking about regional development, to think only of the rural areas of Ontario. But the problems of urban sprawl and congestion are but the other side of the same coin and these problems are going to get worse as our population grows and the whole area of the Golden Horseshoe becomes one vast built-up area. There is, however, the opportunity to improve the quality of our urban as well as our rural life, if we are willing to make use of our intelligence to programme our economic development in the way that suits us best.

Finally, this suggested course of action will not necessarily be costly or uneconomic in the sense of promoting unproductive development. Indeed, costs may well be less, provided we use our total available resources more efficiently. If congestion and high costs of suburban sewage, power and highway facilities in Metro Toronto are lessened, as an example, because there is some stabilization in the rate of metropolitan expansion, those in the cities will benefit. If houses, schools, sewage plants and highways are built in other regions, because of expanding activity and population, they will likely be built at less cost than similar facilities that would otherwise have been constructed in the more crowded areas.

Moreover, a more widely spread programme of regional development, by stimulating employment and the use of regional resources, will relieve some of the distress that exists in these regions at the present time, distress that is now only relieved through various forms of welfare assistance. The costs of these welfare programmes are an indication of the under-utilization of our human and material resources that is occurring at the present time, not to speak of the hardship to individuals and the opportunities lost.

Through a progressive programme of economic development, the need for supporting individuals could be greatly reduced, with savings in costs, improvements in efficiency, and most important of all, a real gain in personal opportunity in the ability to lead the good life for the people of Ontario.

I would now like to turn to discussion of the need to increase our exports. I was most interested to hear the hon. Minister's plans for the extension of our export efforts to the United States. We agree, of course, that the United States is, and will continue to be, far and away the best potential customer in the future for our export goods. Our greatest efforts toward expansion should undoubtedly be made in that direction.

We also agree that our efforts should be focused on areas where the greatest results are likely to accrue. The hon. Minister has drawn a rough line around an area containing about 88 million people in the northern part of the United States, fairly close to our borders, upon which it is logical for us to concentrate our maximum efforts. But it seems to me the success of plans for developing our export trade in this area will depend on the type of effort made. Sales missions and participation in trade shows and exhibitions are good, and these opportunities should be used to the full. Prospective customers may well come and see—and, we hope, buy—our products. But no matter how nicely these items may be displayed, let us be sure we place sufficient emphasis on selling what these customers need and want to buy. We should make our products and our promotion of them fit the market we are trying to sell.

For example, a company contemplating introduction of a new product does a vast amount of leg work and research. A soap company would never make the mistake of marketing a soft-water soap in a hard-water community, or a wrong-sized bar or package out of tune with public demand, or an un-

attractive wrapper. This is all market researched beforehand in the greatest of detail. What follows then, is the placing on sale of the product in a test area, in conjunction with local advertising promotion. After this, one area after another is opened up until national distribution is obtained.

If the product had been put on sale over a wide area at the beginning, with large expenditures and production, advertising and promotion, without proper research and study, there would have been a great deal of money wasted, had the product not clicked. Also, assuming the product was a good one, if inadequate advertising and promotional dollars were spread too thinly over a wide area, the product still might not succeed, because it would not have become sufficiently well known.

I know the hon. Minister has had considerable experience with such things in private business, but I think it is worthwhile emphasizing that many of these very factors that apply to promoting a product domestically, are applicable when considering the expansion of our export trade, only sometimes on a much larger scale, especially to such a sophisticated market as that of the United States. Here is where the government can assist our industries, by providing vital background material and market research. Let us not have a shotgun approach to this market of 88 million people. Let us narrow our sights to the market available. Let this government help industry in determining the likes and dislikes in establishing the true potentialities of this market. Then let our aim be to help industry promote sales on a sufficiently concentrated basis so that our effort is not scattered or wasted over a broad area. If it is common good sense and practice to do this in a country of 19 million people, is it not even more important when considering expansion in a foreign market of more than four times that number?

But there is another consideration. It has been pointed out that some U.S. buyers report that Canadian goods are not sufficiently different or unique. The hon. Minister mentioned some time ago that as a result of these reports special efforts were going to be made to emphasize the different and the special. If the United States likes our colourful and uniquely styled sportswear and equipment, all to the good. Let us support such sales and let us see that there are more situations such as this.

But in addition to this market for the different and the new, let us not forget there is a very wide range of products that are

pretty standard to both countries: pens, pencils, nuts, bolts and so on. The buyers of such items look first to a basic standard of quality and then to cost. Other things being equal, they buy on cost. It is my contention that this very large segment of possible trade with the United States should not be lost sight of, because future developments will make it possible for us to enter this market if we are prepared.

Our production at the present depends on local consumption. Our present markets are thus small compared to U.S. standards and unit costs are high because they do not benefit from the advantages of large-scale production and long production runs. But could we not seek out other export markets in the need of such products as we now manufacture? Combined with our own requirements, total sales would then justify extension of the assembly line and the lowering of unit costs. Not only is this an important objective in itself at the present time, but it is doubly important in reference to the future if further agreements are arrived at, similar to the present arrangement with the automobile industry. The logical trend is to a more open-door tariff policy between the United States and Canada. We need to be prepared.

In this regard I submit as one case in point that the West Indies offers definite possibilities for export development, that we have been neglecting this market and losing the chance for such development, not only for the present time but over the long-term period. In short, in this area we are missing the boat altogether. Here is a grouping of islands that differ in some respects. Jamaica and Trinidad are sovereign countries, whereas Barbados is not, but they all share important assets and characteristics which make them a natural market for us. The basic language of the islands is our language. The West Indies enjoy political and economic stability. They have good shipping facilities and are certainly very accessible from our point of view. They have a wonderful climate which is the reason for the very large and rapidly expanding tourist trade. They are making concerted efforts to expand their secondary industries and these efforts are paying off.

Canada presently enjoys some very concrete tariff preferences. Canada's relations to the West Indies were close even before Confederation. In the 1880s it was suggested in both Barbados and Jamaica that they become Canadian provinces. The exchange of sugar, rum, molasses for lumber, fish and flour has been traditional and continues to the present day. A good portion of their

expanding tourist industry consists of Canadians. Canadian banks and insurance companies have had offices in the islands for years. McGill University has a research institute in Barbados. Canada has provided two passenger cargo ships which are now the only means of inter-island service. Likewise the Dominion government has once again provided funds for an aid programme totalling \$10 million for this year.

In light of what has been said, let us take a brief look at the trade picture. As of old, Canada has had an unfavourable balance of trade with the West Indies for many years. In 1963, imports from the three main islands to Canada totalled \$74 million, whereas our exports amounted to only \$50 million. Canada's share of the combined West Indies market dropped from 38 per cent in 1945 to about 15 per cent in 1949. There was some excuse for this since trade was channelled during the war and there were restrictions and limitations during the years of federation. But Canada's share has continued to drop despite the removal of restrictions on imports from non-sterling countries.

In 1963 Canada's share of the combined Trinidad, Jamaica and Barbados market amounted to less than eight per cent, placing Canada a poor third to the United Kingdom and the United States. During the post-war period when the total market provided by these three West Indian islands has increased six times, Canada's exports to them have increased only by about 20 per cent. To give some idea of the overall potential, Jamaica alone imported \$242 million worth of goods in 1963.

Now, from the point of view of this province, an analysis of Canadian exports to the West Indies continues to show a large percentage of fish, forest and primary agricultural products, principally flour. We have traditionally supplied these commodities. However, an increase in quantity of a wide range of manufactured goods, passenger cars, tires, medicinal and pharmaceutical products, refrigerators and television sets, is appearing on their list of imports, but the market for these products is much broader than the present increase indicates. It is in this area that we appear to be falling behind. Here is where we can very materially increase our volume with proper initiative and effort.

The trade pattern of the West Indies has changed but we have not yet seen the significance of the change or adapted ourselves to it. The tourist industry in this area, while booming, is really still in its infancy, yet even now a broad range of products that Ontario

produces are being imported from elsewhere for this tourist industry's needs.

It is true that every effort is being made in the West Indies to foster the building of secondary industry. Here again is an opening for our suppliers as we shall see, but secondary industry will never be able to fill the great and ever-growing need for the variety of products required by the tourist industry of these islands. The expansion of the tourist industry itself puts a definite limit on the amount of secondary industry that the islands can possibly develop.

Not only do we have a potential expansion of our trade based on the very firm foundation of this tourist industry, but there is also the whole field of current development programmes with rich present and future possibilities to consider. The Jamaican government alone has a \$275 million five-year development programme under way and just ending its second year. Allocation of these funds include:

(a) Agriculture—\$52.2 million on development, rehabilitation, farm holdings, farm machinery and tools, demonstrations, marketing programmes.

(b) Construction—\$150 million on roads, schools, housing and hospitals.

(c) Water supplies—\$29.4 million on a large irrigation programme, watershed development, a 9.7 million gallon/day dam, deep well grants.

Are there not opportunities within the framework of such a programme for Ontario exports? And this programme covers only Jamaica. It is only one of many that we shall see put into operation in the West Indies in the near future.

Again I say, Mr. Chairman, an increase in our export trade is vital to Canada and to this province. It would help us obtain most of our economic and social objectives such as:

1. To enlarge our secondary industry and thus increase our standard of living.

2. To keep our work force gainfully employed in a diversified range of activities.

3. To eliminate pockets of unemployment and marginal development areas.

4. To be ready to face changing patterns of trade especially in regard to the United States.

5. To correct our imbalance of trade with the United States.

The drive to industrialize is general throughout the world today. More nations than ever before are making concerted efforts in this direction. The competition for markets is growing keener year by year. This makes

it absolutely imperative that we be aware of developments and keenly alert to take advantage of every favourable situation that presents itself.

Government assistance and helping industry establish new markets is common in all trading nations today. Situations have become so complex and so costly that no one industry can do an adequate job by itself. So let this government assume an all-out aggressive approach to our export trade problems. Let nothing that could be done be left undone.

In conclusion, Mr. Chairman, I would like to stress again that in the five areas that I have covered tonight the department has the clear responsibility of providing not only assistance but leadership.

In fairness to the hon. Minister I should say that these objectives can be accomplished only through the proper recognition by the Cabinet of the importance of the department's true role in the future of our province.

Mr. Bryden: Mr. Chairman, I was interested in the comments of the hon. Minister of Economics and Development made this afternoon, at the outset of his remarks, with regard to the federal Budget that was brought down last night in the House of Commons.

I noticed, Mr. Chairman, that he took a somewhat more pessimistic view of the growth potential for the Canadian economy in the current year than the hon. Minister of Finance at Ottawa. It is possible that the hon. Minister of Economics and Development, not having in mind an election this year, is in a position to be a little more honest than the Minister of Finance, or it may be that his advisors take a somewhat more jaundiced view of things. At any rate, his estimate, I take it, is somewhat lower than that of the Minister of Finance.

I was also interested in his comments on the decrease in income tax which is to become effective on July 1 of this year. I think the hon. Minister made a valid point when he called attention to the fact that that is really only a temporary decrease. It may indeed be a decrease just to tide the party in power over an election. But we all know that, effective January 1 of next year, there will be an increase in taxation in the form of contributions under the Canada pension plan. The hon. Minister of Economics and Development in this House quite rightly pointed out that at that time the increase in purchasing power that will come from the decrease in the income tax will be more than offset by the withdrawal of money from the public through the levies under the Canada pension plan.

I think that is a point that should not be forgotten. I am inclined to share the fears of the hon. Minister in this House that actually, when you put the two together, the taxation policy may not be sufficient or may not stimulate sufficient aggregate demand to maintain economic activity at a high level. That, however, is a matter upon which we can only speculate; the events in time will speak for themselves.

There is another angle of this tax decrease, Mr. Chairman, that the hon. Minister did not call attention to and which I think is perhaps even more important than the point he made. When we take the tax decrease in relation to the levies under the Canada pension plan, which are to come into effect on January 1, there is a quite significant shift in the incidence of taxation, and in my opinion one that is not desirable. I tried to indicate to the House on a previous occasion that the levies under the Canada pension plan are inherently regressive in their effect for all but the people at the very lowest income levels. The reason for this is, of course, that those levies can be charged against taxable income when the taxpayer is drawing up his income tax so that those getting large incomes will receive a greater reduction in taxation as a result. Thus, if we take not just the gross premiums paid under the Canada pension plan but the net premiums, that is, if we take account of the offset against taxable income, we find that from approximately the \$5,000 income level up, the actual contributions under the Canada pension plan decline. I will not go into the details of that again. I tried to outline them once before in this House. They are rather complicated but I think any people who have studied the matter will agree that what I have said is true.

Now we have another factor entering into the situation: That is a flat across-the-board reduction of 10 per cent in income tax up to a limit, I think it is, of \$600 per year. That is the limit of the decrease that can be obtained under this new provision. When we relate that to the net contributions under The Canada Pension Act, we find what I consider to be a rather disturbing picture. You see, as of January 1 everybody will still have a 10 per cent decrease in his income tax but then there will be Canada pension plan contributions at different levels. When we offset the one against the other, we find that the net effect will be that, taking as an example a family of four, a married taxpayer with two dependent children will on balance suffer an increase of \$33 per year in his tax levies. He will get a reduction in his income tax, a very small reduction, but that will be more than

offset to the tune of \$33 per year by the net contributions he has to make under the Canada pension plan. You may say it is peculiar that it is exactly \$33 a year for all in the family situation that I mentioned, whose incomes are between \$3,000 and \$5,000 a year, but I have worked this phase out fairly carefully and as far as I can see that is how it is. It is a coincidence but that is how it works out. Any married taxpayer with two dependent children whose income is anywhere between \$3,000 and \$5,000 a year will, as of January 1, 1966, pay \$33 per year more in tax levies than he will pay up until July 1 of this year.

We now move above the \$5,000 level. We find that the increase in total taxation, taking into account all the factors involved, will steadily go down from \$33 to zero. The break-even point will be reached—I have not had time to work this out exactly—but it will be somewhere in the \$6,000-\$7,000 range. Somewhere in that range the taxpayer will break exactly even. His Canada pension plan contribution will be exactly offset by the reduction he enjoys in his income tax. Then beyond that income level, the taxpayer will enjoy an absolute decrease in the taxes he pays, taking everything into account. So at the \$10,000 level—and again I am taking it on the basis of a married taxpayer with two dependent children—his net decrease in total taxation will be about \$75 per year. And then at the \$20,000 level—I have not got this exact, but it is close enough—his reduction in taxes in total will be about \$450 per year. Thus, taking the situation, which is the true situation as it will exist after January 1 of next year, the poor little taxpayer who makes \$3,000 to \$5,000 a year will have his taxes increased by \$33 a year, but the fellow making \$20,000 a year will find that his net taxes are down by \$450 a year.

Mr. D. C. MacDonald (York South): Liberals are still more Tory than the Tories.

Mr. L. M. Reilly (Eglinton): Think of the benefit.

Mr. Bryden: Well, they are all getting the same benefit, there is no getting around that.

We hear a great deal these days about the need to take action against poverty. Some of us in this group have been calling attention to this problem for a long time. We are happy to note that even some of the reactionaries in the country now find it necessary at least to pay lip service to the concept. Indeed, the Prime Minister of Canada not long ago, in a strikingly original phrase, indicated that he was going to engage in a war on poverty.

The hon. Minister of Economics and Development this afternoon also made a number of references—and, I thought, meaningful references—to the need to tackle the question of poverty.

But the situation we find at the federal level, Mr. Chairman, and I am afraid that it is much the same at the provincial level, is that there is talk about it but precious little action. Indeed, the current situation at the federal level is this: The poor and the relatively poor have received a pat on the head from Mr. Pearson and a punch in the nose from Mr. Gordon; their taxes are up and the taxes of the rich are down. This is the war on poverty, apparently. But Mr. Gordon does not just come right out and punch them on the nose and be done with it. Oh no, he sneaks up on them. For six months, between July 1 and December 31 of this year, he will lead them to believe that they have got a reduction in taxes. This no doubt will be long enough to get over the election.

Mr. R. M. Whicher (Bruce): Why does the hon. member not let Tommy Douglas handle things? He will look after it.

Mr. MacDonald: What are you worried about? Do you not enjoy this?

Mr. Whicher: You do not even run anybody against me.

Mr. MacDonald: You are not going to run yourself, so what are you worried about? You are getting out.

Mr. Whicher: I will never get out if one of your party will run.

Mr. Bryden: So, for long enough to get past the election, the little fellow will be given the illusion that he is getting a reduction in taxes, and then on January 1 of next year, bang, he will get it on the nose. This is the war on poverty.

Turning now to the more substantive parts of the hon. Minister's presentation this afternoon, Mr. Chairman, I would like to congratulate him on a long speech, but a very enlightening and well prepared one. I was particularly interested in the excellent piece of economic analysis that formed the earlier part of his speech. I think it was a useful contribution to the debates of this House. Somebody said "but"—I think the hon. member for Bruce. He wants me to say "but" so I will say "but." The "but" is obvious—

Mr. Whicher: You will end up somewhere on your "butt."

Mr. Bryden: There is very little indication of any policy that flows coherently out of the analysis that the hon. Minister presented. This is something I may get to a little later. Before I do that, however, I will say that I was happy to note that the hon. Minister appears to have read and digested the recent review of the economic council of Canada. This, Mr. Chairman, is in startling contrast with the hon. Provincial Treasurer who presented a Budget to this House in exactly the same form as almost every budget that I can remember, and who did not give any evidence from start to finish in that Budget that he had even heard of that highly important document that was issued early this year by the economic council of Canada.

I am glad that it has penetrated somewhere into the crania or the collective cranium of the Cabinet. I hope it will filter around and all Ministers will begin to hear about it. Perhaps we might even have budgets in future years that are presented in relation to the type of economic analysis that is contained in that report—budgets that take into account, as the hon. Minister of Economics and Development tried to do this afternoon, the clear and vital challenges that the economic council of Canada has placed before the people of Canada in terms of what they should be able to achieve if they use their resources efficiently and well between now and 1970. The hon. Minister recognized that the objectives set by the economic council will not be easy to achieve, but the fact remains that economic analysis indicates that they are possible of achievement. Indeed, it is absolutely essential that we achieve them if we are not to be faced with mass unemployment by 1970.

Unfortunately, Mr. Chairman, it is hard to see exactly how the hon. Minister plans to do his part as the responsible Minister in this jurisdiction to help to achieve those objectives. He had many fine phrases, optimistic comments and exhortations throughout his speech; but when I read between the lines and cut through the verbiage and rhetoric, it struck me that he was licked before he started.

For example, in setting economic objectives for Ontario—and I think that is a desirable thing to do in terms of the overall objectives set by the economic council of Canada—he set as our objective a growth rate in real dollars of 5.5 per cent per annum. Now, this is the growth rate that the economic council of Canada said was essential for the whole of the country.

I am going to put it to the hon. Minister

of Economics and Development that, if Canada as a whole is to achieve a growth rate of 5.5 per cent, then surely Ontario, the most heavily industrialized province in Canada, has to do better. There are certainly some areas much less fortunately blessed in terms of resources and economic development than this province that will not achieve that objective in all probability. If the country as a whole is to achieve the average, surely we have to do better than the average over the next five years. If I am wrong in that, I would like to hear the hon. Minister's explanation at some proper time, but I think he has envisaged a growth rate that is really not realistic in terms of the clear needs and challenges posed by the economic council of Canada.

The hon. Minister further stated that he estimates that the rate of growth in terms of real dollars for the current year in Ontario will only be about four per cent. Now, I hope I heard his figure wrong. At least I had hoped when I was listening to him that I had heard it wrong, but I have since had a chance to get a copy of his speech and I think his speech confirms what I thought I heard. That is what he forecasts for this year.

That is not a very good start on the limited objective, the inadequate objective of an average rate of growth between now and 1970, of 5.5 per cent. It is true, as the hon. Minister said, that if we average last year and this year, we are probably somewhere around 5.5 per cent or even a little better, but last year was an exceptionally good year. We cannot expect that kind of good year every year, or every second year; certainly not unless we are prepared to get in there and do something about it. We will not get it simply by waiting for it.

The hon. Minister has engaged in a good deal of analysis of the growth potential of the Ontario economy. He has noted that factors favourable for growth exist, but they are not necessarily going to become operative unless there are policies that make them operative. I personally do not regard with the same degree of optimism as he does the fact that we can achieve our 5.5 per cent objective only by averaging last year with this year. After all, when you get right down to it, what he is talking about is a situation in which the rate of growth has declined. The average over two years may be what he considers to be a desirable level, but it is down from last year. That would seem to me to be a matter that ought to cause the

government more concern than apparently it has up until now.

The hon. Minister's department has also engaged in a useful exercise, in trying to break down the overall growth objective in terms of targets for specific industries. I would say that that sort of statistical analysis, at which his department is becoming so expert, is the necessary first step in achieving our objectives in terms of growth. We are not going to achieve anything if we merely express our aim in terms of a global figure. We have to break it down into specifics to find out exactly where we can achieve the sort of growth that will produce the overall average we are seeking. So therefore, this is an essential first step, but surely, Mr. Chairman, it is nothing but a first step. We are not going to get economic growth just by saying that industry A has to achieve 7.8 per cent to offset industry B which will probably only be able to achieve 2.6 per cent, or something like that. That is necessary information, but merely publishing that information is not going to produce anything, except a certain amount of interest in academic circles and elsewhere.

The big question with which, I would submit, the hon. Minister never really did come to grips in all his lengthy presentation, is exactly how these specific growth rates are going to be achieved. I would have thought that this would be a function for the Ontario economic council, as an advisor to the Cabinet no doubt, but not only as an advisor, but as an intermediary between the Cabinet and industry. As far as I have been able to determine, this is one function that the economic council of Ontario has never thought of. In fact, I often wonder what it does exist for. It was set up a few years ago by the impulsive Mr. Macaulay, who had a great habit of hatching chickens all over the place and then leaving them to fend for themselves. I do not know if he had in mind what function the Ontario economic council was to perform, but if he had anything definite in mind, it is clear that the council itself has never received that information. It is a body that, as far as I can see, hops around from one project to another, never getting down to business on anything, and never making up its mind what it is there for anyway.

Take the annual report of the department, the *Ontario Industrial Review*. The economic council merits only one page in this report, which is about 100 pages long, or something in that magnitude, and one-fifth of that page

is taken up with the following, which I will read:

The Ontario economic council is interested in the further development of the souvenir industry in the province. Discussions have taken place—

Incidentally, I think this is word for word from the previous report, but I have not had time to verify it:

Discussions have taken place with the purchasing officers of the Niagara and St. Lawrence parks commissions with a view to encouraging expansion in their domestic souvenir purchasing. The council has circularized 168 Ontario souvenir manufacturers suggesting that they advise these parks commissions of their present product line and future plans. As a result, a number of the companies have received orders for the first time from one or both of these commissions.

Now, Mr. Chairman, if that is the type of activity that is designed to stimulate achievement by industries in this province, of the targets the hon. Minister's department say are necessary, then I must say that many people in this world have been gravely misled. I take it that the souvenir industry is going to hit its target 100 per cent. I do not know how this will affect the overall average, but I do not think it will bring it up by very much. Yet this is the sort of trivia with which the Ontario economic council concerns itself.

Now, I am not suggesting that the project is not a worthy one in its minor way, but surely it is something that a junior officer in one of the line branches of the hon. Minister's department could have worked out without the economic council concerning itself with it, like a pile driver cracking nuts. It carries on a few research projects, no programme of research, but a project here and a project there. Rather, it does not really carry them on; it sponsors them, and then it takes credit also, I notice from the annual report and from the hon. Minister's speech, for projects that other people sponsor. Most of the projects concerned could be much better done by the branch and sections under the direction of the provincial economist. That branch as it has existed in the past has done excellent research and statistical work. I am sure that it could either carry out or sponsor whatever research projects may be necessary. Let the economic council look to it for research service, but let it get on with other jobs.

Then the council also sponsors conferences

and gabfests and one thing and another, here, there and everywhere. None of them really related to the others—just a project here and a project there—anything apparently that comes into the council's head. What the results are, nobody ever knows, because nobody ever finds out what goes on, unless he has nothing better to do than to attend. What purpose is there in an agency like that, Mr. Chairman? Yet I would suggest that this council could perform a vital function in the very area on which the hon. Minister was so vague, and that is the area of trying to ensure that the specific industry targets will be achieved.

After all, as I recall it when it was set up, this is supposed to be a council representative of industry, labour, agriculture, I believe, and perhaps some other groups in the community. It is a sort of a microcosm of the economic life of the community. These are people who are familiar with industrial life in the province in its various manifestations, who can perform an important role in assisting the government to develop in private industry the kind of policies that will achieve the targets the hon. Minister talked about in the breakdown he presented to us, of the total growth figure he has as an overall objective.

Why should the economic council not be regarded as the body that sits down, satisfies itself that these specific targets are reasonable and then goes out and works with management and labour in the industries concerned, and with other interested groups, to try to see what they think about the proposed targets? It can modify the figures if necessary, if the industry concerned does not regard the targets as satisfactory. Let us get targets that have been accepted by industry and let us develop a spirit whereby management and labour and other groups will co-operate in achieving these targets, under the general sponsorship of the government.

It would make some sort of sense if the hon. Minister had said that the economic council was engaged in a programme of that kind. I would feel hopeful that we would indeed have a chance of achieving the targets he is talking about.

As far as research is concerned, let it use the research facilities that are already available and staffed with well qualified people. Perhaps there are not enough of them, as the hon. Minister said, but at any rate there is a good nucleus to provide research studies directly, or to sponsor and supervise studies by others, where they themselves cannot undertake them, and to integrate them with the overall research programme. That would

make some sense. As it is, the economic council is a sort of a half-baked research agency and a half-baked sponsor of conferences and bull sessions. It really has no function at all. It might as well be abolished as it exists at present.

Now, the hon. Minister has—

Hon. J. P. Robarts (Prime Minister): Mr. Chairman, if the hon. member has come to a break in his address, I would move that the committee rise and report progress.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of supply begs to report it has come to a certain resolution and asks for leave to sit again.

Report agreed to.

Hon. Mr. Robarts: Mr. Speaker, tomorrow we will deal with the second readings on the order paper, the government's second readings, and return to these estimates.

Hon. Mr. Robarts moves the adjournment of the House.

Motion agreed to.

The House adjourned at 10.35 o'clock, p.m.



ONTARIO

Legislature of Ontario

Debates

OFFICIAL REPORT—DAILY EDITION

Third Session of the Twenty-Seventh Legislature

Wednesday, April 28, 1965

Speaker: Honourable Donald H. Morrow
Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

WEDNESDAY, APRIL 28, 1965

The House met at 3 o'clock, p.m.

Prayers.

Mr. Speaker: We are always pleased to have visitors to the Legislature, and today we welcome as guests, in the west gallery, the Catholic women's league of St. Gregory's Church, Islington.

Presenting petitions.

Presenting reports by committees.

Motions.

Introduction of bills.

THE HIGHWAY TRAFFIC ACT

Hon. I. Haskett (Minister of Transport) moves first reading of bill intituled, An Act to amend The Highway Traffic Act.

Motion agreed to; first reading of the bill.

Hon. I. Haskett (Minister of Transport): Mr. Speaker, changes are made regularly to The Highway Traffic Act and the bill today is of the usual nature, including an assortment of items.

Specifically the bill deals with such matters as: Transferring powers of suspension under section 25 from the Minister to the registrar of motor vehicles and setting up an appeal board to hear appeals from such suspensions; upgrading the necessity of having lamps lit to include times when atmospheric conditions are unfavourable; requiring lamps on both sides of the rear of vehicles; defining stopping and standing of vehicles; giving precedence to repayment of moneys to The Motor Vehicle Accident Claims Fund over judgments in the hands of insurers, and increasing the maximum penalty for defacing or manipulating number plates.

THE POWER COMMISSION ACT

Hon. J. R. Simonett (Minister of Energy and Resources Management) moves first reading of bill intituled, An Act to amend The Power Commission Act.

Motion agreed to; first reading of the bill.

Hon. J. R. Simonett (Minister of Energy and Resources Management): Mr. Speaker, the purpose of these amendments is to broaden the types of investments that may be purchased by the commission and to provide the commission, through order-in-council, with the necessary authority to issue on a regular basis short-term securities for the purpose of facilitating debt management.

Section 3 of the bill is to do with the pension and insurance fund of Ontario Hydro.

Section 6 of the bill introduces new section 58a into the Act and is related to business operations.

THE FIRE MARSHALS ACT

Hon. A. A. Wishart (Attorney General) moves first reading of bill intituled, an Act to amend The Fire Marshals Act.

Motion agreed to; first reading of the bill.

Hon. A. A. Wishart (Attorney General): Mr. Speaker, the amendment simply repeals one subsection of the Act and that has been taken care of in legislation now contained in The Emergency Measures Act.

THE JUSTICES OF THE PEACE ACT

Hon. Mr. Wishart moves first reading of bill intituled, An Act to amend The Justices of the Peace Act.

Motion agreed to; first reading of the bill.

Hon. Mr. Wishart: The purpose of the bill, Mr. Speaker, is to provide that The Labour Relations Act shall not apply to full-time justices of the peace.

Mr. F. Young (Yorkview): I have a question, Mr. Speaker, for the hon. Minister of Lands and Forests (Mr. Roberts), notice of which has been given him.

Would the hon. Minister explain why Ian Malcolm Goldby, a graduate of the Ontario forest ranger school, who became an employee of The Department of Lands and Forests on January 4, 1965, is still not on the payroll of the department, and are the other graduates of the Ontario forest ranger school who

also became employees of The Department of Lands and Forests in January, 1965, on the payroll of the department?

Hon. A. K. Roberts (Minister of Lands and Forests): Mr. Speaker, I would say in reply that Mr. Goldby was selected from the 1964 graduating class of the Ontario forest ranger school by the district forester at Kapuskasing and started work on January 4, 1965. He has been advanced 90 per cent of his salary, pending completion of appointment details—classification and matters of that sort which will not in any way affect his position. If he gets the proper classification, he will get his pay as from January 4, and it is my understanding that he is being classified as forestry technician, number 1.

With regard to others, the forestry school takes students each year for so many months and when they leave some of them come into the department, some of them go into industry and so forth. I would have no reason to expect that anybody in the department would receive any but the normal treatment there and be paid accordingly and be classified, if not immediately then in due course.

Without some specific names I do not think that I can answer the second part of the question any more than that.

Mr. Young: I wonder, Mr. Speaker, if the hon. Minister would answer a supplementary question. It is this:

Are the contributions to the Ontario hospital services commission forwarded to the commission on behalf of these young men during this period so that their hospital services benefits are kept in good status?

Hon. Mr. Roberts: I will be answering that without checking it, but my view is that they would get all the normal benefits in relation to their employment from the time they were taken on. If there is any reason to qualify that I will do so, but at the moment I would certainly assure my hon. friend—

Mr. Young: I understand that the Ontario hospital services commission has notified this young man that he is in arrears; that is the reason for my question.

Hon. Mr. Roberts: I will check.

Mr. E. P. Morningstar (Welland): Mr. Speaker, before the orders of the day, as the representative in this assembly of the great riding of Welland, I am particularly pleased to announce to the House that the OHA Intermediate A champions and the winner of the Robertson Trophy is the Port Colborne's Sailors hockey team.

During the regular season they took 20 games and lost 10 and in the play-offs they excelled themselves to win Ontario honours. Playing coach Neil Mahon is deserving of every applause and he and his manager, Emedio Sergenese, are to be congratulated on this great achievement, along with Bill McGowan, the captain and all the crew of the Sailors. It was a great team effort and I am sure hon. members of the House will join me in applauding the tars for winning the series in four straight games.

Mr. Speaker: Orders of the day.

THE GENERAL SESSIONS ACT

Hon. A. A. Wishart (Attorney General) moves second reading of Bill No. 100, An Act to amend The General Sessions Act.

Motion agreed to; second reading of the bill.

THE REGISTRY ACT

Hon. Mr. Wishart moves second reading of Bill No. 110, An Act to amend The Registry Act.

Motion agreed to; second reading of the bill.

THE LAND TITLES ACT

Hon. Mr. Wishart moves second reading of Bill No. 111, An Act to amend The Land Titles Act.

Motion agreed to; second reading of the bill.

THE PARTNERSHIPS REGISTRATION ACT

Hon. Mr. Wishart moves second reading of Bill No. 112, An Act to amend The Partnerships Registration Act.

Motion agreed to; second reading of the bill.

THE LIMITED PARTNERSHIPS ACT

Hon. Mr. Wishart moves second reading of Bill No. 113, An Act to amend The Limited Partnerships Act.

Motion agreed to; second reading of the bill.

THE PLANNING ACT

Hon. J. W. Spooner (Minister of Municipal Affairs) moves second reading of Bill No. 85, An Act to amend The Planning Act.

Motion agreed to; second reading of the bill.

THE ONTARIO MUNICIPAL BOARD ACT

Hon. Mr. Spooner moves second reading of Bill No. 109, An Act to amend The Ontario Municipal Board Act.

Motion agreed to; second reading of the bill.

THE ONTARIO HOUSING CORPORATION ACT, 1964

Hon. S. J. Randall (Minister of Economics and Development) moves second reading of Bill No. 101, An Act to amend The Ontario Housing Corporation Act, 1964.

Motion agreed to; second reading of the bill.

THE SHERIDAN PARK CORPORATION ACT, 1964

Hon. Mr. Randall moves second reading of Bill No. 102, An Act to amend The Sheridan Park Corporation Act, 1964.

Motion agreed to; second reading of the bill.

THE ONTARIO ENERGY BOARD ACT, 1964

Hon. J. R. Simonett (Minister of Energy Resources) moves second reading of Bill No. 104, An Act to amend The Ontario Energy Board Act, 1964.

Motion agreed to; second reading of the bill.

THE MENTAL HOSPITALS ACT

Hon. M. B. Dymond (Minister of Health) moves second reading of Bill No. 106, An Act to amend The Mental Hospitals Act.

Motion agreed to; second reading of the bill.

THE OPHTHALMIC DISPENSERS ACT, 1960-1961

Hon. Mr. Dymond moves second reading of Bill No. 107, An Act to amend The Ophthalmic Dispensers Act, 1960-1961.

Motion agreed to; second reading of the bill.

THE PHARMACY ACT

Hon. Mr. Dymond moves second reading of Bill No. 108, An Act to amend The Pharmacy Act.

Motion agreed to; second reading of the bill.

CENTENNIAL CENTRE OF SCIENCE AND TECHNOLOGY

Hon. J. A. C. Auld (Minister of Tourism and Information) moves second reading of Bill No. 114, An Act to provide for the establishment and operation of the centennial centre of science and technology.

Motion agreed to; second reading of the bill.

Clerk of the House: The twenty-fourth order, House in committee of supply; Mr. W. E. Sandercock in the chair.

ESTIMATES, DEPARTMENT OF ECONOMICS AND DEVELOPMENT

(continued)

On vote 401:

Mr. K. Bryden (Woodbine): Mr. Chairman, when we adjourned last night, I had been making some comments on the policies and economic prospects discussed by the hon. Minister of Economics and Development (Mr. Randall) in the introductory remarks to his estimates.

He stated during the course of those remarks that Ontario's development is, of course, determined to an important extent by federal policy. I would agree with him that if federal policies are not adequate to maintain aggregate demand at a reasonable level then Ontario will naturally suffer and there will be very little that the Ontario government will be able to do to correct the overall situation resulting from lack of aggregate demand. That I think we can take as common ground.

We have to work in this province within the framework of the national economy. We have to work in co-operation with the federal government and other provincial governments and I am happy to note that the government, within this department, is devising machinery to facilitate co-operation, joint action and interchange of information between this government and the federal government in the economic field and in other fields. That is all to the good.

At the same time, Mr. Chairman, we should not overlook the fact that within the broad framework of the operation of the national economy, there is a great deal that this province can do. It can probably only have a secondary and indirect effect on aggregate demand, but given overall federal economic policy, we can do a great deal to

improve our own position and thereby also help to improve the situation in the country as a whole.

Now, the hon. Minister in his statement yesterday indicated some projects that the government is undertaking. They consist of salesmanship, I would say, and some policies directed towards improving the quality and mobility of the labour market. Beyond that I cannot see that there is much in what the hon. Minister said. There is some good analysis but very little policy that flows out of the analysis.

I made some comments yesterday as to where I think serious shortcomings lie. I suggested that there could be a constructive role for the Ontario economic council whereas now it merely wanders around in futility. These things I mentioned last night. I will not go over them again.

But I would like to refer to one of the specific policies that the hon. Minister mentioned as being within the proper purview of this government, and a policy which he suggested the government is doing something about, namely, the whole question of a well trained mobile labour force.

I am not going to deal with this in all its ramifications. I am going to make one or two references to training programmes only. These can be dealt with in greater detail under the estimates of the hon. Minister of Education (Mr. Davis), but I think at this time one or two comments are appropriate.

We could all agree that training plays a role in improving both the quality and mobility of the labour force. Better trained workers are more mobile, they have greater employment opportunities. They can contribute more to the productive capacity of the country and their chances of obtaining and maintaining employment are enhanced.

The hon. Minister went over that point rather quickly on page 12b of his prepared text. He said Ontario's policy is to "assess our labour requirements, train and retrain skilled labour to the fullest extent of expanded facilities, with increasing emphasis on on-the-job instruction, and where necessary meet specific skill gaps through immigration."

I will not go into the immigration phase of the problem. I will not go into other aspects of labour market policy. I will deal only for a moment with training.

Such training as is taking place in this province at the present time is under joint

federal-provincial programmes. The hon. Minister stated, and I do not think he came back to the point, he just stated in passing that there was going to be increasing emphasis on on-the-job instruction. Well that, I think, comes under Programme Four of the joint federal-provincial vocational training programme. The hon. Minister was very careful not to say what the achievement to date has been in Ontario under Programme Four, so I will enlighten anyone who may not know. As of now, we in Ontario have completed a total of one project under Programme Four. One project—that was in a plant in Leaside where about 30 workers received in-plant training, to upgrade their qualifications. That is the government's contribution in one important aspect of training. Yet, the hon. Minister himself says it is important to maintain a mobile and adequately qualified labour pool.

Another important area relates to the retraining of the unemployed. That is perhaps the most important area of all, because the unemployed are the people who obviously are not fitting into the labour demand pattern at the present time.

In the city of Toronto, there have, for the last few years, been a number of centres, municipal and provincial, at which the unemployed can receive training. These centres also take in handicapped workers. The figures I am going to give include the handicapped workers, but they are a very small percentage of the total. Most of the people who went through these training schools were unemployed workers. Unfortunately a good many of them still are. In the total period from the beginning of the programme in 1961, until November 30, 1964, 8,517 unemployed workers, with a few handicapped included, have completed courses in the various training facilities in the city of Toronto. That is in a three-year period. A mere 8,517 and in that same period, Mr. Chairman, a total of 7,319, almost the same number, started courses and then dropped out. Now if that is attacking the problem of the retraining of unemployed, the hon. Minister is going to be in for some rude shocks in the future when he tries to reach his objective of an increase in the labour force of 75,000 per year from now until 1970.

One of the main reasons for the drop-outs is the totally inadequate living allowances that are paid to these people. The amount for a single person is \$5 a day and for a person with a family, \$9 a day. Then to carry cheese-paring to the ultimate, these pitiful allowances are not paid until the worker has used up any unemployment insurance benefits to

which he may be entitled. In other words, if when he enters the training school, he has a certain amount of benefits to his credit in the unemployment insurance fund, he has got to use them all up before he can draw training allowances. The result is that when he comes out of the training school, assuming he is not a drop-out and manages to graduate, his resources are all used up. He is down to nothing. He is in no position at all to find the job that is most suitable for him. He has to take the first thing that comes along. Surely we go to the trouble of giving him training just so that he will not have to take the first thing that comes along, so that he will have a certain degree of flexibility and be able to get a job that might be more permanent than is usual with the first job that comes along.

Just compare this with the policy of the labour market board in Sweden. In Sweden they pay adequate allowances to trainees and in addition transportation allowances to help them find jobs. Transportation allowances are also given to other unemployed workers who do not go through training schools. These allowances are paid as often as is necessary, until the worker finds the job that fits his situation best. When a man gets into a job that he really fits, then he is likely to stay there. We will no longer have an unemployed or potential unemployed worker on our hands.

Mr. L. M. Reilly (Eglinton): What is an adequate amount?

Mr. Bryden: Well, I would suggest that people taking training should be relieved of financial worries. As a minimum we should think in the following terms: For a single worker, perhaps \$10 a day; and for a married worker, \$15 a day, and with the amount scaled up from that according to the number of children. In any case, I am suggesting that the present allowances are far from adequate. The situation is particularly unfortunate in view of the fact that the unemployed worker has to use up his unemployment insurance benefits before he can draw his allowances at all.

With regard to the Swedish programme in which generous allowances both for living and transportation are permitted—we do not give anything for transportation here—one of the experts of the Swedish national labour market board said that these allowances are the most economical and, in comparison with other means, the least expensive of all the tools of the labour market. Now, that is from a country where a real job on labour market policy has been done and where there are a high degree of mobility and extremely low

rates of unemployment. This expert considers that adequate allowances for living and transportation are not hand-outs, but a sound investment in the future both of the worker concerned and of the country.

However, as I said earlier, Mr. Chairman, this is a matter that can be dealt with more fully under the estimates of the hon. Minister of Education. I mention it here merely to indicate the lack of substance in many of the statements that were contained in the hon. Minister's speech yesterday and which is all too often the case with statements emanating from this government.

There is one last matter dealt with in the hon. Minister's statement that I would like to comment on at some length. This too relates, as the hon. Minister suggested to labour market policy and the building and maintaining of a well qualified and mobile labour force. As the hon. Minister said, workers in their performance, their attitudes and their capacities to get jobs and hold jobs, and children in their capacity to absorb education, are very much influenced by their environment. One important contribution to developing a proper labour market policy is to ensure that people have adequate housing. I will accept the hon. Minister's definition as given in his speech yesterday as to what constitutes adequate housing.

I would say also that if we are thinking in terms of public policies designed to maximize aggregate demand, we can think of nothing better than housing programmes. It is generally recognized that they have a highly stimulating effect on the economy. So both in labour market terms and in general economic terms, there is every case in the world for an aggressive housing policy. Moreover, and perhaps most important, if we really mean what we are saying—and so many people are now saying it—in all the talk about the so-called "war on poverty"—then the place to start, as Michael Harrington pointed out in his book *The Other America*, is with housing, because bad housing is the breeding place of poverty. It is the effect of poverty, it is true, but it is also the cause of further poverty; it maintains a vicious circle from which people and families often never escape. Therefore, I think that the subject merited the amount of attention the hon. Minister gave to it yesterday, and I think it merits further attention this afternoon.

To understand the problem properly, I think we have to put it in its perspective; we have to look at it in terms of the need that exists and the performance to date in meeting that need. That is what I am going to do in the statement that I will now make to

wind up my introductory remarks in regard to these estimates.

Housing policy in Canada in the 20 years since World War II has been a policy—to quote a man whose name I have forgotten—“a policy of socialism for the rich and free enterprise for the poor.”

If all Canadian families earned \$6,000 a year or more, we could say that we have a sound housing policy, but we all know that most Canadians, excluding the members of the Legislature, do not make that much. In 1963, only 14.2 per cent of borrowers under The National Housing Act were in the income group below \$5,000 a year. In other words, nearly 86 per cent were in the income group above \$5,000. Yet the people in the under-\$5,000 group constituted 52.3 per cent of the total population. In other words, the facilities provided by the only public policy in Canada that has resulted in the construction of any significant amount of housing to date, have been available mainly to the well-to-do. You do not have to take my word for it.

The present federal Minister in charge of housing, Hon. J. R. Nicholson, said in the House of Commons on May 28, 1964:

Ninety per cent of the entire housing output associated with The National Housing Act has been provided for the middle-income and upper-income classes.

And that is not the whole story. Essentially, housing policy in Canada has been for the benefit of private builders, not of the people who need houses. Mr. Nicholson confirmed that too. He said:

Canadian housing policy has been heavily committed to the support and aid of the private market, and rather to the production of housing than to its distribution.

In this context, Mr. Chairman, it was with no little misgiving that I heard the hon. Minister of Economics and Development say yesterday in this House:

Perhaps our most gratifying experience to date . . . has been the wholehearted support we have received from the merchant builders and the real estate brokers.

Not much more than a year ago, Dr. Albert Rose, a member of the Ontario housing corporation, said in *Ontario Housing*:

The strongly organized and well-financed opposition to the physical expansion of low-rental housing has succeeded.

That opposition, Mr. Chairman, did not come from the low-income families who desperately need low-rental housing. It came from the

merchant builders and real estate brokers whose co-operation the Ontario housing corporation is now enlisting.

Why are they co-operating so wholeheartedly? If their past record is any indication, Mr. Chairman, it is certainly not because they think a real job is going to be done in low-rental housing. I suspect that part of the reason may be that they think, erroneously I hope, that they will be able to unload their dogs on the Ontario housing corporation. Any houses that will not move at the prices they are asking can always be offered to the corporation under its new policy of buying houses from private builders.

After all, let us not forget the ill-starred rent certificate plan. It was the world's greatest boon to landlords with old and uncompetitive accommodation, who would otherwise have been faced with the alternative of reducing rents or letting their apartments and houses stand vacant. The hon. Minister said yesterday:

Ontario housing corporation, created by this Legislature last year, provides a means whereby the Ontario housing programme can be operated along lines closely allied to private enterprise.

Mr. Chairman, one thing that the experience of Canada and every other country in the western world has proved, is that private enterprise will not adequately meet the housing needs of the people in the lower third of the income range. One might have hoped that the Ontario government, after having pursued to the end every blind alley it could find or construct, had learned that much at least.

But apparently not, Mr. Chairman. It is now starting all over again looking for blind alleys.

Let us consider the need that now exists. The study of the association of Ontario housing authorities published in 1964 under the title of *Good Housing for Canadians*, said:

Present and past activities in low-income and elderly persons housing bear absolutely no relationship to any realistic appraisal of the need in Canada.

And again:

The study anticipates that something in the order of one million low-income family and elderly persons units will be required by 1980 alongside a programme of approximately the same dimensions of moderate-income housing.

What is to be the contribution of the government, in its shiny new housing corporation, to this need? Mainly words, if the hon. Min-

ister's statement of yesterday is any indication. For example, he said yesterday that:

Since the fall of last year when the corporation opened its doors, a total of 31 municipalities has requested surveys to determine the need for rental housing.

Last year, when he announced the establishment of the housing corporation as the answer to all our problems, he admitted that the government had not accomplished too much in the housing field in the preceding three years. He told us to take heart, however. The time had not been completely wasted, he said, because—and I am now quoting from page 2389 of *Hansard* for April 23, 1964:

Over a three-year period, the housing branch has completed a total of 68 surveys.

If only people could live in paper houses the problem would be solved. The surveys, reports, announcements and general ballyhoo published in the last 10 years would provide enough houses to meet all needs for the next 50 years. Indeed, Mr. Chairman, I am coming to the conclusion that that is the present trend of thinking of the Ontario housing corporation.

I have here, as you can see, a piece of cardboard, with a coloured section in a sort of cross shape in the centre. Anyone with a penchant for cutting out paper dolls merely has to push this out, so that he gets the coloured section isolated. Then if he fiddles around with it enough and follows carefully the instructions given on the sheet, he ends up with this—a paper house, with Ontario housing corporation written on it in three different places.

Mr. G. H. Peck (Scarborough Centre): The hon. member must have had a lot of fun doing that.

Mr. Bryden: I feel sorry for the people who had a lot of fun putting this forward as a housing programme. This is the latest project of the Ontario housing corporation, apparently.

Mr. Peck: Well, at least they are having fun.

Mr. D. C. MacDonald (York South): You are responsible for this, do you not realize that?

Mr. A. J. Reaume (Essex North): That is really bad.

Mr. MacDonald: It is your government.

Mr. Bryden: According to the hon. Minister, however, the housing corporation also has hard statistics to present. Tenders, he said yesterday, have already been called for 1,951 units. The book *Good Housing for Canadians* estimated that approximately one million units for low-income families and elderly persons will be required by 1980. This estimate is for the whole of Canada, but one can reasonably assume, I think, that at least a third of the figure, or about 350,000, applies to Ontario. The Ontario housing corporation has stepped right into the breach created by this need for 350,000 units, with 1,951 units. To be fair, however, it always has some units on paper, if you will pardon the expression, Mr. Chairman. For example, the hon. Minister said that:

Other projects in Metro on which construction will commence this year are the 237-unit O'Connor Drive development and 390 units in Thistletown.

Mr. Chairman, the Thistletown project has been announced every year, and usually more than once a year, for as long as I can remember. Always construction was to start immediately. But to date nary a shovel has been put into the earth except for a senior citizens project sponsored by the Metro Toronto limited dividend housing company.

The government has created the illusion that it is doing a job on housing by announcing the same projects over and over again. The longer a project is delayed the more mileage the government gets out of it in terms of headlines. I suppose the perfect project in the government's viewpoint would be one that never got started; and I am beginning to wonder if Thistletown is not the perfect project within those terms. Perhaps this is the key to the understanding of government housing policy.

The hon. Minister dealt to some degree with Metro Toronto. I am especially interested in the Metro Toronto area, not to the exclusion of other areas, but it happens to be the area with which I am most familiar. I would just like to take a look at the present situation in Metro Toronto.

As far as low rental housing is concerned, the achievement of the last 15 years adds up to this: the housing authority of Toronto has just under 1,400 units in its Regent Park North project. The now defunct Metro housing authority constructed about 2,300 units in four projects. All told therefore, there are about 3,700 low-rental units to meet the need of the quarter to a third of the population who clearly need low-rent housing.

In addition, there are four to five thousand units in private limited dividend housing projects and about 1,300 units in projects owned and operated by the city of Toronto limited dividend housing corporation, an offshoot of the city of Toronto housing authority. These, however, are full recovery, not low-rental projects. Many families are excluded from them because their incomes are not high enough. It is a sad note, Mr. Chairman, when the poor are excluded from public housing projects because they are too poor.

The Metro Toronto Housing Company Limited has constructed about 1,850 units in a dozen projects for elderly citizens and has others nearing completion. To give credit where credit is due, the Metro housing company is the only agency that has been doing an energetic construction job in recent years in the Toronto area. But let us remember that these, too, are full recovery projects, apart from a relatively small construction subsidy provided by the provincial Department of Public Welfare.

Old people who depend entirely on old age security cannot really afford to live in them, so they have a choice of skimping on food or living in slum accommodation. Even at that, the active waiting list is at least 2,500. Many old people die before they can get in. Moreover, there is an unconscionable and inflexible requirement that an applicant must have lived in Metro Toronto for the 10 years immediately preceding date of admission.

Some months ago I had occasion to espouse without success the cause of a 74-year-old lady who has lived all her life in Toronto except for one period of residence in Windsor a few years ago. I think she was there a couple of years, three or four years ago. This disqualifies her until 1970 as far as the elderly citizens housing under the Metro Toronto company is concerned till 1970, when she will be about 80 years old. And yet she has lived more than 70 years in Toronto.

As far as low income families are concerned, the Metro housing registry announced recently that its file of active applications for low-rental housing at the end of March of this year totalled 3,480, up 700 from the beginning of the year. Of these families, 591 were welfare cases, 726 had earnings between \$100 and \$199 a month and 1,076 between \$200 and \$300 a month. Three-bedroom units constituted the accommodation most commonly sought because the 3,480 applications represented 8,172 children.

Where are these people living now? In

shoddy but high-rent accommodation in slum empires, that is where they are living; along with thousands of other families who have not bothered to apply for public housing because they know it is a waste of time to do so.

Subway construction, expressway construction, commercial building and construction of high-rise, high-rent apartments have steadily constricted the supply of even slum accommodation, so that there is nowhere, literally nowhere, for low-income families to go. There is not even a slum for them. When yet another batch of them were due to be displaced by the St. James Town project their plight suddenly came to public notice; so a concerted effort was made to find alternative accommodation for this particular group, with very little success so far.

The Alexandra Park redevelopment project will displace still more. The project management is at this very time desperately looking for alternative accommodation for these people who will be displaced, and again with very little success. They are, of course, in competition with St. James Town people in trying to find slum houses for people.

Yet these people who are being displaced by St. James Town and Alexandra Park are the lucky ones. At least someone is trying to help them. The people displaced by the ordinary commercial projects are simply left to fend for themselves, their best hope being that they might find accommodation still worse than the ratholes from which they were evicted.

I am informed by people working in the field that housing for low income families in Toronto is now as tight as it was in 1945 at the end of the war.

Mr. R. Gisborn (Wentworth East): And in Hamilton!

Mr. Bryden: My hon. colleague to my immediate left says "and in Hamilton"; and I suspect that everywhere in the province, in all major urban areas at any rate, the same process is going on as in Toronto.

Slum landlords grow fat in Florida because the despicable accommodation they have to offer is scarce, and therefore they can charge what the traffic will bear. This is the fruit of 20 years of government policy.

There is a disposition nowadays among housing experts to say that low rental units should be scattered through regular housing projects so that they will not be conspicuous. I will agree that there is a lot of sense in what the experts say. At the same time, let us not get carried away with that concept.

If we place all our faith in establishing a few low rental units in private and public redevelopment projects as they come along, we will not solve the housing problem for low income families and elderly persons this side of 1,000 years.

The Regent Park North and South projects may have a few disadvantages—frankly, I do not know what they are; I do not see any important disadvantages at all, but some people say that they have disadvantages—but I shudder to think, Mr. Chairman, where we would be without them.

To an important extent the problem is one of design. It is probably true that in New York where row upon row of tenements were replaced by row upon row of high-rise apartments, many old problems were left unsolved and new ones were created. But low-rent housing projects do not have to concentrate on the high rise apartment. In fact, I would say that projects designed for families, as most of these low-rent projects should be, should not have high rise apartments in them at all. The only criticism I would make of either of the Regent Park projects relates to the high-rise apartments in Regent Park South.

If the rich want to be cliff dwellers, that is their choice; but there is no reason why the poor should be forced into the same mould. Low income families with several children can be accommodated economically and with dignity in row houses—which are now called town houses if they are occupied by the rich and maybe in the housing projects we should call them town houses—and by other forms of group housing.

Low construction costs, as compared to the cost of high-rise buildings, compensate to a substantial degree for high land costs. In fact, I suspect that they pretty well offset them. The row house, the four-plex and that type of unit, is in a totally different order, as far as construction is concerned, from the high-rise apartment—there is no need for steel frames and so on—so the actual cost per suitable unit for a family is probably lower than the costs in the high-rise apartment, enough to compensate for the lower density in relation to the high land costs. Sometimes these high-rise apartments appear to be economical in terms of construction costs because costs are stated as costs per unit. But the units in most of them are not suitable for families. If these units were made suitable for families, then costs would be very high per unit and very much higher than in the smaller type of housing.

At any rate, the situation is now so desperate that we much use every device available,

both low-rent units scattered through other projects and specific low-rent projects. Commercial redevelopment is fine in its place, but let it not take priority over the housing needs of human beings as it has done in the past.

In the field of housing, the Ontario government is now taking a curiously paternalistic attitude to the municipality of Metropolitan Toronto. In my opinion, Metro is a big boy now and ought to be able to look after itself, within the framework of federal and provincial housing policy. That is not the view of the Ontario government. The Metro housing authority, which was really just an agency of the provincial government in any case, has now been taken over by the Ontario housing corporation. As far as I know—and the hon. Minister will be able to enlighten me if I am wrong—there is not another municipality in Ontario where the housing corporation has taken over a local housing authority. On the contrary, it is encouraging the establishment of such authorities, as I think it should do.

Why should the provincial agency concern itself with the details of construction, acquisition and operation of specific local projects in Metro or anywhere else? That can only lead to misunderstanding and acrimonious disputes, as recent history in Metro Toronto has demonstrated. The provincial agency has a full-time job to develop a dynamic housing programme for the whole province; not just surveys, but projects on about 10 times the scale now contemplated.

The situation in Metro Toronto continues to be one of divided authority notwithstanding the intervention of the provincial government. The city of Toronto housing authority pioneered the concept of public low-rent housing in Regent Park north—it was way ahead of the senior levels of government. It pioneered that concept in Canada, but subsequently it was driven by frustration into limited dividend housing which does not meet the need, and now it is boxed in so that it probably never will be able to do anything more than administer the project it now has.

The Metro housing company—a limited dividend corporation—is manfully plugging away, trying to meet the need of senior citizens for housing, but unable to do so in adequate measure because of its limited terms of reference as a limited dividend housing corporation.

And over all is cast the shadow of Big Brother, the Ontario housing corporation, which fancies it can solve Metro's housing problems directly, as well as stimulating housing development in the rest of the province. I suggest, Mr. Chairman, that there should be

one housing authority for the whole of Metro operated by local citizens familiar with local needs. It should take over all existing projects, including those administered by the Ontario housing corporation, and should be given authority to get on with the job.

It may be true, as the hon. Minister said, that the red tape which in the past frustrated most efforts to meet the housing needs of the lower third of the income group has now been swept away. If so, that is good, but let us not set up a new web of misunderstanding. We have fiddled with the housing problem until the fiddle is worn out. Last year one of my colleagues said that, as the hon. Minister at the time requested, we in this group would wait a year to see what the Ontario housing corporation could accomplish. We have waited that year and now we find that it would take a micrometer to distinguish its accomplishments from the zero accomplishments of the past.

What can one expect with this current predilection for private enterprise in the housing field? We are never going to get anywhere as long as the hon. Minister rests his case on the proposition that he is getting the co-operation of the commercial builders and the real estate agents who have been bucking public low-rent housing all their lives.

There is plenty of scope for private enterprise in providing housing for the well-to-do and the relatively well-to-do, who are the people who have been mollycoddled in the past under The National Housing Act. I think it is time we got our priorities straightened out; let the well-to-do and the relatively well-to-do look after themselves and let them deal with private enterprise. That is the best way.

But let the government get on with the fundamental job, the job of meeting the needs that have not even been touched, in 20 years of talking since the end of World War II—the needs of the lower income families and the older citizens. And when I make my criticism, it is not directed specifically at this government; it is applicable to all governments in Canada, at all levels.

If politicians mean what they say about the war on poverty, the time has come for a concerted public attack on the real housing problem: the problem of the forgotten third of low-income families and elderly persons. The best attack will be by local authorities, assisted, encouraged and inspired, but not obstructed, by the senior levels of government. Mr. Chairman, this is as true today as it was 10 and 20 years ago. In this government, I do not know how many different kinds of

housing policies we have gone through. Every year or every second year we have a bold new start, a complete beginning, something that is really going to get the thing on the rails, and every year there is the same flop as the year before.

I hate to have to say it, Mr. Chairman, but looking at the performance of the Ontario housing corporation to this date, I cannot see that this administrative reshuffle has made any significant difference at all. I do not blame the corporation or its personnel for that because, after all, ultimately the energy and initiative has to come from the government. Apparently there is not the will to do the job on housing. I hope this situation will change. I hope that when we come back next year, we will find that great strides forward have been made in the housing field, but as of this date, Mr. Chairman, one can only report the same record of a dismal failure and neglect that had to be reported by anyone who analyzed the situation every year since the end of World War II.

Mr. B. Newman (Windsor-Walkerville): Mr. Chairman, on vote 402, would this be the vote where I could bring up the problem of rent control?

Hon. S. J. Randall (Minister of Economics and Development): Mr. Chairman, I would like to table the statistical material relating to Ontario's 1970 targets, which I did not take the time to read yesterday, and perhaps that should be done before we discuss the other votes.

(See appendix page 2373)

Mr. Newman: Mr. Chairman, may I ask of the hon. Minister if item 6 of vote 401 in special services, projects and so forth, would be a proper place to discuss rent controls?

Hon. Mr. Randall: That comes under housing. That will be in the housing vote, which is 407.

Mr. Newman: There would be no research done under item 6 on the matter of rent control, would there?

Hon. Mr. Randall: No, there is nothing under that.

Mr. Newman: Right. I can discuss this then, under housing?

Hon. Mr. Randall: Yes.

Mr. E. Sargent (Grey North): Mr. Chairman, under 401, I would like to suggest

to the hon. Minister that as far as we are concerned in our one-ninth of the province—as the province is broken up into regional areas—regional development has not been a happy association as far as Georgian Bay development association is concerned. In summary it all boils down to a lot of talk and meetings and nothing ever happens.

As I say, we have broken the province down into nine sections and in all truth it is a situation of the “haves” and the “have-nots.” We are spending in this vote \$150,000 for regional development, and as I say, nothing ever happens.

In the report that comes out from the department, the Georgian Bay region ranks in the last position of all Ontario in the 10 economic sectors. The three weak sisters in our province are the Bruce county, Muskoka and Parry Sound districts. For average family income, Bruce county, Parry Sound and Muskoka rank 48th, 49th and 50th respectively out of 53 areas in the province, with averages of \$4,150 down to \$4,000, as against the Ontario average of \$5,800.

For wage earners making less than \$1,000 a year, Bruce county ranks 47th with 20.3 per cent, and Parry Sound rates 47th. These figures do not mean too much to the Hogtown concept we are facing here, but in all Ontario, among the population over five years of age, 6.6 per cent has a university education percentage, but in Georgian Bay the percentage is 3.2. The average family income in our area is \$4,500 against \$5,800 here. Wage earners making less than \$1,000 a year in 1961 were 12.3 per cent of the population in Toronto and 17.8 in our area. I could go on giving you figures to show you the need for decentralization.

It is interesting to note, Mr. Chairman, that all this department does is talk a good game. We have been through this regional development association, which in essence, to the hard-boiled politician, is just part of the big Tory political machine. It is interesting to note that of 134 new plants—which you are, I say kindly, bragging about—brought into Ontario last year, 80 of these 134, or more than 62 per cent are located within the Golden Horseshoe area.

I submit to you that if you are going to quit kidding the troops, you should take a new look at regional development as far as we are concerned. You are asking us to kick into it \$1 per capita across the province to match your dollars here, but this is not working and you know it is not working. Regional development is to develop the areas in the province

that need help, and you will have to put teeth into your legislation to make this thing work, Mr. Chairman.

Decentralize. If we are going to keep Ontario afloat we are all in the same boat and you cannot sink half a boat. The province of Quebec has taken positive steps, and the hon. Minister knows it, to work out a programme for depressed areas, and all we hear from this Department of Economics and Development is talk. I suggest to the hon. Minister that before he kicks in \$150,000 more, he should put some teeth into his legislation that will make regional development and planning work.

Hon. Mr. Randall: Mr. Chairman, I do not think there was any question asked by the hon. member; there was an observation with reference to regional development. I do not know whether he attended our regional development conference in Toronto or not. I do not believe he did, he was out of town at the time. Many hon. members of the House did. I just want to assure the hon. member that the reason we held the conference was to find out what we could do with the various areas and how we could perhaps be of greater assistance than in the past.

We are not satisfied, either, with what has been done by the regional development associations. I think their funds have been limited; I think they need to be properly organized; I think they need more guidance from the provincial government and also from Mr. Drury's department, The Department of Industry in Ottawa. This department also has a man working in Ontario on regional development—Mr. Levy, I believe his name is. We are consulting with Mr. Levy. As soon as he gets off the plane from Ottawa, he heads for our office and I am quite sure from my discussions with our friends in Ottawa that they, too, are coming into regional development all across Canada, not only in this province but in other areas. We are putting together a programme for regional development which I hope to introduce before too long.

We are not going to rush into it, as I said yesterday, half-prepared to do a little here and a little there. I do not think that the shotgun approach to regional development, such as perhaps we have had in the past, is the answer to helping any of the areas that the hon. member just mentioned.

I might say to him though, that the budget for the Georgian Bay association is higher than any other budget of all the other nine regions. They top the other regions in so far as budgets—

Mr. Sargent: No amount matters if it isn't working!

Hon. Mr. Randall: Just a moment; let me finish. The hon. member had his chance.

The association has sufficient money to do what they are doing now, but I agree with the hon. member that perhaps they need some guidance; that we need some guidance from them and that is the reason we held the conference.

We are in touch with these regional development leaders. All of them attended the conference and I have had letters from most of them since they returned home. I have had a number of suggestions as to what we can do to have a better conference next year. I hope that we will not just have a conference; I hope that we will have something concrete to offer in the way of assistance to these slow growth areas. I hope that we will have something whereby we can assist in decentralizing industry.

Later on we will no doubt talk about ODA. We will be criticized for some things it does, but I hope also that hon. members will keep in mind that the reason ODA was set up was to help decentralize industry. The report we had yesterday indicates that we are very successful as far as we have gone; but I think we could go a lot further, I cannot help but agree with the hon. member.

I would suggest that as far as regional development is concerned this is a big subject and an important one. It is a major one, not only for us but I think also for the municipalities which are going to be involved and the federal authorities who apparently have taken a more direct interest in regional development in the last few weeks.

I am quite sure that when we sit down to discuss regional development as the plan is now being worked out that we will have a more comprehensive plan for assisting not only these associations here, but perhaps there will be a change in what we have now in development associations. Someone has recommended that we make some amendments to the nine regions that we have, and as you know we are trying to form a group right here in Metro.

In so far as the diversification of industry is concerned I think the hon. member as a private entrepreneur would be the last one to ask the government to tell him where to locate. This is the quickest way I know of to discourage investment in Ontario. We can try to encourage entrepreneurs to get out of the Golden Horseshoe area and I am sure we are going to be successful in this regard.

I say to the hon. member that I now see wall-to-wall factories from here to Windsor and I would like to see wall-to-wall factories between here and the Quebec border. This is primarily one of the things that we hope to introduce in any plans we have to put together a more sophisticated programme for regional development.

Mr. Sargent: With all respect to the hon. Minister, I think that he is an able man in his department but he has inherited part of a propaganda machine, part of his party. This is my opinion and I like to say what I think; and there are a lot of people who think as I do. The hon. Minister has one of his machines going for him. He has the women's advisory committee, which is under his department. This is a cosy arrangement for the hon. Minister to have all the gals in here at our expense, to indoctrinate them. We will go along with this—

Interjections by hon. members.

Mr. Sargent: The hon. Minister made it very pointed that I was not at the meeting he called for regional associations. I was in the business long before he was. When he was the head of a big corporation, I was a small city mayor interested in regional development and I went to scores of these meetings. I understand that there are 200 or 300 devoted people who go to these meetings who are concerned about their industry, the tax and business assessments and getting more development. There are 200 or 300 people who go to these meetings in these areas and I understand that they have a hard time getting the hon. Minister to go to one of these meetings. Has he ever been to one of these meetings?

Hon. Mr. Randall: Yes, I have. I have been invited on a number of occasions, but while the House is in session it is difficult for me to leave.

Mr. Sargent: I would like to ask the hon. Minister how many of these meetings he has attended.

Hon. Mr. Randall: I have been to three that I know of, and there have been a number of meetings in Toronto—

Mr. Sargent: If the hon. Minister has been to just three meetings, I suggest that he not criticize me for not going to his meetings. I learned a long time ago that he just inherited a myth and it is not going to work.

Hon. Mr. Randall: I did not criticize the hon. member for not going to the meeting; I just suggested that we talked about regional development at the meeting and it was unfortunate that he was not there to listen to what we were going to do about regional development.

Mr. Sargent: Under the present setup, Mr. Chairman, anyone who goes to one of those meetings is wasting his time.

The hon. Minister says to us that industry cannot be forced to locate other than where they want to go. I would suggest that this government encourage tax incentive programmes in these depressed areas and have industry want to go there.

Mr. Reilly: Is that Liberal policy?

Mr. Sargent: It certainly is.

This is important, Mr. Chairman. The hon. Minister has a very businesslike mind. I understand that Governor Rockefeller attends as many of these meetings as he can in the state. I think that the hon. Minister should attend a few of these meetings to see the useless efforts that are being made, when there is no machinery to develop their actions. All in all he is asking us to give another \$150,000 in support of this programme which is nothing else but a further machine of the Tory Party. Believe me, that is all it is.

Mr. MacDonald: Mr. Chairman, I would ask guidance from the hon. Minister as to whether this is the appropriate place to discuss regional development or should it be raised under the chief economist where it has now been placed?

Hon. Mr. Randall: The money is voted here; I will discuss it any place, wherever the hon. member prefers.

Mr. MacDonald: Mr. Chairman, I have a fair number of comments that I would like to make on this topic. I did go to the conference and I must say that the comments of the hon. member for Grey North really put me on the spot—when he said that anyone going to that conference would be wasting his time, because there is nothing afterwards to follow through. I do not think that I wasted my time at that conference, but the hon. member is more correct than wrong in saying that there is not much to follow through, and therefore I am wondering about the results.

I want to deal with this in a substantive way because, quite frankly, as I have indicated in this House before, I think that this

whole question of regional development is an extremely important matter. I think, as I shall try to detail rather briefly, that this government has been drifting with the issue for some 10 years. Indeed, if one goes back to the regional development conference, in itself it illustrates some rather puzzling things about the government's approach.

I repeat, I found the conference itself as challenging and potentially as useful a conference of its kind as I have ever attended. Now, I will add that perhaps the reason is that I have been interested in this topic for the past year or more and I have been doing considerable reading. I discovered that when I had such a feast of experts—drawn from across the world: From Britain, from Denmark, from Sweden, from Colombia, from the United Nations, from Paris, from the United States, as well as from Canada—this was really being able to get a good number of Christmas dinners, intellectually speaking, all crammed into one. It was an extremely useful experience.

But the thing that worried me about this conference, Mr. Chairman, is its origins, its genesis. I cannot help feeling that somewhere in the structure of this government organization, in trying to cope with regional development, there is a sort of a schizophrenia.

On the one hand you have a lip service paid to it at the top. On the other hand you have certain departmental machinery which has been established and has been working with the regional development association now for a period of ten years. And there is considerable evidence to suggest that the two of them have almost been operating as though they were not in the same government.

Let me just go back for a moment. Regional development associations emerged back about the mid-50s when the federal government took the lead in the division of Canada into some 68 different regional development areas across the country, some ten of which are in the province of Ontario. There gradually began to emerge regional development associations, usually because of the initiative at the local level but with the incentive of matching grants from the government here. The first one was in eastern Ontario. They have emerged across the rest of the province with the establishment of the St. Clair development association during the past year, all have been completed with the exception of Metro.

Now, it has been observed and I suspect with accuracy, as far as I have seen it, that the hon. Minister's predecessor did a magnificent job of exploiting every branch of his

department for political purposes before the last election. He certainly did a magnificent job in exploiting the women before the last election in the women's advisory committee. However, the one branch—and this is significant—which has been more or less neglected even by the politicians in this government up until now, has been the regional development services branch. The fact of the matter is that the regional development branch and the regional development associations had been drifting for years trying to find out exactly what their function was. Indeed they were drifting into dead ends, because the hon. member for Grey North is correct to this extent: that there are many men who have been encouraged by these at the local level and at this government level—in the fulfilment of their duty to promote regional development—to come on to these regional development associations. After a year or so they get off because nothing is happening, nothing of any real consequence. You persuade a businessman, or a man in any walk of life, that here is an important agency for the development of his area and his personal concern, and his public spiritedness brings him into it to make a contribution. But he discovers after a year or so that nothing is happening and he gets off the association.

Therefore it was not surprising, Mr. Chairman, that after ten years of drift—if I may switch my metaphors—these organizations, this whole development, is withering on the vine. Those who were interested in it—and I don't know where the idea came from in the first instance—came up with the idea of holding a conference to bring together the experts from New York state, Britain, Sweden, Colombia and other countries who have been working with the United Nations, who have been forging ahead on the whole concept of regional development, to come and present their ideas. This was a very good proposition. And I suppose the proposition was put forward to the hon. Minister.

Now, let me say this about the hon. Minister: I have a rather growing affection for the fellow. He is a very congenial man, he has even got his own personal charm, but he is a promoter de luxe. Give him something to promote, and if there was ever a fellow who could sell the proverbial refrigerators to the Eskimos it is this Minister.

Mr. Sargent: Washing machines?

Mr. MacDonald: Well, I do not know if they need the washing machines; you are spoiling my point.

However, Mr. Chairman, I am not persuaded that this hon. Minister really knew

what he was getting into when he accepted, in his capacity as a natural promoter, the idea of this regional development conference that was held down in the Royal York hotel. Because I do not know that the hon. Minister—and I am dead certain that this government has not—has grasped the significance of what emerged at that conference. We have seen no real evidence of it up until now.

And what I want to do is to take a look at some of the evidence, and I want to do it in the framework of all that the hon. Minister gave us yesterday. Yesterday the hon. Minister in the course of his introductory comments, made the observation that they were going to make the best use of the expert advice that they received at this conference—and certainly you had expert advice drawn from all across the world. What did he say to us? Well, in his introductory statement yesterday—his magnum opus—on page 16—

Hon. Mr. Randall: Notice, it is with capital letters, heavy paper and double spaced.

Mr. MacDonald: That does not reduce the content or the amount of material in it. Just let me quote:

Establishing a regional development plan tuned to economic reality will be an important part of this department's programme in 1965-66. We propose to organize a regional development branch under the office of the chief economist. It will incorporate the present regional development division to continue the promotion and co-ordination services now in effect with the various regional development associations.

Now, Mr. Chairman, may I say quite frankly that this really puzzles me. I have here the latest Ontario government telephone directory and in it I discover that under The Department of Economics and Development you have, as the hon. Minister announced in the House, the office of the chief economist; and in the office of the chief economist, buried among many other things, you have the co-ordinator of the regional development services. Now last year, if I picked up the directory, it was the regional development services—I do not know whether it was division or branch, there is a very fine distinction; apparently a division is part of a branch and a branch is part of an office and all of this hierarchy is a little bit mystifying. But you used to have a regional development branch.

Hon. Mr. Randall: You notice we had 11 votes last year and we are down to seven. We have also consolidated there.

Mr. MacDonald: You have consolidated them for the purpose of expanding them this coming year.

Hon. Mr. Randall: Better control.

Mr. MacDonald: Well, you had a regional development branch last year that was doing a job of working, presumably, with a co-ordinator between this government and the regional development associations across the province. It is now submerged in the chief economist's office. And now you announce to us, in general terms, that you are going to have a regional development branch established during the coming year, and you add that it will incorporate the present regional development division "to continue the promotion and co-ordination services now in effect with the various regional development associations."

Now, I have a number of questions that I would like to ask because I am curious to find out what the government's thinking is. Is the regional development branch going to be responsible to the chief economist? Is the chief economist responsible to this Minister? Or is, as was announced in the newspapers, when he was appointed a while ago, his chief line of direction going to be to the Prime Minister and to the Cabinet? Where are the lines of communication? What new chaos are you creating? Indeed, even in your various estimates here—if I may speak as kindly as I can, to the hon. Minister—you bring in an estimate book which has your regional development grants under the main office, and you announce to us that the regional development services are going to be under the chief economist. This is essentially the problem we have had up until now—a complete confusion in terms of organization and approach.

However, let me proceed to complete what the hon. Minister said yesterday by way of a preview of what may happen in the next year. He added, a little later in his remarks:

The regional development branch will provide an overall approach to regional development in this province and suggests the best method of co-ordinating the regional activities of all the government agencies and departments now involved. The recommendations of the branch will form the basis for discussion by—

Mr. Chairman, catch this collection of highfalutin' words:

—an interdepartmental high-level advisory group on regional development.

Now I ask the hon. Minister what in heaven's

name, is an interdepartmental high-level advisory group? Is it a Cabinet committee?

Hon. Mr. Randall: Senior civil servants, I would say, at the rank of Deputy Minister.

Mr. MacDonald: And it will be responsible to you, or will it be responsible to the Cabinet?

Hon. Mr. Randall: If it is working through my department it will be responsible to me. Some of these things have not been clearly defined, as I pointed out to you earlier. The chief economist—I might answer that question while I am on my feet—has to work in some department. Unless you want to set up another branch of government he is working in my department. He works not only for me, because we are correlating all the economic statistics not only for our department, but for regional development, for many other departments. We do work for The Department of Labour, The Department of Highways and somebody has to take that department and control it. We have put it under Economics and Development, but the chief economist will be the chief advisor to the government—we say the government, that is the Prime Minister and anybody in government who requires economic advice. But certainly he has to be, I would say, in a department of the government, and we feel that the economics branch that we have serving all the government branches is where he should be stationed. This is exactly where he makes his headquarters, at 950 Yonge Street.

Mr. MacDonald: Mr. Chairman, I will make some further comments on the wisdom, or lack thereof, of this kind of setup, because as I shall say a little bit later I concede that there is value in getting some co-ordination of research work in the various departments, and this Department of Economics and Development is obviously the one in which this co-ordination has tended to emerge in the past. But whether or not this is the department in which you can get, with a chief economist who has already got a lot of other major responsibilities, the kind of direction that is going to lead to meaningful regional development, or just the kind of meaningless regional development and going through the motions that the hon. member for Grey North has been complaining about, I do not know. I am not persuaded that you are headed in the right direction and I want to indicate to you why, because presumably you are still at a formative stage in your thinking.

The basis of anyone's consideration of how you can get effective machinery for regional development and planning, I want to suggest, is in a study of Professor Krueger's analysis of the structure of government and its machinery at the present time. I have requested from the hon. Minister a tabling of Professor Krueger's report and he, for some reason that perhaps I can guess after listening to what Professor Krueger had to say at the conference, is a little reticent to permit this little stick of dynamite out into public, Mr. Chairman.

Hon. Mr. Randall: Everything he said has been published!

Mr. MacDonald: Everything he said at the conference has been published, but whether there is anything more in his official report, which has been made to the Ontario economic council, I do not know. Certainly what he said at the conference does not include his recommendations.

Hon. Mr. Randall: May I just suggest that his report has not yet been completed, that he is still working on the report?

Mr. MacDonald: The reports are going on and on because there will be a lot of studies. I am convinced that the one report that he prepared, the substance of which was perhaps given at the conference downtown, has been completed and I think this is a little dodge on the part of the hon. Minister. I would just say, as a general proposition, Mr. Minister, with regard to the Krueger report or any other report—and this your predecessor acknowledged was a fair proposition—that any reports that are prepared for the Ontario economic council surely should be public documents. Public money is being spent by the Ontario economic council to produce documents, then the public at large, and particularly those of us in the Opposition who have our job to do in terms of shaping policy in this Legislature and in this province, are entitled to have the benefit of these reports. They are not private reports to the council or to the hon. Minister and therefore I reiterate my plea to him that this report of Dr. Krueger, and any other report that is prepared, should be made available to members of the Legislature so that we can have the benefit of its information.

However, I want to go back to the general point that Professor Krueger made in the course of his remarks, in the early stages of the conference. I am quoting from page 4

of the mimeographed portion of his speech, when he said:

Another underlying problem besetting regional economic development and regional planning in Ontario has been that of co-ordinating the development programmes of the various provincial departments, branches and agencies in a way that makes them complementary to one another instead of competitive to one another. With increasing centralization of provincial government authority there is need:

Then Professor Krueger said three things that are basic—

1. To enunciate clearly defined principles of regionalism to be used by all departments concerned with natural resources, the use of land, and economic development.

I submit to the government that they have not yet done this.

2. There is need for an integrated plan of attack on regional inequality and it should be drawn up using the benefit of local experience and on the scale of regional units.

There, I would concede, something has been done, but this is the real problem that we are tackling:

3. There is at the local level a need for a means by which the rigid municipal structure can be adjusted to solve the real problems of the day.

Then Professor Krueger adds something which is rather significant. It shows the far-sighted nature of the man.

And a corresponding need to keep such adjustment as a basic part of the relations between the provincial and local authorities so that the structure does not fossilize once again as new needs and new pressures arise.

Now here is the basic problem as he spelled it out—this overlapping. He pointed out, for example, in the later stages in his report that if one analyzes the various government departments, you will discover that they have obviously accepted the concepts of regional activity. Each one of them has proceeded to develop its own particular region until, if I may quote his rather succinct summary of it:

The net result is an apparent maze of administrative regions and districts that often cut across basic statistical data-gathering units such as counties and townships, thus making it difficult to analyze

trends and resources and resource use in economic development and difficult to formulate and implement planning and economic policy.

Then the professor concluded this part of his analysis as follows:

After reviewing the provincial regional administrative organization one is led to the conclusion, when confronted with the outmoded municipal structure, that the government of Ontario in place of needed basic reorganization of that structure superimposed upon it whole new and complicated sets of administrative regions. This expedient has in turn created a fundamental impediment to rational planning of resource use and economic development.

Now the next point that I want to draw from the evidence that was given to the conference—a point which I think is extremely basic and important—is that some 15 years ago now, in 1950, a department of which this is the successor was established, because even at that stage the government recognized the need for some degree of co-ordination among these government departments; and so you had established The Department of Planning and Development. It went through a number of changes until now it is The Department of Economics and Development. I got lost in the succession of names that it has had down through the years.

Hon. C. S. MacNaughton (Minister of Highways): You do not usually get confused like that.

Mr. MacDonald: Oh, I do on the terminology this government produces, but that is a minor item.

Hon. Mr. MacNaughton: That is a good story.

Mr. MacDonald: In his report to the conference with regard to the fact that within The Department of Economics and Development the regional development branch was fixed upon as the co-ordinating agency, Professor Krueger comes to his conclusions as to what success has attended on the activities of this organization, or this branch, down through the years.

His comments were as follows: He observed that “although it had never been stipulated, one may justifiably assume that the co-ordinating function of The Department of Economics and Development, as spelled out in the original Planning and Development

Act, is also the responsibility of the regional development division.” However, in order to provide the regional development associations with the expert advice and guidance they really need, the manpower of the regional development division would have to be strengthened. He goes on to indicate how it will have to be strengthened with specialists, research people and others.

Whether or not they are right in that division or whether they could be borrowed from other government departments, he indicates, is not a prime requisite, either one or the other. But to be effective, their full-time work should be devoted to survey, research and regional development programmes and problems; and they should be available to travel though the regions to give counsel to the managers and to the directors of regional development associations.

The department simply has not had this kind of staff. The hon. Minister has taken a big job and he has an organization that simply cannot do the job. Therefore, it is not surprising that Professor Krueger would come to these conclusions:

As a liaison organization between the regional development associations and the government, the regional development division has not been very successful.

He points out that when they went out and interviewed and analyzed the situation, they discovered in many cases that the government departments prefer to receive their information from their own people and other agencies, but not through the regional development association or through the regional development division, so it simply has not succeeded on the administrative level in fulfilling the role of a co-ordinating agency.

He also points out that, with reference to policy, “the regional development division has been even less successful in co-ordinating the policies and the programmes of government departments. Any requests for assistance, co-operation or co-ordination of efforts from other departments, as well as from other divisions in the same department, have usually been met with something less than enthusiasm.” I think he was indulging in a bit of understatement at that point.

The hon. Minister has suggested that he is going to establish a regional development branch. He had one; it tended to wither away; it got lost as a division in the chief economist's department; now the hon. Minister is going to re-establish it as a branch. The question I want to put to the hon. Minister is this: What conceivable prospects, in

light of the record of the last ten or 15 years, are there that this department is going to be able to succeed in reconciling those basic conflicts that Professor Krueger spelled out? It was almost laughable to listen to him—it was sad and disturbing, but almost comic to listen to him—as he documented the incredible duplication of effort, the overlapping of boundaries, the confusion of responsibilities. What prospects are there that the new branch that the hon. Minister is now thinking about is going to be able to resolve this?

For example, the regional development associations are supposed to be engaged, as their name indicates, in development in their particular area. One of the most important features of this development may be the acquisition of new industry. What is the relationship between the regional development associations and the industrial commissioners, who comprise another branch that the hon. Minister's own department is responsible for, Mr. Chairman?

Let us not complicate it for the moment by the problem of co-ordination with another department of this government; let us make it very simple: Why should the hon. Minister have within his own department regional development associations which are responsible for regional development, while off in the trade and industry branch there are grants and the whole machinery for setting up industrial commissioners?

I understand that across the province of Ontario there are some 370 municipalities with some sort of organization, which range from a committee with no people full-time, sometimes part-time people and sometimes a full-time industrial commissioner. These people are gathering together the 170 or 200 new industries that were brought to the province. But it is one of the functions of the regional development associations to do this. When is the hon. Minister going to reconcile this conflict right within his own department? Clearly, Mr. Chairman, what we have here is a waste of time, a waste of effort, a waste of public money, a confusion of responsibilities which results in less effective achievements.

However, let me move out beyond the hon. Minister's department. What can this branch that he is considering establishing—a regional development branch or a revival of it—do to cope with the problem of the very serious conflict between regional development associations becoming in some instances pre-occupied with tourist development? If you go up to northwestern Ontario, if you go to the Lake Ontario association centred in Peterborough—if you go to almost any of them, particularly the Georgian Bay associations,

tourist promotion is one of their major concerns. Yet right within this same government, there is The Department of Tourism and Information, which has established tourist councils. As Professor Krueger points out, it has created boundaries within which these tourist councils operate and the boundaries do not even coincide with the boundaries within other operations of that same department.

Certainly they do not coincide with the regional development associations' boundaries and there is no co-operation between the regional development associations.

What is the point? Here I find myself almost unwillingly beginning to stand with the hon. member for Grey North. What is the point of this government putting \$150,000 into the regional development associations when it should be much, much more? But why should they be putting it into one organization to compete with the tourist councils when another department is putting money into another organization?

This, Mr. Chairman, is lunacy—administrative lunacy—and what I want from this government and from this hon. Minister is some indication of how the government proposes to resolve this kind of administrative chaos.

Let me go one step further, with another example of conflict. It is clear that if there are to be regional development associations, a look will have to be taken at county planning boards, because there is nothing more integral to regional development than modern planning. The prospect now is of joint county planning boards emerging as they have in Waterloo county, being authorized by the hon. Minister of Municipal Affairs (Mr. Spooner). As Professor Krueger points out in his report, the terms of reference that have been given to the joint planning board in Waterloo county, are the development of the area.

This is in conflict with the regional development association. How is this going to be reconciled? When does the hon. Minister propose to reconcile it?

I will go one step further in detailing with this, because it is basic. It is idle for the hon. Minister to get up and give us some general talk about what he is planning to do, if he is not going to reconcile or resolve this utter confusion in his own department and the whole government. But when we get on to research, we find the hon. Minister has said that the chief economist of the province of Ontario is an agency that is going to co-ordinate and presumably reconcile some of the overlapping and the duplication in the research effort, which is becoming more and more necessary and more and more vital. In

his report, Dr. Krueger referred to the kind of situation there is in research. He points out, for example—and I will quote just one example:

It appears that there is some overlap between these regional economic surveys and the regional studies done by the community planning branch. For example, not long after the community planning branch completed a comprehensive regional survey of the Niagara peninsula that took into consideration the economic base of the region, the special research and surveys branch carried out a completely independent economic survey that included an analysis of the regional planning problems.

Here we have, in rapid succession, two research agencies in the same government carrying out and doing a research job in the same area.

The hon. Minister is too endowed with common sense and is too much of a businessman to accept that as the kind of thing that can be tolerated. What is being done to make certain that kind of thing is going to be eliminated? Dr. Krueger added:

It appears to me that the province of Ontario is not gaining full value from government economic research activities because of a lack of co-ordination among the various research agencies. I am convinced that it would be useful to investigate thoroughly the function of all government research agencies and branches to ensure that not only is there not duplication of effort but that there is positive co-ordination of activities.

There is one other point in the basic analysis that was made at this conference which I was really struck with. This is the important potential that is involved in the ARDA programme today. In the province of Ontario ARDA has become limited to The Department of Agriculture. It is regarded as an agency with funds that can be used to revive certain dwindling aspects of the agricultural industry. But, Mr. Chairman, this was not the original concept of ARDA.

The original concept of ARDA was that it would take a rural community where agriculture was becoming a smaller and smaller aspect of the economy of that community and where a full economic development of it was wanted, which would involve not just the Minister of Agriculture and his department, but would involve this hon. Minister's department—indeed it could conceivably involve half the departments in this government.

It is very interesting that if one goes

down to the province of Quebec—and I want to do this in a moment and take a look at some of the things they have done—one will find how seriously they have moved in, using the resources that have been made available from Ottawa. I have here, for example, another of these goldmines of information that were provided at the regional development conference, namely the papers that had been given at still another conference at Kingston back in January. This is the one that was given by Leonard O. Gertler. I understand this government thinks enough of him that they brought him in as one of the planners to set up their own conference. Well, just listen to one of the experts that you had, not somebody from Colombia or Holland or Sweden, but right back at home.

Hon. Mr. Randall: You will admit that we are not afraid to bring in the experts?

Mr. MacDonald: You are not afraid to bring them in but when are you going to start to take some of their advice and put it into effect?

Hon. Mr. Randall: Well, I think you have given us an opportunity this afternoon to reply to that.

Mr. MacDonald: Good. For example, this is what Mr. Gertler says:

One of the most striking demonstrations of the difference between the Quebec type of approach to the problems of economic development and the Ontario type is the relative importance placed on research in the ARDA programme.

Incidentally, if I may just interject here by way of a political aside, I would concede that Saskatchewan, back in its heyday, before it fell into its present unhappy state—

Hon. Mr. Randall: Before it was rescued.

Mr. MacDonald: —had some concept of economic development and was applying it. About the only other province that has a real concept of economic planning at this time is the province of Quebec. And they are doing it for the simple reason that there happen to be within their ranks people who are not afraid to call themselves socialists in the 20th century and who are promoting genuine economic development of a nature which, incidentally, I am certain would cause near panic in the ranks of their fellow Liberals here in the province of Ontario.

Mr. A. E. Thompson (Leader of the Opposition): We will speak for ourselves.

Mr. MacDonald: Let me proceed with what Mr. Gertler was saying with reference to the ARDA programme:

In the figures released by the federal ARDA this past summer and projects at the end of the first full operational year of the federal-provincial programme, Quebec projects are shown to include an amount of \$1,203,546 or 23 per cent of the total for research. While the amount for the purpose in Ontario is \$187,405 or about six per cent of the total ARDA expenditures in this province.

Now, Mr. Chairman, the hon. Minister has conceded, if one forgets for the moment the fact that ARDA in this province is so narrowly conceived—it is conceived as being a department of agriculture instead of a broad government approach in coping with the problems in the rural areas—even if one forgets that for a moment, the fact of the matter is that this hon. Minister says we are not sure exactly where we want to go. Well, you are going to find out where you want to go in any particular area by research, by investigation in depth and not merely by general survey.

I do not want to deprecate the kind of general surveys that have been done by the hon. Minister's department but they are no more than a first step toward the kind of mapping out of a programme in any specific area. You have money for doing that job. All you have to do is have the imagination and the initiative to work out the programme and you can tap the funds that are available in Ottawa. They are doing it in Quebec. You are not doing it. You wander around not knowing exactly what should be done in any one of the particular areas where a full ARDA programme might be developed.

Now, there is one other aspect, before I come to some general conclusions here, that I would like to draw to the attention of the House and to the hon. Minister as he contemplates the establishment of the machinery for an effective approach to regional development. I think there are some lessons that emerged very clearly and very quickly from your conference. And I am not impressed when the hon. Minister says they are still studying the presentation.

You are wasting a year, a year at the end of which your regional development associations are going to be floundering even more than they are at the present time. You come before this House with the proposal for a regional development branch. I submit you should have had your regional development branch established and staffed and into

operation in many parts of the province, using these funds that are available from the federal office. Let us look at the way they did it in Quebec, for example, where they had a really intensive, serious approach to economic planning. You see, Mr. Chairman, the problem with this government is that they have reached the stage, as many active Tory politicians have, of paying lip service to economic planning, but they are really inhibited because economic planning is in basic conflict to Tory philosophy.

Interjection by an hon. member.

Mr. MacDonald: Oh yes, it is. Until a year ago you were not even paying lip service to it. The only kind of economic planning you had was the kind of economic planning that Robert Macaulay did where he came up with a 21-point programme by throwing together a lot of projects. Well, we will just see what real economic planners think about that kind of approach. For example, down in the eastern part of Quebec, Mr. Chairman, they have an area not unlike the eastern part of Ontario, which is now being examined for purposes of an ARDA programme. They established what is known as the eastern Quebec planning bureau. And here I am quoting from a paper that was presented to the conference downtown by Mr. Guy Coulombe, sociologist, and Mr. Francois Poulen, economist, to the eastern Quebec planning bureau. He says:

For the past 20 months the eastern Quebec planning bureau, staffed with some 80 specialists of different scientific disciplines, has been engaged in an experiment which we will now try to define.

In other words, Mr. Chairman, in this one area which might be described as the equivalent of one of our regional development associations, there are 80 specialists with the kind of intensive research work I referred to a moment ago, tackling the job to find out exactly what can be done. I submit, Mr. Chairman, that it is quite possible that this one project in Quebec has more specialists working on it than the hon. Minister has in his own department. The chief economist and all the various branches under the chief economist in the province of Ontario are, by comparison, toying with the whole problem.

And he points out that their approach to it is an analysis of all the problems in the area, not just taking a look at agriculture, or fisheries or forestry or any one of the constituent elements that make up the economy in that particular area, but an overall approach.

And he deplores, Mr. Chairman, for example, the proposition of individual projects that are just tossed in because they happen to be a good kind of gimmick, a kind of thing that Robert Macaulay trotted out for the last election—

Mr. Reilly: A very able man!

Mr. MacDonald: He may have been an able man but this was a pretty inadequate substitute for economic planning. He strung together 21 projects that went all the way from something in relation to the ONR up in Moosonee to something to meet southwestern Ontario's needs and something elsewhere, and this presumably was economic planning. What do these people say about that?

Hon. H. L. Rowntree (Minister of Labour): What about our highway system, is that not the heart of economic planning?

Mr. MacDonald: It is part of it.

Hon. Mr. Rowntree: It is a pretty large part. How would you like to compare that to Quebec's policy?

Mr. MacDonald: As a matter of fact, the hon. Minister should not be too boastful for too long about our situation because even there they are meeting the challenge and catching up.

Hon. Mr. Rowntree: What about the educational system in Ontario compared to Quebec?

Mr. MacDonald: Mr. Chairman, I do not propose to get drawn off by the hon. Minister. There are many very important elements involved in effective economic planning in the province of Ontario. I am not denying that roads and education, and the retraining which you are not doing, all these are factors in the picture, but they have all been dealt with as isolated factors. This is the very point I am making, you are not co-ordinating them.

Hon. Mr. Rowntree: No, no, look at the results. Look at the position we are in today. Twenty years of good government.

Interjections by hon. members.

Mr. MacDonald: Mr. Chairman, the weak applause was an appropriate reflection of the amount of applause that that comment should have brought. As a matter of fact, anybody who read Dr. Krueger's report of the indescribable administrative chaos that characterizes this government should be silent in

shame at this point, silent in shame; and if the hon. Minister of Labour has not read it, Mr. Chairman, I suggest that one of the great problems of the regional development conference downtown is that if we are going to get regional development in this province, and I am really stealing my own conclusions, we have got to get it by Cabinet decisions, from the Prime Minister right down, and you have got to be aware of the chaos that is in existence, for example, between your own department and The Department of Education and resolve some of it. I know you are aware of these problems, but you have been living with them for 20 years instead of solving them.

Hon. Mr. Rowntree: I cannot accept that at all.

Mr. MacDonald: Let us not interject in a smug way and say it is all the best of the best possible worlds because we happen to have had a Tory government. The fact of the matter is that it is not, and you found out, if you learned the lessons of the regional development conference downtown, just how far away from perfection you are.

Hon. Mr. Rowntree: That is about as extreme a statement as has been made all session.

An hon. member: You are on the wrong page.

Mr. MacDonald: If I am on the wrong page, I know what page I am on. Mr. Chairman, if I can get back to where I was before I was derailed by the hon. Minister of Labour.

Interjections by hon. members.

Mr. MacDonald: I was referring to the objections of the economists who were involved in economic planning in this particular project in Quebec—their objections to the isolated project approach and the suggestion that this really achieved economic planning. What they said was this: "No matter how grandiose such projects may be, they neglect completely the background of fundamental economic imbalance of the region to which such projects should be integrated, and furthermore they contribute little to the human promotion of the regional population." Furthermore, if we may think back on Robert Macaulay and his 21-point programme that he went out to get votes with—and unfortunately he got more than the programme deserved—this is their observation.

Hon. Mr. Rowntree: I would not say that is the case.

Hon. Mr. Randall: You cannot argue with success.

An hon. member: You would make a good speech if you would leave some of that stuff out.

Mr. Chairman: Order!

Mr. MacDonald: Quote:

We believe that the true solution to the miseries of the region is not in sprinkling a few industries or the construction of a few extra roads.

This is the wisdom of people who know something about economic planning. I submit that you take a look at it and get away from this rather facile collection of projects that is put together and is suggested as economic planning.

There is another rather interesting thing, and I go back now to Mr. Gertler's paper, given to the Queen's conference last January, in which he was contrasting the Ontario economic council, this organization that the hon. Minister is so proud of and my hon. colleague from Woodbine quite rightly demolished.

Hon. Mr. Randall: He knows nothing about it.

Mr. MacDonald: Who?

Hon. Mr. Randall: Your colleague.

Mr. MacDonald: With respect, I assert he knows far more about economic planning than the hon. Minister.

Hon. Mr. Randall: I am referring to the economic council.

Mr. MacDonald: Even the economic council!

Hon. Mr. Randall: No sir, no sir. He does not know the background of the economic council.

Mr. MacDonald: This is on the level of cocktail planning, as it was once described by David Lewis at Ottawa with regard to the Canada economic council. This proposition of a few people coming together infrequently and supervising some research project, is a pretty poor excuse for economic planning.

However, let me get back to Gertler. This is one of your experts.

Hon. Mr. Randall: We hired him, go ahead.

Mr. MacDonald: You hired him, have you got him on the staff now?

Hon. Mr. Randall: Not yet, but we may have.

Mr. MacDonald: Well I think he was on your staff and then left to go out to a private concern. However, his comment was this—

Mr. L. C. Henderson (Lambton East): Did you lose your page?

Mr. MacDonald: I will find it.

The membership of the council is similar in nature to its other Canadian counterpart.

He is talking about the Quebec council.

A cross-section of the economic and related professional community. What is of particular interest from the point of view of its role in policy-making is its integration with the government and its role in economic planning. The first is achieved in a number of ways.

1. By including in its membership certain individuals who have important oblique relationships to government functions—such as Jean-Claude La Haye, a planning consultant who is also a member of the provincial town planning commission and Paul Normandeau, a senior official of the general investment corporation.

2. By adding to the council five associate members representing key government activities, namely, the deputy Ministers of Trade and Industry, Agriculture, Natural Resources and Youth and the president of Hydro-Quebec.

And this, Mr. Chairman, is vitally important.

3. By making the council responsible to the Cabinet through the Prime Minister.

Here is planning at the level where it is going to be effective, for the co-ordination of all departments must take place if you are operating at all meaningfully and seriously.

4. By requiring council recommendations to be submitted first to a permanent ministerial committee composed of the Ministers of Trade and Industry, Natural Resources, Forestry, Agriculture and Colonization and Provincial Secretariat.

5. By the establishment of working groups made up mainly of officials from government departments aided by university consultants to initiate, undertake and supervise the studies required by the council.

Now there, Mr. Chairman, is an economic advisory council that is integrated with the

government. It is not a detached body of citizens and yet it includes citizens that are going to provide a link with the economy in the business and the labour fields. It is integrated with the government at the Cabinet level. It is integrated with the government at the administrative, civil service level. It is responsible to the Cabinet directly through the Prime Minister.

This is economic planning that is meaningful and it is going to involve all of the agencies of the government. If you implement that kind of economic planning, you are going to have to resolve the administrative chaos—that you have in your own departments where a half-a-dozen departments are attempting to do the same thing.

Now, the interesting thing, Mr. Chairman, is that this kind of proposal is not really a new one for the province of Ontario. Professor Krueger, in his report, recalls rather an interesting episode in Ontario's history that got lost in the shuffle and that is that, back about 1950, there was a conservation committee in the province of Ontario. Indeed, I think it is rather well known to those who had any associations with it, that one of the main authors of its report was my predecessor in the leadership of this party, Ted Jolliffe, who was active in that committee and who was intensely interested in conservation.

But as Professor Krueger points out, in 1960, in belated fulfilment of the kind of recommendation that was made on conservation, this government moved to establish what is known as a Cabinet committee on conservation and land use. It involved the Ministers of the following departments or commissions. Agriculture, Economics and Development, Energy Resources, Highways, Lands and Forests, Mines, Municipal Affairs and Treasury. They met, apparently at both the civil service level and at the ministerial level, for policy and administrative purposes. Now, what was the result of all this? Well, apparently after a while, the Ministers lost interest. The committee really ceased to act.

Professor Krueger states that the real value of this committee was in the kind of co-ordination it established, though it was never followed through, at the administrative level with the top civil servants. Indeed, let me quote his exact words:

The greatest benefit arising from the Cabinet committee on conservation and land use was the better understanding of the roles and functions of the different departments gained by the civil servants. Branch chiefs from various departments were provided with the opportunity of discussing

how their programmes were interrelated and what programmes they had in common. According to one participant, the committee was of value if it did nothing more than establish a rapport among various senior government officials.

A number of people mentioned that a perceptible improvement in interdepartmental co-ordination at the civil service level resulted from the meetings of the advisory committee.

However, Mr. Chairman, note this:

There is little evidence to indicate that the committee was very effective at the ministerial level or that it resulted in any co-ordination of major policies or programmes.

Mr. Chairman, I pause right there. The hon. Minister has said that he is going to establish a regional development branch. It is going to make recommendations to an interdepartmental high-level advisory group and the hon. Minister informed us that this would be composed of top civil servants.

I say to him right now that if this is as far as he is going, the hon. member for Grey North is right. The hon. Minister might as well cancel the \$150,000 that he is pouring into his regional development associations. He is not going to resolve the conflict in his department; he is not going to get the co-ordinated effort that makes economic planning possible.

What has got to happen, I suggest to you, Mr. Chairman, and it is as clear as crystal to anybody who comprehended a modicum of the lessons that emerged from the regional development conference, is that there must be a decision by this government at the Cabinet level with the appropriate Ministers involved in a Cabinet committee working through the Prime Minister. If the chief economist is going to be the man through whom the regional development association branch works, he has got to be responsible directly to the Cabinet Ministers.

Because I say this to the hon. Minister, and I warn him that I am going to put him to the test next year, that if he thinks he is going to resolve the conflict, for example between the regional development associations and the tourist councils over in The Department of Tourism and Information without going right to the Cabinet level, he is mistaken. He knows that he has no control over what goes on over in that other department.

How is this hon. Minister going to resolve, through this regional development association, the conflict between regional development

associations and joint planning boards involving the hon. Minister of Municipal Affairs? He cannot do it. He may be able to resolve the conflict between regional development associations and industrial commissioners, this is right within his own department; but he cannot resolve them within any other department.

So I would say to the hon. Minister that if he is serious about regional development and the kind of economic planning at the top within which meaningful regional development can take place, he has got to go to the hon. Prime Minister (Mr. Robarts) and say: "Look, John, I cannot do this job. It has to be done at your level and at the Cabinet level."

If he does not do that, he is wasting his time; he will have missed the basic lessons that emerged from the regional development conference downtown; and I have seen nothing in what the hon. Minister said yesterday that indicates that he is going to do it. He is going to go through the motions of reviving the regional development branch which simply cannot do the job of controlling and resolving the conflict throughout all the government departments.

I have talked longer than I intended and perhaps longer than I wished but, Mr. Chairman, this is an extremely important issue. If you go to New York you will see that Governor Rockefeller has blocked the state out into areas, and they have mapped a 25-year programme. If you listen to the experts right through to Jean Gottman of l'Ecole des Hautes Etudes of Paris and the author of *Megalopolis*, that classic study on the industrial complex of the northeastern United States, if you listen to his most dramatic and inspiring story of the kind of thing that is happening in regional development all across this world, you get some concept of what might be done in the province of Ontario.

But we have creaky, outdated, inadequate machinery to achieve it and the hon. Minister might just as well set his objectives away in mothballs along with Aunt Minnie's hoop skirt if he cannot sit down with the Cabinet and resolve the basic machinery that is required to achieve these objectives. I wish him well, but I warn him that I am, as well as more on this side of the House, going to come back to the issue next year when he has got his concept of how this can be achieved into operation. My only regret is that he has not got it into operation this year as it should have been.

Hon. Mr. Randall: Mr. Chairman, I am delighted that the hon. member is on my

side—and I say he is on my side because he attended the conference religiously for the three and a half days that we had it, together with some of the hon. members from the Liberal benches, and I am sure that what we have heard this afternoon as a result of attending the conference will show that he and I agree on many of the suggestions that he has put forward here today.

First, may I say that I feel complimented that the hon. member started out by saying that I am known as a "salesman's salesman." I have sold refrigerators to Eskimos and I have sold clothes driers in the Caribbean, but I also found that to get as far as I got in the business world, you cannot take conversation to the bank. Eventually you have to come home with an order and I do not believe that government business is any different. Now maybe it is—maybe we can hand out lots of conversation, entertain everybody day in and day out, but eventually if you are a Minister responsible for a department, sooner or later a plan must be evolved that will work. I think that since I took over The Department of Economics and Development we have had some plans that are working very, very successfully. I am quite sure that this one on regional development is going to work, but I assure the hon. member, although I do not think that I have to, that this is a big problem and not one we should rush into just because we have had a conference and just because we have had one report from Professor Krueger. I think that he is a very well-informed man and did an excellent job on the report. In fact, as I said, we employed him to do the job.

Mr. MacDonald: It was a devastating job.

Hon. Mr. Randall: I could care less. That is why we invited him. I am glad that Mr. Gertler accepted our invitation to help put the conference together. If we cannot take criticism, then we should avoid conferences and I assure the hon. member that I do not intend to walk away from criticism of my department or anything that my department can do to assist the economy of this province. But I want to assure the hon. member that, having studied some of the papers and many of the presentations, not only at Queen's but here, and read a great many people who know something about regional development and economic planning, I know that this is not a programme that this government or any government should rush into overnight.

I announced a year ago in the House that we were going to have a conference and we

had the conference. I agree with the hon. member that a year from today I should come back with some activity that he will approve of, otherwise we have wasted a year and I do not intend to waste a year. I have not got that time to waste. I will say to him that we have economic reports in this province second to none in Canada. They can be improved; we are not complacent about them. Much of the information we have given the House this year to date indicates that we do have a department that is producing facts and figures on every area of the province. The information, I believe, during the next few months will enable us to put together a plan and a programme for regional development that really matters and will work.

I think also that we must remember the Krueger report is a one-man or a two-man study, and there are others that I hope we will have before we make any major decision. I can assure the hon. member that we certainly cannot bypass the Cabinet and have any Minister make a decision of this magnitude without having the complete support of the hon. Prime Minister and every member of the Cabinet.

When this programme is approved, I do not believe we will get the same action by having busy Cabinet members meet every week or two weeks or two or three days a week, that we will get if we have civil servants and men such as Professor Krueger and others who, I think, along with our chief economist, will make the plan work and work as fast as possible in the areas where we want it to operate.

I believe that having had the conference, putting together the staff under the chief economist now, and recognizing that no economic programme can operate without these economic facts, it is easy to say we are going to have a plan and that we are going to start off tomorrow and wave a banner. But I think we have to put the bodies together and put the right bodies together to make sure that when we do have a plan it is a success, because we cannot live on failures.

Now I agree that the regional development programme that we have had in Ontario has been inadequate. In a sense I think it could have done a lot more, but this is one department that perhaps needed a lot more study than some of the others. I came into the House last year and we put together the Sheridan Park corporation. We put the housing corporation together, and I think that before long we will put together a regional development programme that will work just as effectively.

But I want to make sure that when we do put this plan together—and we do have the sums of money voted for regional development—we spend them in the right areas. Certainly, we, in our conversations with the federal authorities, have been advised time and time again in the last several months, that they want to co-ordinate regional activities with us. As I said earlier, their man has been in here and certainly we should not start on one plan and have them start on another.

We have to co-ordinate, I believe, with not only the municipalities; we certainly have to co-ordinate with the federal authorities. This, I am sure, is going to be done. I have no doubt that the federal authorities are just as interested in spending their dollar as wisely as we are in spending ours. When the plan is put together, it will be at the Cabinet level and approved at the Cabinet level and it will be voted on at the Cabinet level.

Also, I recognize, that every Minister here has something to do with regional development. Certainly, we cannot ignore The Department of Municipal Affairs, The Department of Highways and The Department of Tourism and Information. These departments have been making a contribution to regional development over the years. But I agree, we have said amongst ourselves that perhaps we are not getting credit for what we are doing in regional development and perhaps it is time we put the programme together and we advertised it as a complete package, instead of every Minister doing his share, but not getting credit for what he is contributing to regional development.

Now, I listened to many of the gentlemen from Europe, as you did. We listened to the man from Sweden who, I thought, presented an excellent paper, and the man from Holland, and I believe it was the man from Holland who said that we ask ourselves after all the years of planning, did it mean anything, what would have happened if we had not planned? I think it was the gentleman from Holland who said that, and the Swedish speaker agreed. Well, we do not know, but so far we have been successful, so why quibble about success? This is one of the things of which, I think, we have to be very careful. If we are going to put a programme together, I would certainly hope that I would be associated, and this government would be associated with a success story, not a failure. That is one of the reasons why I believe we have to find out, through the other departments, where we will work with them.

For instance, you brought up the area of tourist councils. We have already had meeting with the hon. Minister of Tourism and Information (Mr. Auld). We have already started in the field to work with these tourist groups. I think we can work with them. I have no doubt we can work with the hon. Minister of Municipal Affairs in the planning aspect. I am working with him every day in the week on urban development. We have had no conflict of interests, and, I think, before we move in any direction, I can assure you that we do sit down and discuss where our department works with theirs.

This is also true in working with The Department of Labour and The Department of Education. We have all been involved in talking about regional development since the conference, I can assure you. There is no intention on the part of this department to rush into a half-baked programme. I recognize that perhaps it is long past due. I recognize along with the hon. Minister of Agriculture (Mr. Stewart), with whom we had a chat a few days ago about the same thing, that ARDA is something that could be and should be, certainly, co-ordinated with any department on regional development. Certainly, to go on our own and start a programme would be a waste of time, a waste of money, and I certainly think a waste of energies and effort.

Now, I cannot attempt to answer all the questions you posed, because I did not write them all down, but perhaps the situation in Quebec is really not comparable with Ontario. I think we have to recognize that. They have a lot further to come. In Europe today, we hear about Greece being the country that had the greatest growth over the last few years, or since the post-war years, but perhaps that is because they have the farthest to come. Now this is quite true in many countries in Europe, as I think most of us recognize. Today, Spain is moving past Greece, because it is upping its productivity and it is improving its living standards.

The Minister of Labour in Quebec yesterday, as reported in the *Globe and Mail* this morning, said that he wanted control over the labour situation in the province of Quebec. Perhaps you read that, because he said he did not want them being attracted to dynamic Ontario. So I think that perhaps we do not recognize the things that we have here with which we have done a good job—you other people do recognize this. I do not believe in saying that, that it should be assumed that I am complacent. I am not

a bit complacent about some of the areas in Ontario, not even in the Golden Horseshoe that our hon. friend from Grey North talked about a few minutes ago.

But all this matter of regional development is tied in with the Ontario development agency, it is tied in with the tourist industry, it is tied in with labour, it is tied in with municipal affairs. For me to produce a programme here today and say, Well, we have had the conference, here is the programme, we want to get cracking with it; I think would be a mistake. I think a year from now you would really be able to fry me, because I do not believe I could put a programme together that fast and make it work.

But I have had a number of discussions with the hon. Prime Minister. I have had a number of discussions with my hon. colleagues in Cabinet. We know that when we put this programme together that we have to have a co-ordinated effort and whether this high-level committee will consist of all Cabinet Ministers or all Deputy Ministers or civil servants, remains to be seen. But whatever the committee is, I can assure you that it will be a committee that will work and work together in the interests of all departments. Knowing what is involved, we have to work with other departments. It is obvious we cannot go it alone on regional development.

Now you made some comments about how do we correlate the activities of the regional development group with the industrial commissioners. As you know, the industrial commissioners are hired by a city such as Oshawa or Bowmanville or Windsor and they work entirely different from regional development. They are interested in that city or that particular boundary.

Mr. MacDonald: That is part of the problem, though.

Hon. Mr. Randall: Well, it is part of the problem, but we do not subsidize them. We have nothing to do with them, as you appreciate, but every industrial commissioner is in touch with our industrial development department, because he wants us to know that he has developed land on which he would like to have new industry. When they beat a path to our door, as we point out in the book here, it is because they say: "Well, you fellows are going abroad, inviting industry to come into Canada—at least into the province of Ontario—will you make sure that they know that in Bowmanville or in Oshawa or Windsor we would welcome new industry?"

We have in many instances, as we show you here in this report, been able to get industry to move into these other areas. They are not all in the Golden Horseshoe. I think last year, if I remember the figures correctly, I mentioned that 80 per cent of them were within 100 miles of Toronto, not necessarily in the Golden Horseshoe.

But again I only suggest this to you, that we recognize that the services of industrial commissioners are invaluable. They perform a somewhat different function to the regional development group that we are talking about now who look after an entire group like Georgian Bay. I can assure you also, since the conference, that if I had correspondence from the nine associations before, I get recommendations and motions and reports almost every day in the week now, because they recognize that we have taken, and will take, an interest in the area with which they are concerned.

Now, just to conclude without getting into too lengthy a discussion on this, you read the names of the people who are on the board of directors of the Quebec economic council and I am very impressed with these gentlemen. I do not think I know any of them, but I think we have got a pretty impressive board on the Ontario economic council, too. For instance, we have David Archer, president of the Ontario federation of labour. I think you would agree that he is a pretty sound individual and rather co-operative with us and business in general.

Mr. MacDonald: Mr. Chairman, if the hon. Minister will permit me, he is missing my point. My point was that the Quebec economic council involved people who were integrated with government at various levels.

Sure, David Archer is a very capable person. But he comes and he meets two or three times a year in the economic council. Is that going to produce economic planning? Of course, it cannot and will not. What you want is a group of people integrated at the government level, along with others from the community, so that you get the tie with the community, so that you have got an on-going, serious organization and not just a periodic—I was going to say gabfest, but that might be unkind.

Hon. Mr. Randall: I do not think that is quite right. Let us look at the rest of these people on here. We have Mr. Clarkson, our Deputy Minister; Mr. Ray Engholm, president and general manager of Marcotta Company and vice-president of the Canadian manufacturers association. You have got George Gathercole, who was the economic planner

for this government, I think, for 14 years. You have got Rowland Hill, regional director of the international union of operating engineers. I think he is a pretty qualified fellow. You have got Purvis Littlejohn, member of the board of governors of the Ontario federation of agriculture. I think he is interested in the ARDA programme. You have Ian McRae, chairman of the board of the General Electric Company's atomic energy group, I think he is interested in the success we have in the province of Ontario. You have Mr. J. H. Moore, president of John Labatts Limited; I think he is a gentleman who cannot afford to waste his time belonging to any kind of a group unless we can get some action. You have Charles Monroe, member of the board of governors of the Ontario federation of agriculture, you have Mrs. Plumptre, national president, consumers association of Canada, and if you read any of Mrs. Plumptre's reports I think you would know she is a pretty astute lady and does an excellent job for the economic council of Canada, as well as being on the board of this association. We have Larry Sefton, director of the united steelworkers of America; Harry Sheppard, past president of International Business Machines, and now the chief commissioner of LCBO. So you see we have a pretty good conglomeration—

Mr. MacDonald: A very spirited group.

Hon. Mr. Randall: You bet they are. We have Roy Thompson, past president of the Ontario regional development council and now the industrial commissioner for the ONR. We have Ross Willis, vice-president, University of Western Ontario—

Mr. MacDonald: Do you want me to bring a few letters from a few of those people on what they think of the effectiveness of the council?

Hon. Mr. Randall: We have Mr. Stadleman, treasurer of the Ontario research foundation; we have just got Mr. Douglas Gibson, who is the executive vice-president and deputy chairman of the board of the Bank of Nova Scotia who, I think, was very active in putting together the Royal commission's report on banking for Ottawa. These are pretty able people.

All I want to point out is: I do not think we can deprecate the work of the Ontario economic council with the kind of people we have on the board.

Now, just let me clear one thing. This council does not have a large staff of economists behind it; they are a group from industry, from agriculture, from the universities,

economists, to advise the government. Now we can either take the advice they give the government or we can tell them that we cannot act on it. They are an advisory body. They are not set up as a planning board. Perhaps we could change them into a planning board and give them twice as much money as they have right now and let them hire economists but we do not think they will be as effective as they are, doing exactly what they are doing; and with our own economics development setup we believe that we are in a position to do many of the things that they recommend and do them perhaps more quickly than they could by setting up a separate organization.

Again, I do not think it can be compared with an area like Quebec where they are going through not only a social but an industrial revolution. More power to them, I hope they are successful and I hope they are going to be more successful. I might say to the hon. member that there is not a department of this government that similar departments in Quebec have not visited. They have sat down with our people and asked our advice and worked with us. And we have been glad to give it. In trying to reply to some of the comments the hon. member has made, I just want to say that I concur wholeheartedly with him on the fact that we must have a good, sound, active regional development programme.

And where the regional development branch is now may not be the same position a year from now or when we get the plan worked out. But in the meantime they cannot make any move without economic facts, and this is why we have tied them in with the chief economist because he is working with the various Ministers here. And I would think that when this programme is put together, if we call it a regional development branch, or whatever we call it, they will be closely allied in the months ahead. I think this bodes success. If we do not do this I am quite sure that we would be here a year from now with either no plan or one that is not successful. As I said earlier, I have no time to waste, I am not going to give the hon. member a lot of conversation because I believe that you cannot take that to the banks, you eventually have to produce results.

Mr. V. M. Singer (Downsview): Mr. Chairman, I have listened with great interest to the hon. Minister's reply to the hon. member for York South and I might say in my opinion that the reply surrounded by all the words—even though the hon. Minister says he is not

here to waste time and to use excess words—the reply indicates more clearly than anything else, at least as clearly as the hon. member for York South said, but it is more effective I suppose when it comes from the hon. Minister—that not only is there no programme, there is no idea of how to begin a programme. There is no thought of regional development.

I was interested because the hon. Minister did reply to the Opposition critics from both parties in the different approach than he has from his predecessor. He obviously discards all that Mr. Macaulay put forward. There was not a time when Mr. Macaulay used to rise in this House but that he did not have a seven-point programme for this or a 21-point programme for that, or a 97-point programme for something else. Mind you, Mr. Chairman, very few of those points ever came to pass, but it sounded good and at least when that Minister came into the House in his time he said, if there was a problem like regional development, "Here is a programme 1, 2, 3, 4, 5," and then he repeated it and had variations and so on. But at least he was thinking about it.

The thing that is very disappointing, the thing that is so disappointing about the hon. Minister's reply is not his admission that he has not a positive programme to present now, but that he has not even a thought of how a programme is going to be organized. I wonder if he bothered to read the report of the select committee on The Municipal Act and related Acts? That spells out in some detail the deliberations of an all-party committee of the House; and the conclusion is obvious: Representatives of all parties agree unanimously that there must be a form of regional government. Now I think you have to start there. One of the important criteria that will go into determining the size of regions and the boundaries and so on has to be the economic problem.

This would presumably lie with the hon. Minister's estimates which are before us now, Mr. Chairman.

But surely you cannot expect to get into any programme of regional development unless someone in government is prepared to reorganize the whole municipal setup.

The puzzle to me, Mr. Chairman, is that we have not heard a word from the hon. Minister of Municipal Affairs about the economic phase of regional development. This hon. Minister this afternoon says, "I will, I will do, I have done. There may be a programme that will come forward that will consist of the Deputy Ministers' planning,

there may be some Ministers in it, Cabinet will approve."

Well, Cabinet, I presume, approves of everything that you do and say in broad principle. Certainly when you come before us and ask for whatever dollars you are asking for today, the hon. Prime Minister had given his approval to this or otherwise you would not be asking for that many dollars.

Your Cabinet colleagues undoubtedly approve, but that is not the sort of thing that is needed in this situation. The sort of thing that is needed is a revolutionary approach to municipal organization in the province of Ontario, an approach that will replace this broken down horse and buggy system that we have been operating on since 1849 when Borden brought in his municipal Act, and it has not been substantially changed since that time.

We must recognize, surely the hon. Minister must recognize, nothing is going to bubble from the bottom up; there are not suddenly going to be great flocks of our 972 municipalities rush in and say: "Let's get into your regional plan; we do not know what it is, but that is what we need."

There has to be direction come from the hon. Minister and his colleagues, or whoever is saddled with that responsibility, from the government of the province of Ontario to bring regional government about on a proper basis.

The hon. Minister must have been here when his colleague, the hon. Minister of Municipal Affairs stood in his place a few weeks ago and said: "Now I have ten studies that I think should be done"; and he named the areas in which these were going to be done. And he said: "I will be very lucky if I get the people to conduct these studies in more than three or four or five of these instances which I named."

How does this hon. Minister plan research? I think we deserve this answer, I think we need this answer. How does he plan to join in these studies? Is he assisting Murray Jones in his study in Ottawa now? Did he or his department or his advisors or his statisticians go before Mr. Goldenberg when he was investigating a regional problem here in Metropolitan Toronto?

And the other plans that are beginning to be investigated in the Niagara peninsula, and the three or four others that the hon. Minister of Municipal Affairs named that he was going to start on immediately: Is there anyone from the department, Mr. Chairman, who is allocated to go before these people who are conducting the inquiries and give them eco-

nomical information so they can come to reasonable conclusions?

This is the sort of thinking that surely should be going on right now. Otherwise, the hon. Minister of Municipal Affairs, this hon. Minister's colleague, is working at cross-purposes from him, because if he is going to have more studies done that do not have a real analysis of the economic features in them, then those studies are a waste of time.

His promise to this House and to the people of Ontario was that he is going to try to get as many of these 10 or 12 that he enumerated done as quickly as possible. He admitted, quite frankly, that he might be able to get only four done this year. What is this hon. Minister's role in this? Is he even aware that these studies are going on? Which one of his officials has been allocated to serve with Jones, Goldenberg, or whoever the other people are and to assist them?

None of this has come forward at all. It seems to me that with all the good will in the world and all the ability that the hon. Minister believes is vested in himself—and he is not modest about patting himself on the back and we will give him full credit if he comes forward with something—with all of that ability he still has not turned his mind to regional development, and his colleagues have not, and it is still departmentalized. He does a little bit, and his colleague, the hon. Minister of Highways, does a little bit and the hon. Minister of Tourism and Information does a bit and the hon. Minister of Municipal Affairs is trying to do a bit, too, and is conducting some studies.

There must have been 20 studies done on the Niagara peninsula in the last 10 years. They are all sitting on somebody's shelf and gathering dust. We have not had a regional plan for the Niagara peninsula.

The hon. Minister talks about these industrial commissioners. They come to him and say, "We have service land in Bowmanville or Oshawa," or wherever it is. Does any industrial commission go to the hon. Minister and say, "Our area is dying because we do not have industrial development, but we do not have industrial development because we have no services. We have no water; we have no sewers; we have no road facilities"? Is the hon. Minister faced with that problem?

There are many regions that find themselves with that problem. If the hon. Minister is faced with that problem, what does he do about it? Is that part of his responsibility or is it part of the responsibility of the hon. Ministers of Highways and Municipal Affairs? Who does something about them? Or is there

a municipality that appoints an industrial commissioner even if they have not got services? Because, after all, the council may say, "What is the point of getting an industrial commissioner to attract industry when we cannot service it?" In the meantime, the area is in difficulty.

Should the hon. Minister not be concerning himself with having services available so that industries will come into areas which have a surplus of labour, which have difficulties in balancing their assessments and all that sort of thing? This is the sort of thing, really, that I hoped we would have heard, but unfortunately, Mr. Chairman, we have heard none of this and the hon. Minister says that he cannot bring in a plan because we would not want a premature plan or because he has not even thought who is going to plan it.

We were entitled to hear, and have not heard, and this is the real criticism. We were entitled, Mr. Chairman, and we have not heard anything new in this field that has not been said and repeated in different types of language, depending on which Minister occupied which seat over the period of the last six years since I have been here.

There is no desire on the part of government to get at this problem in a co-ordinated way and unless something radically changes, unless there is a government policy that is really going to mean something with real co-ordination—not a Cabinet approval of a general policy but a real working co-ordination between the various departments that are interested in this and that have to be interested—we will be no further ahead twelve months from now than we are today.

Hon. Mr. Randall: I should like to add one comment, Mr. Chairman. I do not know how long it took to get that municipal report put together but I not only went through it, I also sat and listened to the hon. member read most of it in the House. I do not pretend to understand all of it because I was not on the committee; I was not living with it for two or three years; however, it is one other reason why I do not think that I would be justified in rushing out and coming back in with a programme just because the report is finished. I think it consists of many hundreds of pages and the things that the hon. member has brought out certainly have to be studied by the hon. Minister of Municipal Affairs, and his recommendations would have to come out of that report before I could assume that I have all the answers and run with the report and set up a programme.

I think what the hon. member said points

out the fact that if we are going to have a programme, let us not be premature but make good use of the material that is now becoming available. Let me also say that there are not enough hours in a day to read all the reports that come across our desks, and I think that I speak for everybody here. But I do not think that reports, as a rule, are going to give us a development programme or going to build houses. We can get report on top of report. I agree with the hon. member that we have to have some action and my hope is that now that we have some of these reports, now that we have had this conference, now that we recognize that there is a regional development programme in the offing, we get busy and get it done. Certainly there will be more reports and more economic facts that will have to be found in various areas and I think that the hon. member will be the first to agree that one simply does not go out and shovel programmes down the throats of the municipal officers when they are elected by their people. They have to be consulted because perhaps at the grass-roots level we get the best advice as to what kind of a programme will fit in the province of Ontario.

I want to assure the hon. member that the comments he has made are welcomed and if he has any suggestions to make—both he and his party—that are constructive in putting the programme together, let us have them. We will listen to anybody.

Mr. Newman: One year ago, sir, the report of the Windsor economic council had been submitted and one of the recommendations in there was the fact that the location of institutional facilities may have a marked economic effect on the community. Has the department any studies to indicate the effect of governmental or institutional facilities on a community?

Hon. Mr. Randall: I think that yesterday in my presentation of the estimates, I pointed out that in the eastern part of Ontario the building up of some of the government institutions there added to the economic welfare of that part of Ontario, and that while they were looking for industry and more agricultural assistance, nonetheless those institutions did make a contribution.

I concur with the hon. member's comments. I think they do make a contribution to an area and certainly this is another matter that should be seriously considered when this government, or any government, is spreading its institutions across the prov-

ince into areas where an institution would very well fit.

I can think of Aylmer, Ontario, where they had that disastrous fire a few weeks ago. As you know, the Ontario provincial police have taken over the old airfield down there and it is now used as their training school. In talking to my colleague, the hon. Attorney General (Mr. Wishart), he informed me that they were adding staff down there, and there were more police being trained. I would certainly think that in that area where they need industry and cannot get it overnight, this institution would make a contribution to the economic welfare of that part of the country.

Mr. Newman: Mr. Chairman, may I ask of the hon. Minister if he will be prepared to recommend to the government that institutions be decentralized and set up in various parts of Ontario? Does he plan on making recommendations?

Hon. Mr. Randall: Frankly, I do not have sufficient information at the moment to make a definite statement on that. This is one of the things that I certainly think we will carefully consider when we make recommendations to our colleagues who are responsible for these institutions, that they give every consideration to our regional development planning.

Mr. Newman: Does the department plan on inducing industry to locate in regions outside the Golden Horseshoe?

Hon. Mr. Randall: We do not have a definite plan except that we are all putting on, let us say pressure, to get new industry to go into other areas. This is of interest to us as well as to the hon. members. I think it would be a wonderful thing if we could have a payroll down Main Street in every town in Ontario that would keep the unemployed in that town fully employed the year round.

Again, this comes back to, do we want to insist that industry go to certain areas or do we want to let the entrepreneur choose his site? All we can do is to show him, as we do in our industrial development department, the choice sites that are available, the areas where we think his plant would fit and perhaps would be more welcomed than others, the amenities that he and his employees would enjoy by not being in the crowded city of Toronto or the metropolitan area; and hope that this persuasion will have its effect over the years to come.

Mr. Newman: Is the hon. Minister prepared to use incentives to get industry to locate in certain areas, such as the federal people have with their tax reduction programmes and so forth?

Hon. Mr. Randall: We have no plans at the present time to use incentives. We have not found the need for using incentives in the province of Ontario. As you know, the federal government are about to remove the designated areas. They have some other plans that we have talked about, and I would hope, before too long, that there will be an announcement that there will be a joint programme between the provinces and the federal government to assist in the diversification of industry in the areas such as those of which the hon. member was speaking, the slow growth areas, to get them out of the crowded metropolitan area where at the present time we are getting much of the industry and much of the expansion.

But again, I think that industry itself is recognizing that there are many advantages to not being in the Metro area.

Mr. Newman: Does the hon. Minister not think that possibly Hydro could be one of the means which the government could use in attracting industry into slow growth areas?

Hon. Mr. Randall: There have been a number of discussions with the Hydro people with reference to their role in diversifying industry. I think in some areas that perhaps it would be welcomed; or on the other hand this is a matter that has not been discussed in detail. I think we have low power rates in Ontario compared to many other areas and I think it is something we could consider in the future. We could talk to the Hydro people and see if they would have an interest.

Mr. Newman: About seven months ago, Mr. Minister, you were in my area and you mentioned the fact that an economic survey was going to be made of the area, that Windsor was going to be the first area to have its industrial resources inventoried in a programme that eventually was going to completely cover the province. Now the survey was going to provide an analysis of the area's population, labour force, industry, transportation, trade and other industrial factors. You suggested that this type of study could counter the concentration of industry in the Toronto-Hamilton area and would be a definite advantage when it would come to selling the community.

Has this survey for the Windsor area been completed?

Hon. Mr. Randall: I understand the survey is almost completed and will be released very shortly.

Mr. Newman: It will be released?

Hon. Mr. Randall: Yes.

Mr. Newman: Will it be made available to the hon. members of the House?

Hon. Mr. Randall: It certainly will.

Mr. Newman: Does the hon. Minister plan on conducting similar surveys throughout the province of Ontario?

Hon. Mr. Randall: I would think yes, in relation to this programme we talked about this afternoon it is almost an essential that we conduct these studies.

Mr. M. Gaunt (Huron-Bruce): Mr. Chairman, my remarks may take a few moments and I am just wondering, in view of the time, if you would want to carry on?

Hon. Mr. Rowntree: Yes; I think this is an appropriate hour for the committee to rise.

Hon. Mr. Rowntree moves that the committee of supply rise and report progress.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of supply begs to report progress and asks for leave to sit again.

Report agreed to.

Hon. H. L. Rowntree (Minister of Labour): Mr. Speaker, tomorrow, Thursday, we will proceed with the estimates of The Department of Economics and Development; and should they be completed we will proceed and continue with the estimates of The Department of Highways. There will be a night sitting tomorrow evening and on Friday morning we will have Budget debate.

Hon. Mr. Rowntree moves the adjournment of the House.

Motion agreed to.

The House adjourned at 6.05 o'clock, p.m.

APPENDIX

ESTIMATES, DEPARTMENT OF ECONOMICS AND DEVELOPMENT

Tables showing orders of magnitude for employment and production if the Ontario economy is operating at full potential in 1970—Economics Branch, Ontario Department of Economics and Development, April 26, 1965.

Table 1
POTENTIAL EMPLOYMENT IN ONTARIO IN 1970, BY INDUSTRY
(Thousands)

<i>Goods sector</i>	Census number		Potential 1970	Average annual change ('000)	
	1951	1961		1951-61	Potential 1961-70
<i>Extractive goods</i>					
Agriculture (labour force)	201.5	168.8	135	-3.3	-3.8
Fishing and trapping (labour force)	2.2	2.2	3	—	0.1
Forestry	21.0	16.7	13	-0.3	-0.4
Mining	30.1	42.2	39	1.2	-0.4
Total extractive goods	254.8	229.9	190	-2.4	-4.4
<i>Secondary goods</i>					
Manufacturing	591.2	627.1	764	3.6	15.2
Construction	100.3	123.8	175	2.2	5.7
Electric power and gas utilities	24.8	26.5	32	0.2	0.6
Water and other utilities	5.9	2.5	4	-0.3	0.2
Total secondary goods	722.2	779.9	975	5.8	21.7
Total goods sector	977.0	1,009.7	1,165	3.3	17.3
<i>Service sector</i>					
Transportation, storage and communication*	117.8	140.0	192	2.2	5.8
Trade (wholesale and retail)	216.2	306.5	440	9.0	14.8
Finance, insurance and real estate	57.1	91.3	130	3.4	4.3
Public administration† and defence	116.7	196.8	239	8.0	4.7
Community services, total	109.8	205.2	336	9.5	14.5
Education	42.1	86.8	140	4.5	5.9
Health	48.8	95.5	168	4.7	8.1
Other	18.9	22.9	28	0.4	0.6
Recreation services	9.8	14.6	33	0.5	2.0
Business services	18.5	34.6	60	1.6	2.8
Personal services	81.1	121.0	176	4.0	6.0
Misc. services	2.9	19.3	33	1.6	1.5
Total service sector	730.0	1,129.1	1,639	39.9	56.7
Unspecified	17.7	48.1	63	3.0	1.7
Total of above	1,724.6	2,186.8	2,867	46.2	75.6
Coverage differential**	151	134	88	-1.7	-5.1
Total employment	1,876‡	2,321§	2,955¶	44.5	70.4
Total unemployment	32	131	60	9.9	-7.9
Total labour force	1,908	2,452	3,015	54.4	62.6
Unemployment ratio	1.7%	5.6%	2.0%		

*Excludes post office

†Includes post office

‡Includes 38,000 in armed forces

§Includes 59,000 in armed forces

¶Includes 37,000 in armed forces

Note: From Forestry down to Total service sector the concept is "paid workers."

**The item coverage differential results from a different coverage basis between the decennial census taken in June of the census year and the annual average of the monthly labour force survey.

Table 2
PERCENTAGE DISTRIBUTION OF EMPLOYMENT IN ONTARIO

	1951	1961	1970
<i>Goods sector</i>			
<i>Extractive goods</i>			
Agriculture (labour force)	11.7	7.7	4.7
Fishing and trapping (labour force)	0.1	0.1	0.1
Forestry	1.2	0.8	0.5
Mining	1.7	1.9	1.4
Total extractive goods	14.7	10.5	6.6
<i>Secondary goods</i>			
Manufacturing	34.3	28.7	26.6
Construction	5.8	5.7	6.1
Electric power and gas utilities	1.4	1.2	1.1
Water and other utilities	0.3	0.1	0.1
Total secondary goods	41.9	35.7	34.0
Total goods sector	56.7	46.2	40.6
<i>Service sector</i>			
Transportation, storage and communication*	6.8	6.4	6.7
Trade (wholesale and retail)	12.5	14.0	15.3
Finance, insurance and real estate	3.3	4.2	4.5
Public administration (†) and defence	6.8	9.0	8.3
Community services, total	6.4	9.4	11.7
Education	2.4	4.0	4.9
Health	2.8	4.4	5.9
Other	1.1	1.0	1.0
Recreation services	0.6	0.7	1.2
Business services	1.1	1.6	2.1
Personal services	4.7	5.5	6.1
Miscellaneous services	0.2	0.9	1.2
Total service sector	42.3	51.6	57.2
Unspecified	1.0	2.2	2.2
Total of above	100.0	100.0	100.0

*Excludes post office.

†Includes post office.

Table 3
POTENTIAL VALUE OF PRODUCTION IN 1970, ONTARIO
(Millions of current value dollars)

	1956	1963	1970
<i>Goods sector</i>			
<i>Extractive goods</i>			
Agriculture, fishing and trapping	415	537	695
Forestry	73	60	65
Mining	358	454	600
Total extractive goods	846	1,051	1,360
<i>Secondary goods</i>			
Manufacturing	3,885	5,070	8,250
Construction	617	739	1,515
Public utilities	382	560	940
Total secondary goods	4,884	6,369	10,705
Total goods sector	5,730	7,420	12,065
<i>Service sector</i>			
Transportation, storage and communication	850	1,120	1,480
Trade (wholesale and retail)	1,470	2,025	3,360
Finance, insurance and real estate and services	2,265	3,925	7,760
Public administration and defence	695	1,140	1,915
Total service sector	5,280	8,210	14,515
Total value of production at factor cost	11,010	15,630	26,580

*If Ontario achieves its potential, its value of production by 1970 will exceed that of all Canada 15 years earlier, in 1955 (\$24,326 million).

Note: In Ontario the value of production in the service sector exceeded that in the goods sector for the first time in 1959, and the figures in the table indicate continued broadening of the differences.

Table 4

PERCENTAGE CHANGES OVER 7-YEAR INTERVALS, 1956 TO 1963
AND 1963 TO POTENTIAL 1970, FOR TOTAL VALUE OF PRODUCTION
AT FACTOR COST, BY INDUSTRY, ONTARIO

(Based on current value dollars)

<i>Goods sector</i>	1956-1963	1963-1970
<i>Extractive goods</i>		
Agriculture, fishing and trapping	29.4	29.4
Forestry	-17.8	8.3
Mining	26.8	32.2
Total extractive goods	24.2	29.4
<i>Secondary goods</i>		
Manufacturing	30.5	62.7
Construction	19.8	105.0
Public utilities	46.6	67.9
Total secondary goods	30.4	68.1
Total goods sector	29.2	62.6
<i>Service sector</i>		
Transportation, storage and communication	31.8	32.1
Trade (wholesale and retail)	37.8	65.9
Finance, insurance, real estate and services	73.3	97.7
Public administration and defence	64.0	68.0
Total service sector	55.5	76.8
Total value of production at factor cost	42.0	70.1

Table 5

PERCENTAGE DISTRIBUTION BY INDUSTRY OF TOTAL VALUE OF
PRODUCTION AT FACTOR COST IN ONTARIO, 1956, 1963 AND POTENTIAL 1970

(Based on current value dollars)

<i>Goods sector</i>	1956	1963	1970
<i>Extractive goods</i>			
Agriculture, fishing and trapping	3.8	3.5	2.6
Forestry	0.7	0.4	0.2
Mining	3.3	2.9	2.3
Total extractive goods	7.7	6.8	5.1
<i>Secondary goods</i>			
Manufacturing	35.3	32.4	31.0
Construction	5.6	4.7	5.7
Public utilities	3.5	3.6	3.5
Total secondary goods	44.4	40.7	40.3
Total goods sector	52.0	47.5	45.4
<i>Service sector</i>			
Transportation, storage and communication	7.7	7.1	5.6
Trade (wholesale and retail)	13.4	13.0	12.6
Finance, insurance, real estate and services	20.6	25.1	29.2
Public administration and defence	6.3	7.3	7.2
Total service sector	48.0	52.5	54.6
Total gross domestic product at factor cost	100.0	100.0	100.0

Table 6
 POTENTIAL GROWTH IN MANUFACTURING, BY INDUSTRIAL GROUP, 1964-1970
 CANADA

	Compound Annual Growth Rates				Production Indexes of (1949=100)		Compound Annual Growth Rates
	1949-51	1949-51	1959	1963	Indexes of		1964-1970
	to 1964	to 1956	to 1964	to 1964	1964	1970	%
	%	%	%	%			
<i>Non-durables</i>							
Foods and beverages	3.8	4.3	3.3	7.3	174.0	225.0	4.4
Tobacco and products	5.6	6.6	3.5	3.0	214.0	270.0	4.0
Rubber products	4.6	5.2	5.8	12.2	213.8	320.0	7.0
Leather products	2.3	3.3	1.6	2.8	130.5	150.0	2.5
Textiles	3.4	1.3	6.7	8.0	172.3	260.0	7.1
Clothing	2.2	2.6	3.7	-0.9	135.8	160.0	2.8
Paper products	3.6	4.0	4.3	9.0	179.0	230.0	4.3
Printing, publishing, etc.	3.5	5.0	2.8	5.0	164.6	210.0	4.1
Products of petroleum and coal	7.3	11.3	4.7	2.8	304.2	420.0	5.5
Chemical products	7.0	8.2	6.1	12.3	279.8	465.0	8.8
Misc. manufacturing	6.5	5.3	7.4	6.2	261.9	405.0	7.5
Total	4.1	4.6	4.2	7.1	184.8	256.8	5.7
<i>Durables</i>							
Wood products	3.2	4.3	4.1	4.8	166.7	215.0	4.3
Iron and steel products	3.9	5.3	4.3	12.6	182.1	270.0	6.8
Transportation equipment	4.1	5.7	8.6	9.7	198.9	325.0	8.5
Non-ferrous metal products	3.1	3.9	3.7	8.7	161.8	215.0	4.8
Electrical apparatus and supplies	5.6	9.5	5.3	6.9	239.0	345.0	6.3
Non-metallic mineral products	6.8	9.6	4.5	14.2	277.6	475.0	9.4
Total	4.2	5.9	5.2	9.7	192.9	286.7	6.8
Total manufacturing	4.1	5.2	4.7	8.3	188.3	270.6	6.2



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Afternoon Session

Speaker: Honourable Donald H. Morrow

Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, APRIL 29, 1965

The House met at 3 o'clock, p.m.

Prayers.

Mr. Speaker: We are always pleased to have visitors to the Legislature and today we welcome as guests, in the west gallery, students from Gravenhurst high school, Gravenhurst.

Petitions.

Presenting reports by committees.

Mr. R. J. Boyer (Muskoka) from the standing committee on privileges and elections presented the committee's report, which was read as follows and adopted:

The committee recommends to the House that the report of the special commission on redistribution of electoral districts in Ontario be referred back to that commission, in order that the commission may give consideration to submissions relating to the electoral district boundaries made by interested persons, or to be made by such persons, during such period as the commission may prescribe; in considering such submissions that the commission also consider population trends and up-to-date population figures, and report to the legislative assembly not later than the next regular session thereof.

Mr. Speaker: Motions.

Introduction of bills.

Mr. B. Newman (Windsor-Walkerville): Mr. Speaker, before the orders of the day, I have a question of the hon. Prime Minister (Mr. Robarts), notice of which has been submitted to him.

Does the government plan any legislation requiring safety standards and inspections for mechanical rides at fall fairs, shopping plazas and carnivals?

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, under The Municipal Act, subsection 7 of section 401, municipalities may, by bylaw, determine whether they will permit or refuse to allow the operation of this type of equipment. Inasmuch as they possess the

power to license, they are also vested with the authority to regulate, which would encompass the imposition of safety standards and inspections.

When mechanical rides, merry-go-rounds and so on are to be relocated, they must first be taken apart and then reassembled on the new site. If checking this type of equipment were to fall on the provincial government, it would necessitate assigning inspectors who would have to travel continuously with these rides wherever they might go, so they would be present each time they were taken apart and present each time they were reassembled, and it is apparent why it has been regarded as logical that at the local level, inspection should take place in and be the responsibility of the municipality, who grants the license and receives whatever fee there may be for permitting the piece of equipment to operate, and which will be patronized by the residents of that community.

Mr. Newman: Mr. Speaker, if I may ask the hon. Prime Minister a supplementary question. All municipalities, and primarily the smaller municipalities, do not have sufficiently competent inspectors to inspect such equipment. It would remain a responsibility of the provincial government to see—

Hon. Mr. Robarts: A supplementary question, Mr. Chairman? This is a—

Mr. Newman: Well, then may I ask is it not then the responsibility of the provincial government to see that such equipment is inspected in municipalities where the inspectors are not qualified?

Hon. Mr. Robarts: Mr. Speaker, I can only reiterate that the local municipalities are empowered to charge a licence fee. That licence fee can be sufficient to bring an inspector whatever distance may be necessary, from the nearest municipality that has someone qualified to inspect. As I say, the alternative is, we would have to assign an inspector to each one of these mechanical rides in order to ensure that every time it was taken apart, it was correctly put back together again. It seems to me not too difficult for a municipality to charge a licence

fee for operating the machine in that community sufficient to bring an inspector in from wherever he might have to come.

Mr. Newman: Mr. Speaker, if I may, a supplementary question. Would it not be more satisfactory to have such an inspection rather than have youngsters killed?

Mr. Speaker: I am sorry, the member has had explanations for a couple of questions now and I think that is sufficient.

Mr. S. Lewis (Scarborough West): Mr. Speaker, I had a question for the hon. Minister of Health (Mr. Dymond), notice of which was given. It is related to collective bargaining for the nursing profession. He may be outside bargaining now.

Mr. Speaker: If the member would wait for a few minutes perhaps the Minister of Health is expected back.

Mr. S. Lewis: Fine!

Mr. Speaker: Perhaps we can proceed with the question of the member for York South.

Mr. D. C. MacDonald (York South): My question, Mr. Speaker, is to the hon. Attorney General (Mr. Wishart).

When was a used car dealer's licence issued to Don Smith Auto Sales, 1682 St. Clair Avenue West, Toronto? And if no licence was issued by the registrar of used car dealers, under what licence is he operating?

Hon. A. A. Wishart (Attorney General): Mr. Speaker, at this time Don Smith Auto Sales of 1682 St. Clair Avenue has not been granted a used car dealer's licence pursuant to the provisions of The Used Car Dealers Act.

At the present time, the used car dealers section is conducting an investigation into the business activities of this firm. When that investigation is completed, the department will take whatever action warranted.

Mr. MacDonald: Mr. Speaker, if I may just draw to the attention of the hon. Attorney General that last night's paper has ads from the gentleman, so he is operating as a used car dealer.

Hon. Mr. Wishart: I think there was a question asked of this dealer some short time previously. At that time he had made no application. He has now made an application and we are investigating it.

Clerk of the House: The fourteenth order; House in committee of supply; Mr. W. E. Sandercock in the chair.

ESTIMATES, DEPARTMENT OF ECONOMICS AND DEVELOPMENT

(continued)

On vote 401:

Mr. M. Gaunt (Huron-Bruce): Last night, Mr. Chairman, I was about to make a few comments in regard to regional development associations. I do not want to repeat all that has been said about them, but I want to say that I was at the regional development conference which was called by the hon. Minister of Economics and Development (Mr. Randall) and I enjoyed it very much. I found it most stimulating, and I think there were many ideas put forward at that conference which he would do well to take into consideration.

Last year I made some comments about the regional development associations to the effect that most associations find it rather difficult to plan a programme on a long-term basis because they are never sure of the financial support forthcoming from the individual municipalities. I mentioned at that time that I thought it would be a good idea if the hon. Minister would consider some form of a cushion whereby the development associations could plan on a long-term basis if a municipality did not provide the financial support that was anticipated. At that time the hon. Minister is recorded in *Hansard*, at page 2493, as saying that he recognizes this problem and he was looking at it. Beyond that, of course, we have seen nothing or heard nothing. I wonder what has happened in that regard?

The whole problem of financing, as far as the regional development associations are concerned, is a very interesting one, and is perhaps one at which we should take a look, although it relates to the whole broad area of reorganization, it is certainly a very important part of it.

I have a number of friends who are managers or who are employees of regional development associations and I am told by some of them that they spend upwards of four months of the year going around from municipality to municipality trying to encourage individual councils to participate and be a member of the regional development association.

It seems to me, sir, that under these conditions it is very difficult for them to concentrate on the job that they should be doing, regional development. If they have to go around in their area and spend this amount of time trying to convince people to join the regional development association in order that they can try and match dollar for dollar the grants that are given by the government, then

I think it places them in a very awkward position.

Really, in effect, what they are doing is going around like community chest fund raisers trying to raise money. Not that there is anything wrong with fund raisers as such, but this is just not their job. I would suggest to the hon. Minister—as has been pointed out by a number of other speakers on this subject yesterday—that when the machinery and the reorganization is contemplated, the hon. Minister and his department should give consideration to giving these people adequate machinery with which they can do the job of carrying on regional development. Certainly under the present circumstances and conditions they just cannot do it, because they are trotting all over the place trying to raise money and come up with an adequate amount in order that they might get a sufficient grant from the government.

Mr. J. P. Spence (Kent East): Mr. Chairman, may I say a few words along that line with regard to regional development? Much has been said and I am not going to rehash what has been said, but we know that during the past year 143 industries have been located here in the province of Ontario. If I understand it correctly, two-thirds of these industries settled in the Golden Horseshoe; only a third established in rural Ontario. We have discussed regional development many, many times in this Legislature, but there does not seem to be too much taking place.

I, with reeves and mayors of municipalities, have visited the office of the hon. Minister, talked with his officials, and received a courteous reception. He did everything possible to help us by giving us a lead on industries that could be established in certain municipalities, but there does not seem to be anything developing. I know that we just cannot tell these industries that they must locate in rural Ontario and I am not against this Golden Horseshoe whatsoever, but I am in favour of seeing something done for rural Ontario.

I attended a conference last fall and I was greatly impressed. But I would like to know from the hon. Minister why a programme that is very successful in England cannot be adopted here. There is a development in the rural areas there that is satisfactory and is doing the job.

Hon. S. J. Randall (Minister of Economics and Development): Perhaps I should answer the hon. member for Huron-Bruce first, with reference to the money allotted to the various regional development groups. This, as I mentioned earlier, was under considerable

discussion prior to setting the budget for the department, and in view of the fact that we were going to have the regional development conference—this is one thing, of course, that was discussed—so were the amount of money required and where would be the best place to spend it.

It was felt, under the circumstances, that instead of suggesting, as we have done before, that we would give them \$15,000 if they could match it, we gave them an outright grant of \$10,000 and all they had to do in 1964 was match the \$5,000. All of them met that objective.

I agree with the hon. member that perhaps that is not the proper way to handle a regional development officer. That is one of the things that our own people have recognized—that a man cannot spend his time doing the job he is supposed to do if he is going around town to raise his salary. I can assure the hon. member that we have some thoughts in mind with reference to incorporating this in our new regional development plan. We have to, because I believe it is essential that this be overhauled in that manner.

With reference to the hon. member for Kent East and the industrial development in England, I think, as he will recall, the gentleman we had from overseas who spoke at our annual dinner and the other chap who spoke, from East Kilbride—which I might say is an area that I visited last year—pointed out that some of the older towns wanted to move in and build new industry within their own boundaries. It was felt that in view of the facilities available the planners were far better off to build a new town and build industry around the new town. That is how areas such as East Kilbride were developed and I believe that more of them are going to be developed on that basis from here on in.

We have a similar development out here around Brampton—I guess this is the nearest thing to what is known as a satellite town. Certainly we would like to see more of them, but as I said yesterday, I would first of all like to see wall-to-wall factories from Toronto to the Quebec border as we have from here to Windsor. I think we have ample commercial area available in the small towns in Ontario to get industry to go in there, in preference to starting a new development ten or 15 miles away.

This, of course, is open for consideration. I do not say that we have explored the problem to the point where we are satisfied that what we are doing is right. Certainly we

would welcome any recommendation that will help to get industry decentralized into the smaller areas and that is the objective of our industrial development people.

Mr. G. T. Gordon (Brantford): Mr. Chairman, I do not want to prolong this discussion, but I think hon. members will agree with me that this great metropolitan area is certainly having its problems and has had its problems in connection with traffic, education, welfare and so on, and the tendency at the present time is for these large centres to get larger and the small towns and centres to get smaller—in fact, to stagnate, in a sense.

Although they have these great problems in a metropolitan area where a few years ago a four-lane highway was built, today they are talking about building a 12-lane highway, subways are being built, and problems are innumerable in connection with this great growth. Yet, in each municipality in this area we have high-priced, professional industrial commissioners who brag about how many industries they are bringing to this area every year, and all they are doing is compounding the difficulties that exist here.

I refer again to a few years ago. It is only a matter of a few years ago that a four-lane highway was built—I will not mention its name—but now they are talking about building a 12-lane highway to take care of the growth. Yet they are compounding their difficulties day by day and year by year, by bringing new industry in here. It is time that there should be some programme of diversified industry so that the smaller centres will get a certain amount of growth.

As has been mentioned, there is talk in Britain of building complete new areas. That is good. But I know a national industry—this is a few years ago I will admit and I do not know if regulations have changed since that time—which decided to establish in Britain. It chose an area in the London district but it had to meet with the Board of Trade, which as you know is an arm of the government. The chairman of the Board of Trade is a Cabinet Minister. The industry representatives had to check there and they found that they could not locate in the area they wanted. Finally, it was decided that they should locate in Scotland. Now that is decentralizing industry, not having it congregate all in one large centre.

As I said, and I repeat again, the more industry you bring here, the more you compound the difficulties you already have, and there is plenty of industry here. I think you will agree with me, in connection with expressways, housing and so on, that the

small centres in Ontario could handle new industry and would be very happy to get new industry. Of course they would have to have housing—you have to have housing here—so you could build housing in the smaller centres to take care of new industry. But you would have to give the industries some incentive to go to these small places. And that is what should be done. Give them some incentive to have them move to these smaller centres—something such as the federal government did with what was called the designated areas. They were not depressed areas; designed areas. I know that Brantford was a designated area and because of that fact quite a number of new industries came to the city of Brantford. That could be done in other centres and diverted away, to a certain extent, from this large area here which already has enough.

Hon. Mr. Randall: May I say in answering the hon. member that we have been doing a pretty good job of diversifying industry in Ontario. I think I mentioned in my estimates speech and also in the book that you received on industry that 523 companies expanded their facilities. They certainly were not all in the metropolitan area, they were all over Ontario; 104 new licence agreements were made and of course they have been made with companies which are located all over Ontario.

Just for the record, if you want a breakdown of 163 companies; 14 of them in 1964 went to eastern Ontario, four to northwestern Ontario, 10 to Georgian Bay area, four to Lake Ontario, four to northwestern Ontario, 10 to northwestern Ontario, 31 to Niagara, five to Lake Erie, 15 to Lake St. Clair, 66 to Metropolitan Toronto, so that 93 out of 163 were out of the Toronto Metro area. I think that is a pretty good job of diversification. I do not say that we should take credit for that, but this happens to be the way the 163 were dispersed.

Mr. E. Sargent (Gray North) Repeating again my statement in the House yesterday, I feel that this whole department is another propaganda arm of the Tory Party, and checking with municipal associations across the province will bear that out, I believe.

I have been noticing this report of the *Ontario Industrial Review*. The last odyssey that the hon. Prime Minister (Mr. Robarts) and the hon. Minister took to Europe—under this vote 401 there is an item of \$545,000 for advertising, films, concerts, and so on. While you were overseas, Mr. Minister, I saw a very glowing account of you and the hon.

Prime Minister looking very handsome in Europe.

An hon. member: We always look handsome.

Mr. Sargent: I would like to ask the hon. Minister, did he carry his own television crew and if so, who paid for it?

Hon. Mr. Randall: Yes, this is part of the sales promotion of increasing our manufacturing exports overseas and I think the hon. member will recognize from the figures that have been released, not only federally, but in the province of Ontario, that if we looked good in Europe we did a pretty good job in moving merchandise. I am sure that if you were able to see the 15-minute broadcast on provincial affairs a few weeks ago of these marketing ventures put together, it was probably one of the best 15-minute programmes, according to CBC, they have had in many a year. There have been a number of comments that more departments should do the same thing.

Now I would like to suggest to the hon. member that, yes, we do take along a television man, and we take along a still photograph man, and we have been doing that since the mission started, and they are paid for by our department. They also do work for about 35 or 40 companies in Ontario. They are now doing work for the federal government, and I think they have also done some work for your own party.

Mr. Sargent: I would like to ask whatever gave the hon. Minister the idea that I, as a taxpayer, would like to pay for a television crew to follow him all over Europe, taking pictures of him having a holiday at our expense.

Mr. W. D. McKeough (Kent West): Oh, nonsense!

Mr. Sargent: May I ask about these shots in this report, in England, Italy and Germany, in Ghana, pictures of the hon. Minister? Who took these pictures? The still shots?

Hon. Mr. Randall: A photographer!

Mr. Sargent: Whose photographer?

Hon. Mr. Randall: Our photographer!

Mr. Sargent: Well, may I ask, Mr. Chairman, being personal, as president of a company which you were in private business, did you carry a photographer with you to take pictures of you travelling about the country?

Mr. S. Lewis (Scarborough West): Selling washing machines to the Eskimos!

Hon. Mr. Randall: I did anything that would move merchandise.

Mr. D. C. MacDonald (York South): Could the hon. Minister elaborate on that?

Hon. C. S. MacNaughton (Minister of Highways): This is wrong, is it?

Mr. Sargent: It is wrong for this department to carry a television crew with them to show propaganda of their people at work. Especially when this hon. Minister tells the House yesterday that he has had the time to attend only three meetings in Ontario of the regional development board. I know it is nice to flit about the countries in Europe at our expense, but I think his job is here at home. If you are going to have regional development, do it in Ontario.

Mr. MacDonald: I wonder if I might return to an observation that was being made a few moments ago by the hon. member for Huron-Bruce in regard to the difficulties faced by the regional development associations in spending a very great deal of their time in soliciting funds from the constituent municipalities. Indeed, I think if one examines some of the promotional efforts of the regional development associations—and I do not say this too critically, though I think upon analysis it is open to some criticism—that some of their promotional effort is designed in good part just to get a municipality interested so that it will contribute some money, so that in turn they can have it matched by the government here. Now, I wonder if an answer to this would not be to have membership in these regional development associations mandatory?

I recognize that every time one suggests something is going to be mandatory that there are a lot of emotional overtones injected into the picture immediately. But it seems to me that if you want these associations to be effective, if you are operating on the assumption that the job they are attempting to do is an important job, it simply cannot be done if some—and in some instances key municipalities—are not participating. What is the hon. Minister's reaction to the proposition that has been raised? Indeed, it was raised by Dr. Krueger in his comments to the conference, and I suspect it is in his report. It might even be a recommendation in the report—if it were tabled and we could read it—about the proposition of making membership mandatory.

Hon. Mr. Randall: Well, I think it is a good idea. I would like to see all the municipalities participate. Maybe I did not attend some of the meetings to which the hon. member for Owen Sound referred, Mr. Chairman, but I have attended some municipal meetings and spoken to large gatherings of mayors and reeves and planners, and I never lose the opportunity of inviting them to participate in the regional development programme.

I do not know whether Dr. Krueger will recommend this or not. If he does, certainly I would be in favour of seeing all the municipalities participate because I think if we are going to have good regional development it has to be almost 100 per cent participation, particularly in the areas that we believe are in need of help through slow growth.

Mr. MacDonald: Do I conclude from the hon. Minister's remarks that he is going to make it mandatory? Or that the government will make the necessary legislative changes for membership in the regional development associations mandatory?

Hon. Mr. Randall: No, I would not say that at the moment. I think it needs more study before we make that recommendation.

Mr. Sargent: Mr. Chairman, this is the last time I will speak on this part of the vote. I say that unless the hon. Minister can establish a decent policy of decentralizing industry that really works you might as well stop talking about this whole business and wash out this vote for \$150,000. But the question I asked the hon. Minister before he said he had a TV crew with him overseas was what was the size of the group? And I would like to know, Mr. Minister, what was the cost of this to the government, and how long were they with you? This is very important. It would be interesting to see how much money you can throw around in this propaganda type of business. I would like to know the figures of what it cost the people of Ontario for you to be glamourized in Europe on this holiday.

Hon. Mr. Randall: I will answer the first part of your question about a TV crew. It consists of one man, with a movie camera. He takes pictures in colour and he takes them in black and white.

Mr. Sargent: What about sound?

Hon. Mr. Randall: The sound is made up when we get back. He has a tape recorder with him and if we need to make sound, we make it when we get back.

Mr. K. Bryden (Woodbine): How do you sell without making a sound?

Hon. Mr. Randall: Well now, if you understand the making of this kind of movie, you can take a movie with a man speaking but you can record the same speech when you get back, so you do not have to take along a lot of recording equipment. It is not too difficult to solve that problem.

As far as the still photographer is concerned, we have one still photographer, and we have got more mileage for the province of Ontario in the local newspapers and magazines than anything else we have ever done.

Mr. Sargent: How much money?

Hon. Mr. Randall: For 1964-65 we set up \$25,000 for films and \$20,000 for public information. Promotion expenses are \$15,000. Our film programme last year was \$25,000.

From those films that we now have, we are about to put together some films for use in these export forums we have across the country. Instead of hiring Crawley Films or some professionals which would cost many thousands of dollars, we use these films we have taken as we have gone around on these trips, and we are making a film in 1965-66 called, *Our Man from Ontario* in which we show our instant international salesmen abroad in the markets of the world. This can be shown to the Lions Clubs, Rotary Clubs, ladies meetings, in order to encourage manufacturers to export. From those films we also will be able to have another one called, *Ontario Today* in which we indicate the fact that Ontario—

Mr. Sargent: Where do you show these films?

Hon. Mr. Randall: Would you wait just a minute?

—in which we indicate that the province of Ontario is highly industrialized, that we are not just a province of farmers and fishermen, that we do have a highly industrialized manufacturing complex—which is not quite realized, even across the border. Then we have another film, called, *The Heart of Canada* in which we say Ontario is a good place to work and play, and this will be shown by our international offices and particularly on our investment missions to the United States.

I think you will agree that sometimes a 15- or 30-minute movie is worth 10,000 words. We believe that the films we have taken in the last two years and put together in these three 15-minute and 30-minute productions, is money well spent.

Mr. Sargent: Mr. Minister, I agree with you. But do you not agree that we are not interested in these films? It is the people in Europe you should be showing them to. We do not like to be paying for propaganda of you over there working on our behalf. We know you are working on our behalf. That is what we are paying you for. We hate to pay through the nose for a television crew, or one or two people to follow you around. I think you should be showing these pictures to Europe, not to us in Ontario here.

Hon. Mr. Randall: Well, you were not listening very closely.

Mr. Sargent: I heard you.

Hon. Mr. Randall: No, you did not. Do you mind if I straighten you out?

We have two films. We have one that we will sell domestically to get domestic manufacturers interested in going abroad to sell. The other will go abroad to get people interested in coming and doing exactly what the hon. member for Brantford just said—to get industry to locate in the province of Ontario. So we are doing the two jobs you are talking about. They both have to be done, you cannot do one without the other. It is a waste of money to do one without the other.

Mr. A. J. Reaume (Essex North): Ham and eggs like?

Hon. Mr. Randall: Sure!

Mr. Sargent: One last question. How much did that film cost, the one taken in Europe of you and the hon. Prime Minister?

Hon. Mr. Randall: Well, I mentioned that we set aside \$25,000—

Mr. Sargent: How much did it cost?

Hon. Mr. Randall: May I finish the answer? I told you we spent \$25,000, and the films that we are now preparing will come in this year's estimates. I do not know what they will cost until they are put together, but they will cost a lot less than if we were doing it on a professional basis by hiring an independent film company. That is one of the reasons why we did it. We will save several thousands of dollars.

Mr. Sargent: Mr. Chairman, I appreciate this. The only point I am trying to make is that I want you to know that the people of Ontario are conscious of this kind of propaganda. Your whole department, your women's league of voters, the ODA, regional development, your whole department is all propaganda.

Mr. Bryden: Mr. Chairman, if I understood what the hon. Minister said, certain films were produced by the government at public expense for use in a party programme on the CBC. The "provincial affairs" programme, as we all know, is a programme for which time is made available to political parties to present their points of view. The presentations are recognized to be strictly partisan, and as far as the Ministers are concerned, are supposed to be sponsored by the Conservative Party. Frankly, when I saw the programme, I thought it was quite a good programme. I had thought that the Conservative Party, which admittedly is much better heeled than other parties, had underwritten the cost of it. I am amazed to discover that the cost of the factor that made it so much superior to the efforts of other people, was underwritten by the public Treasury of Ontario. I object strenuously to public funds being used for political partisan purposes in this way. We could all put on that superior type of programme if we could dig into the public Treasury to get professional cameramen and professional production people to help us along. But we have to do it with our own resources.

This is another phase of a problem that we discussed earlier. I certainly think that the government should be scrupulously careful to distinguish between its political promotion, and general informational services about the province. I realize that it is difficult on occasions to make such distinctions, but surely this particular case we are now talking about is a flagrant violation of the principle.

Mr. Reaume: It happens every day.

Mr. Bryden: It was a straight use of public funds for the advantage of one political party!

Mr. B. Newman (Windsor-Walkerville): Mr. Chairman, if I may. Earlier in the afternoon, the hon. Minister took great pride in the number of industries that have settled in the province of Ontario. Could he elaborate and tell us how many industries settled in Ontario in areas other than federally designated areas? Some industries came into designated areas because the federal government gave sufficient incentives to encourage them to come in. How many have come into areas other than designated, that you can claim credit for?

Hon. Mr. Randall: Well, let me suggest, first of all, I think this should not come under the same vote, but I will try and answer your question. I do not have the figures immediately before me as to what went into

other areas, but let me also suggest to you that while you have taken great pride in saying that in Windsor you have got a great many industries just because the area was designated, I might also point out to you that you are doing perhaps a disfavoured to the Chrysler corporation who spent millions of dollars revamping their car line and their plants, their engineering, their advertising and designing, to get back into the car market and employ many hundreds of people in Windsor. I think you have got to give credit to business, too, in Windsor that was already there, besides just giving credit to the designated area.

And in the town of Brantford a similar situation existed. If the wheat situation in 1962 and 1963 had not been as good overseas as it was, I am quite sure there would not have been the implements manufactured. But on the other hand, I say the programme did work. I think the programme is a good one. The government feels so and now it has worked out so well they have removed it.

I understand they are coming out with another one. I do not think it is going to be perhaps as elaborate as the one we had, because they, too, feel that there is some discrimination in making designated areas. I am sure that people in Guelph and Galt were not too happy about Brantford being designated as an area, when some of the industries may have been going into their area. So is the federal government involved in this one. We have talked to them. Mr. Drury knows what the difficulties are in designating an area as well as the benefits. I would suggest that they did not all go into designated areas. I will try to get the figures for the ones we mentioned that did go outside a designated area.

Mr. Newman: Mr. Chairman, why does the hon. Minister pull this red herring across the stage here about the Chrysler corporation?

Hon. Mr. Randall: It is not a red herring.

Mr. Newman: Any time the hon. Minister has criticized the Chrysler corporation, we in the Windsor area commend them for not only staying in the area, but also for increasing production more substantially than any other industry in the local area.

All I asked the hon. Minister for was the number of industries that settled in areas that were not designated. He did not have an answer. He comes into this House and all he claims is that the provincial government is the only government that has been able to bring industry into the province of Ontario.

Hon. Mr. Randall: I never said that at all.

Mr. Newman: This is the first time this year that the hon. Minister has mentioned the Chrysler corporation; he just mentioned the Chrysler corporation a while ago—

Hon. Mr. Randall: I never mentioned it—

Mr. Reaume: The hon. Minister should have!

Hon. Mr. Randall: I will get the hon. member the figures of the industries that have gone into other towns. I do not have them immediately before me because this will come under trade and industry; we are not on that vote, but I am trying to answer the questions as we go along.

Mr. Newman: The hon. Minister does not have to come along and talk as though we are casting aspersions on the Chrysler manufacturing company in our area.

An hon. member: Give him the works!

Mr. Newman: Mr. Chairman, if I may pursue this further, on Tuesday the hon. Minister mentioned in his speech that there were certain slow growth areas in the province. Would he mind naming these slow growth areas?

Hon. Mr. Randall: The hon. member has before him the contents of the report that was tabled; the slow growth areas are listed there. I do not have them here, but they are listed in that table that was put on the hon. member's desk. I would suggest that he look at that if he wants to question any of them, and I would be glad to answer any questions that he may ask.

Mr. Newman: Mr. Chairman, would the hon. Minister tell me what he would designate as a slow growth area, then?

Hon. Mr. Randall: I would think any areas such as the one that the hon. member for Brant (Mr. Nixon) mentioned earlier—Norfolk, for instance, where the income per capita is around \$1,000. I think some of those areas could be considered slow growth areas and some of the areas in eastern Ontario where the family income is around that figure, too. Certainly we would concentrate our efforts, I believe, in trying to help the slow growth areas, either with industry or other means.

Mr. Newman: Why is the hon. Minister afraid to designate by appellation the various slow growth areas? And while he is on his feet, could he tell us what his overall programme is for these slow growth areas?

Hon. Mr. Randall: First of all let me say that on page 16 of that report will be found the percentages of slow growth areas. It is all down so the hon. member can read it for himself without me reading that page to him. He might also read the two or three pages following page 16.

As to what are we going to do—all we are doing in the department of trade and industry is try to help the slow growth areas. I pointed out that we are trying to diversify industry. We are doing it with our Ontario development agency; we are doing it with our trade and industry branch; we are doing it with the Sheridan Park corporation, and when we put together the regional development programme certainly it will be aimed at the slow growth areas.

As I suggested to the hon. member yesterday, we are not prepared yet to walk in with a regional development programme because this has to be given very careful consideration. Perhaps Norfolk is the first county we should go into; other hon. members here would perhaps say that we should go into eastern Ontario, so this all has to be studied. We will have a programme.

Mr. Newman: May I ask the hon. Minister, Mr. Chairman, if he will name one specific financial inducement that he is giving any one of the slow growth areas?

Hon. Mr. Randall: I do not have any specific—

Mr. Newman: The hon. Minister is not doing anything then.

Hon. Mr. Randall: No, we are not doing anything, according to the hon. member.

Mr. R. F. Nixon (Brant): Mr. Chairman, the hon. Minister was discussing a few moments ago, a tour taken by himself and the hon. Prime Minister through Europe, and I remember well that one of the films that came back from that tour involved the hon. Prime Minister discussing the possibility of an Italian industry moving into the agricultural areas of Ontario. This industry was going to involve the raising of beef in large amounts, which would be controlled entirely by Italian farmers and would be sent back to the homeland for consumption there. I have not heard much about this since then and I wonder if the hon. Minister would say something about the progress of that plan.

Hon. Mr. Randall: I will be glad to. There was a delegation over here which asked us if there was a possibility that in Ontario there would be sufficient land available to raise

cattle, to slaughter it, to tan the hides and to take the squeal out of it, and to sell it in the area where the cattle were raised. The delegation was particularly interested in northern Ontario.

When I was in Italy I went to them and told them that we had looked over some areas and what the possibilities were, but we had to have more information as to what they intended to do. They subsequently said, through the chamber of commerce which this group represented, that they were putting together their own requirements before they came here with a group and with this investment.

They did that, and the hon. Minister of Agriculture (Mr. Stewart) and I looked over it very carefully. There were a number of questions that they wanted us to answer for them. One was the amount of feed that would be available in northern Ontario to produce sufficient cattle, and another was whether we had any objections to colonization. I think the hon. member knows what I mean by that, and this latter situation is one that we in agriculture are not too interested in encouraging.

We gave them the information they wanted and since then I have not heard anything further as to whether they are interested in coming back or whether they have gone to some other country where they can get the kind of agricultural area that they are looking for.

One of the major problems, and I think the hon. member would know more about it than I, being a farmer, is that they were going to raise great herds of cattle in northern Ontario and in the winter months they would have to store great quantities of food for the cattle. This perhaps would be one of the detriments to the programme that they had in mind, since as I said, they would like to have a colony which we—and I think the hon. member would agree—are not too anxious to encourage.

Mr. Nixon: May I ask the hon. Minister if his department is enthusiastically pressing this plan, as it appeared the department was when it was first announced? I remember very well that the hon. Prime Minister made much of this announcement on television, which was carried into all parts of the province.

I would also be interested in the hon. Minister commenting on the sale of this beef. He said that the plan was that the beef would be sold in the area where it was produced—

Hon. Mr. Randall: No, it was to be sent back to Italy.

Mr. Nixon: What about the approach of the department at the present time? Is the hon. Minister trying to forget about this plan or is he actively encouraging it?

Hon. Mr. Randall: No, we are not discussing it any further with the group from Italy but the hon. Minister of Agriculture will bring it up in his estimates, I am sure.

What it has done is probably awakened a few of us in government to the fact that there are greater opportunities for cattle-raising in northern Ontario. The objective of the Italian group, of course, was to produce everything up there and export it. One of the problems was, of course, would the Italians export it or would they dump it into the market here, which would upset our conditions on the local markets.

However, at the moment we are not pursuing this any further. We gave the Italian group all the information it wanted; we told it what the pitfalls would be; we told it what the benefits would be; so far it has not come back. This was three months ago and we have not heard anything further from them. Now whether they are going to pursue it, or not, remains to be seen.

Mr. Nixon: It appears then that this market, this need for beef in Italy, is there. I wonder if the department is doing anything to encourage certain areas of our own agricultural industry to fill this need.

Hon. Mr. Randall: I think that both the federal government and our own Department of Agriculture are doing everything they can to export more food from this province.

Mr. Nixon: But specifically, about the Italian market—is The Department of Economics and Development doing anything in direct conjunction and co-operation with The Department of Agriculture to fill this marketing need that has become apparent due to the hon. Minister's own efforts when travelling through Italy?

Hon. Mr. Randall: All I can say is that we have an office in Milan; Dr. Tony Santamaura is there. We have our agricultural representative in Ontario House. We have missions going over, food missions as well as for manufacturing products; they have been in Italy recently. I know that the agricultural man in Ontario House is visiting with Dr. Santamaura. I am sure that if there are opportunities there for us to export agricul-

tural products from Ontario, they will exploit them to the fullest.

Mr. Nixon: Just to conclude this: Are we at the present time exporting any beef to Italy?

Hon. Mr. Randall: I could not tell the hon. member that; I shall have to check and give him an answer.

Mr. Sargent: Mr. Chairman, in support of my colleague, the hon. member for Brantford, I would like to ask whether in the opening up of regional industrial development, the hon. Minister has discussed with the hon. Minister of Highways the possibility of building four-lane highways to northeastern Ontario—I am talking of the areas around Pembroke, Smiths Falls, Renfrew county, Georgian Bay, Owen Sound and Tobermory. Have you discussed with the hon. Minister of Highways the possibility of building four-lane highways in those areas?

Hon. Mr. Randall: No, I have not done so but since you bring it up, I will do it, and see if there is any merit in it.

Mr. Sargent: Thank you very much.

Mr. Nixon: Mr. Chairman, on item 6 in vote 401, having to do with the grants paid to the Ontario research foundation, can the hon. Minister explain to the House some specific instances where research undertaken by this foundation for individual companies, or groups of companies, has enabled them to advance in their own technology? I am thinking particularly of specific plans or perhaps formulas that have been developed by the Ontario research council and are now used by industry.

Hon. Mr. Randall: Yes, I think there is some information available on that through the Ontario research foundation. As you know it has been operating since about 1928. It has an enviable reputation with industry for developing new products and for assisting small businesses, particularly to get their products on the market. I do not believe we have a list from the foundation as to what companies have been helped specifically but I can assure you it has helped. I would be glad to get a list of those companies if the hon. member would like to have it.

Mr. Nixon: What I am particularly interested in is if this particular agency of government does develop a new process or product, that is then taken over by private enterprise, developed and sold, is there any financial advantage that does accrue to the government through the research council be-

cause of the work that they have done in this connection?

Hon. Mr. Randall: I am informed that we undertake that work under licence, and they pay us per licence basis.

Mr. Nixon: So that if a new process is established, the licence to use it is retained in the hands of your department and then you sell the right to it?

Hon. Mr. Randall: It is held by the Ontario research foundation, and first preference is given to Ontario industry.

Mr. Nixon: Do we make money then from the sale of the rights to these licences?

Hon. Mr. Randall: We have a figure here, I have just checked it again. We have never made substantial amounts. Perhaps in the past ten years it has amounted to \$50,000.

Mr. Nixon: But we do actually charge private enterprise for the use of developments that have come out of the foundation?

Hon. Mr. Randall: Oh, yes, certainly.

Mr. R. A. H. Taylor (Timiskaming): Mr. Chairman, under the same item in last year's estimates there was the amount of \$760,000 for northern Ontario development foundation research and so on. What specific projects were completed with respect to northern Ontario, and what projects are still under investigation?

Hon. Mr. Randall: You said \$60,000 not \$760,000?

Mr. Taylor: It was a total amount of \$760,000, including many other things.

Hon. Mr. Randall: Well, northern Ontario development was \$60,000.

Mr. Taylor: It was not broken down separately. Could you—

Hon. Mr. Randall: I will read off some of the feasibility studies, if you wish. We had 15 in northern Ontario.

There is potential for peat moss production in northern Ontario; potential utilization for coarse fish in northern Ontario; potential use for mine tailings from gold mines; feasibility study of a proposed refuse screening pellet plant and crude log operations at the Lakehead; feasibility studies for a proposed abattoir at the Lakehead; study of a jet smelting process in northern Ontario; a study of co-operative marketing of produce in northern Ontario; a study to determine the potential manufacturing opportunities for wet and dry

mill corn products; further expansion of the needle trade industry at the Lakehead, where we thought we could get some needle trade work up there; feasibility of forest fertilization; the potential for manufacturing skills in Ontario; potential manufacturing opportunities in Ontario in electric and gas welding equipment; potential manufacturing opportunities in Ontario for calcium carbonate whitening; and potential manufacturing opportunities for carbon and activated charcoal and sawdust utilization.

These are all the things that would come out of the area of northern Ontario and they have been determined. The feasibility studies are now in the hands of people who requested them from northern Ontario. Some of them may come to fruition, and others, like many projects after research, may not get off the ground.

Mr. Taylor: Are there still some studies being made?

Hon. Mr. Randall: Yes, there are still a few being made, and there are more recommendations, I understand, coming in that we will take a look at. I think northern Ontario has been more active than most areas in supplying us with information to work on the feasibility studies.

Mr. Taylor: Are those studies in addition to the ones you mentioned, or including the ones you mentioned?

Hon. Mr. Randall: These are completed, but there are some more in process at the present time.

Mr. Taylor: Could you indicate what they were?

Hon. Mr. Randall: In the research branch, they are doing an economic survey of northern Ontario. I will try to get these others for you in a minute.

Mr. Taylor: Thank you.

Mr. A. E. Thompson (Leader of the Opposition): Mr. Chairman, just before this vote passes.

I have listened very attentively to both the questions, and the answers by the hon. Minister, and I would say that both I and my colleagues have taken a particular interest in The Department of Economics and Development. We have been particularly interested in regional development. Frankly, we had come to the same conclusion that the hon. Minister suggests.

May I say also that I congratulate him on

his frankness to us. I find it quite refreshing. He told us that he has no programme and he does not intend to start a programme until he has got all the facts. I say that is refreshing because it is so unique to hear from these government benches some Minister who has the courage to stand up and say: "We have not got the facts, and I have not got a programme yet."

The usual approach, if I may recall such things as the nursing shortage in welfare is that they stick their feet in and say "we have got a programme" and so on. I think it is particularly courageous of this hon. Minister to tell us these facts in view of the fact that in the past we have listened to a 20-point programme, and I do not know what else. And before that Minister we had another Minister who was in charge of Economics and Development, and we listened to him even suggest, with respect to EMO, that he had a private army throughout the province—which was actually non-existent as far as I could tell—in case there was an emergency.

It is for these reasons I had a number of questions to ask the hon. Minister about the whole approach taken to encourage the decentralization of industry and the development of regions throughout Ontario. But I appreciate that he is going to get all the facts together; had called a conference, and is going to come up with a realistic approach.

I would say as we did about housing last year, when we asked the hon. Minister and he said—after looking at the Ontario housing corporation—I am going to come up with facts and if I have not produced housing by next year—which is this year—then fry me.

Sir, we congratulate the hon. Minister on his candour in reporting that he has not had a programme. Our only opinion is that it is regrettable that other Ministers are not as open about the fact that for 22 years there has been neglect and ineptitude and indifference about the problems around this province. You have shown a refreshing candour. We look forward to next year and we hope we will not have to fry you, but if we have to, we certainly will.

Vote 401 agreed to.

On vote 402:

Mr. Sargent: I do not think we should throw too many bouquets at the hon. Minister. We know that he is an able man, but he is in the wrong slot.

Mr. Chairman, on vote 402, I would like to ask the hon. Minister briefly regarding the

Ontario economic council: What are the terms of reference? How many employees does it have? How many meetings does it have? How many committee meetings does it have? How many reports have been made to date? What action has been taken on these reports? What current studies are underway now, and what studies have been completed?

Mr. G. A. Kerr (Halton): It is all in the reports.

Mr. Sargent: This is a vote of \$211,000, and it seems to be one of these things out on left field that no one can put their finger on. Can you tell us briefly what you are trying to do?

Hon. Mr. Randall: May I say to the hon. member, the 15 studies I just read originated from the Ontario economic council to start with. I will not repeat them because of time, but if you would like me to read a couple of pages on the function of the economic council I will be very glad to do so, so you can get it into the record. But, first of all, may I suggest to you that there are different kinds of economic councils across Canada. There are always different kinds of economic councils in Europe. They do not all perform the same function, although they may be using the same title.

The one that we have in Ontario, of which I had the privilege of being the chairman, the first chairman, its function is to advise the government on matters that come before the council that we believe will help the economy of the province. These ideas are submitted to the government. They can accept them or they can reject them. We work in conjunction with the various Ministers. They may have a problem they say they would like the economic council to look at, so the council, in effect, is working with all the Ministers of the government.

The council is made up of 17 representative citizens—I read their names off the other day—very reputable people. I do not think I have to go over that again, but I will, if you want to get it on the record. They are very reputable people, and they would not waste their time working with the council unless they thought they could make a contribution.

They meet at least once a month. They have a board meeting once a month, more often if it is required, if there is something special that they want to discuss.

The council is engaged full time in looking at consumer association work, in looking at labour union situations. It works with the

universities, the research organizations. At the present time it is compiling a list of the research that is going on in the province, so if there is any overlapping of research where our money is involved, perhaps we can do a better job of getting it co-ordinated. It works with the regional development associations and it has worked with many of the federal authorities up in Ottawa to work out some of the problems we feel are mutual. There are mutual problems, as we all recognize.

The economic council has this year taken on the matter of automation and technological changes, as the hon. Prime Minister outlined to the House here the other day. This is one of the major functions of the council. With the labour men who are on the council—I mentioned Mr. Sefton, Mr. Archer and Mr. Hill—certainly we feel that the economic council can make a major contribution to what we should be doing about automation. It has also assisted the government—

Mr. Sargent: May I interrupt the hon. Minister? Would the hon. Minister take its advice on automation? Would the government take the advice of the economic council on policy?

Hon. Mr. Randall: All I can suggest, as I said earlier, is that we will listen to its advice and if we feel that it is apropos to the occasion, surely we will adopt it. We may think we have a better idea; the council does not have all the ideas and admit it. If the advice is constructive—and most of it is—if it will solve the problem of automation, we will take advice from anybody. But the council is making its contribution, the same as the labour unions that meet with us, and other political parties that make their contributions periodically. We will take advice from anybody on the matter of automation.

The council, I believe, is doing perhaps more on this than any other department of government at the present time. I might also say that since Dr. Deutsch was made head of the economic council of Canada there has been a very close liaison between the chairman of the economic council of Ontario, Mr. Cranston, and Dr. Deutsch. Much of the co-operation we get from the economic council of Canada comes through the economic council of Ontario.

These are just some of the things that the council is doing and it is almost opening the store the first day—you do not know who is going to come through the door and what kind of a problem is going to be presented.

I might also say that the economic council

has done a great deal of work for the department in this automobile pact. It has been assisting us in the surveying of the problems and giving us the benefit of its advice.

Therefore, I think the council has served a very useful purpose. But I would like to establish with the hon. members that this is not a huge planning board of citizens who sit down and lay out a blueprint for the government, it is set up purely as an advisory group. You have one in your own party, I believe. When you came into the House this year you said you had 300 economic advisers working for the Liberal Party, and I am sure our friends across the hall here have the same thing—they have outside advisers.

Mr. S. Lewis: Thousands of them.

Hon. Mr. Randall: Thousands of them, the man said. We believe that this body of men and women drawn from all parts of the province can make a very useful contribution in advising the government. Certainly I know from my own experience that I made many recommendations to the former Minister and some resulted in legislation and some resulted in some of the trade promotion plans that have been very successful.

Mr. Sargent: Would the hon. Minister, under this economic council, consider that automation is a field of his department?

Hon. Mr. Randall: Automation is, I would say, a field of three departments—The Department of Labour, The Department of Education and The Department of Economics and Development. I would say that these are the three major departments. I am quite sure the other hon. Ministers who are involved in planning the government's programme are also interested in automation, but these are the three major departments that are looking at the problems of automation.

Mr. Sargent: Would the hon. Minister suggest that the ITU strike is in his jurisdiction?

Hon. Mr. Randall: No. Address that remark to the hon. Minister of Labour (Mr. Rowntree).

Mr. Sargent: Just the study of automation?

Hon. Mr. Randall: The study of automation, yes.

Mr. Sargent: May I say that I think this is one area where this government is doing a very poor job insofar as it has no dynamic programme right now to meet the problem, and to realize that job security is the number

one issue today in labour circles. The ITU strike here in Toronto is a test of automation. It is the first test we have had in Ontario and the government has failed miserably to meet this test. The government could have made trail-breaking history by installing the Kaiser plan here. It is now in force in Kaiser Steel in the United States.

Hon. J. W. Spooner (Minister of Municipal Affairs): Which Kaiser?

Mr. Sargent: Kaiser Steell

This plan gives workers a share of any cost savings and guarantees those with half a year or more service against layoffs. It guarantees them job security. This plan is working well. In essence, the employers are paying \$5 million a year for the right to automate. The money guarantees every one of the 17,000 employees a full pay envelope every week.

Hon. Mr. MacNaughton: Chicken every Sunday!

Mr. Sargent: The union states that there is a simple underlying philosophy to this agreement that workers have a right to their jobs. The Kaiser contract, it says, means that a man owns his job for life unless he is discharged for cause or bought off through disability or early retirement.

The same kind of basic philosophy is inherent in demands made by the other unions for lifetime job security. In this case, 17,000 jobs are being secured by \$5 million a year. This government could have stopped automation once and for all by ending the ITU strike here. And the hon. Minister and his department—

Hon. H. L. Rowntree (Minister of Labour): May I ask the hon. member a question? What were the circumstances of the Kaiser Steel pact to which he makes reference? Was that not an agreement reached between the employer and the employee group? That is the first question.

The second question is: Does the hon. member advocate the imposition of job security legislation by this government and the consequent withdrawal of the right to strike?

Mr. Sargent: Please repeat the question. Can the hon. Minister remember the question?

Hon. Mr. Rowntree: I suggest, Mr. Chairman, that this hon. member does not know the subject matter about which he is talking.

Mr. Sargent: The hon. Minister of Labour should know the answer to the question; what is he asking me for?

I suggest, Mr. Chairman, that if the hon. Minister of Economics and Development has a study on automation given him by this economic council, I doubt very much if his government would instigate this policy because it would not be politic to do it. The government has not the courage to stand up and fight the newspapers. That is why this strike is going on downtown today.

Mr. Newman: Mr. Chairman, I would like to bring up one item under the economic council, and that concerns the survey that was conducted in the city of Windsor in 1964. Certain recommendations were made in that survey. Is it the intent of the hon. Minister to form a Cabinet group, or a high-level group to study that survey, with the intention of implementing some of the recommendations?

Hon. Mr. Randall: I think, as you will recall, the recommendations in the report were made to the city of Windsor, as I see by the local newspapers yesterday. Some of those recommendations are being brought into effect, and the remaining recommendations were to the municipality. If it wants to implement any of those and we can cooperate with it in assisting in implementing them, perhaps this again will come into the regional development planning programme that we are talking about, if not before it.

Mr. Newman: May I ask the hon. Minister, then, if he is well aware of the situation that is to occur in the city as the result of the auto trade agreement between Canada and the United States? There will be approximately 1,600 employees who will be laid off in a period of approximately one year. This does have a very disturbing effect on the employee, especially the employee who is in the older category. Does the department have any staff members in the community, or is the department in touch with the Ford Motor Company, in an attempt to ease the impact of this mass layoff, or this phased layoff? Does the department have any plan for assisting the employees who will be laid off in obtaining either retraining or other types of jobs? Possibly this may be done in co-operation with the federal government. That is quite all right, but I would like to know just exactly what this department is doing in relation to this problem.

Hon. Mr. Randall: I think this is as good a place as any, or perhaps as proper a place

as any, to discuss the problem that you bring up, and to give you perhaps some personal views which I think are reflected by this government.

First of all, I think the hon. member is well aware that the automobile pact was arranged by the federal authorities to offset what was probably a terrific loss in business on parts being exported to the United States—according to the Americans, illegally. If you read the Congressman from Wisconsin yesterday, he said the Canadians are perpetuating a felony that they started with the parts business and now they are trying to get legislation to confirm it—or something to that effect.

I can assure you there is perhaps just as much consternation in the United States as there is in Canada, with reference to the problems that this pact may bring on, and perhaps there is also just as much enthusiasm for the long-term arrangements which will come out of it.

I have said before, and I think I will say again, that having been in the manufacturing business and knowing what it takes to revamp a plant and set it up for new production lines, I do not think at the moment it is correct to criticize the man who has signed a contract on behalf of the federal government and the U.S. parent, and who has to do what he is asked to do, and to do it as quickly as possible, in order to reach that achievement of another \$260 million or \$275 million a year in production.

Perhaps before I read a statement I have here, I would suggest to you that there will be some short-term dislocations. It is inevitable, I think, that we are going to have some short-term dislocations. This happens in any industry. Perhaps it happened in the farm implement business when there were free trade arrangements—I think it was back in 1934. It was decided to have free trade on farm implements.

But one of the things I believe we should keep in mind—and this is uppermost in my mind because I have had some experience with it—is that our federal officials are operating now in Geneva, and have been since, I think, May, 1963 or 1964, I forget which, to bring about what is called a Kennedy round of negotiations. The Kennedy round, we hope, will make trade freer, not only between Canada and the United States, but between some of the blocs that are building up around the world, and believe me there are other groups that are building up besides the inner six in Europe. There are blocs like Latin America and South America building up. As

I said the other day, I think the United States and Canada are almost in the same trading straitjacket, so that we have to recognize that this may be an approach to solve what could be some very difficult problems economically in the years ahead.

We have been asked many times what our government is doing. We did not, as you know, negotiate the agreement. We were not told what the agreement was, and I do not think that at the time the negotiations were going on we had a right to expect Ottawa to keep us informed, despite the fact that we have 90 per cent of the automobile business here. I would think that we should respect the rights of the federal government to negotiate an international agreement, which this is, and as soon as this agreement was completed, then we were informed.

To get it on the record and clear the situation up in the minds of the hon. members such as yourself, who comes from a motor town, and the hon. member for Oshawa (Mr. Walker), I will tell you what our government has done. I think then you will have a better understanding of some of the problems that are going to arise and what we are doing to help offset them in co-operation with the federal government.

First, on January 15, 1965, an automotive free trade agreement was reached between Canada and the United States. We read about it in the newspapers the same as you did. Through the co-operation of the federal Department of Industry, copies of the agreement were sent to my department within hours of the announcement. My department undertook an immediate investigation and a survey of the automobile industry in Ontario and how it would be affected by the new agreement. Subsequent consultations with the automobile manufacturers association, the automotive parts manufacturers association (Canada), and officials in Ottawa, raised a number of questions, and I can assure you there were many of them.

My department then organized a conference with the federal Department of Industry and the provincial Departments of Education, Labour and Municipal Affairs, to which the Ministers and Deputy Ministers of the respective departments were invited. So it was a Cabinet committee meeting, or a high-level meeting, I should say. At this time a senior official of The Department of Industry outlined the terms of the agreement, answered questions in detail and outlined the probable effect this legislation would have on the automotive industry.

Following the meeting, a working group

was established to undertake an immediate investigation of the number of locations of motor-vehicle and parts manufacturers in the province, determining also their present products and occupational skills. The working group, with the approval of the hon. Prime Minister and the Cabinet, consists of senior representatives from The Departments of Economic and Development, Education, Labour, Highways, and Municipal Affairs, and the Hydro-Electric Power Commission of Ontario. The group reports to the director of the trade and industry branch of my department. Representatives of my department are in constant contact with their opposite numbers in the federal Department of Industry. Visits to the department in Ottawa are made at least once every two weeks, and when we are not up there, as a rule they are down here. Copies of these reports are circulated to the people in question, so that everybody is fully informed in the Cabinet as to what is going on.

Contact was also made with the industrial commissioners in centres across the province, including yours in Windsor. In addition, close liaison has been established with Mr. Don Woods of the automotive parts manufacturers association (Canada), and Mr. James Dykes of the motor vehicle manufacturers association, so that first-hand knowledge can be obtained on changes within the industry. I have met with Mr. Woods myself.

From various lists obtained and any additional information available, a list of motor-vehicle manufacturers, machinery producers, tool and die makers and other automobile accessories suppliers was made up for the province of Ontario. We are also in the process of determining from various sources specific products made in each company, the current number of employees directly involved in automotive production, and whether the company is a direct affiliate of a U.S. parent organization or is an independent Canadian organization.

I have personally discussed the implications of the agreement with major producers in the automotive industry throughout the province. I have offered the services of this department and the government to assist in any way we can to implement it, recognizing full well that more than 90 per cent of the industry is in Ontario and that we have the most to gain—and also the most to lose if it does not work out. Therefore, we have probably a major reason to assist wherever we can to make sure it does work.

One parts manufacturer who had experienced some difficulty was invited to visit my

department and discuss his specific problems. He was met by the chief economist, the director of the trade and industry branch and directors of my committee, and at this time various implications were thoroughly discussed. Subsequently this manufacturer indicated his intention to seek manufacturing and licensing arrangements in Europe, to fill the anticipated gap in his production. My department, through our offices in Milan, Italy, and Dusseldorf, Germany, has assisted him in making contact at international fairs in Milan and also at the Hanover fair in Germany.

I would like to point out that the problems of readjustment and the full impact of this legislation are still some time away. The automobile companies have already made their contacts for the 1965 and 1966 model years and not until the 1967 model year will there be any significant ramifications in this programme.

The interim period provides us with an opportunity to assess the broader implications of the agreement and to work closely with all the persons concerned in an effort to bring about as smooth a transition as possible. We feel that we can come up with a programme that will fulfil the need of these changing conditions.

This, broadly, is what has been done, and I think you will see from it that we are recognizing that the federal government needs our assistance and we need theirs, and that the automobile manufacturers accepted a terrific challenge. I think one thing is overlooked in this automobile business. As I often say, we in Canada make "a quarter of a dozen assorted," and suddenly we get on a basis where we become a continental supplier. From my experience in business, I know that if you are going to make 10,000 of something from a 600-ton press, you can make them with a very inexpensive set of tools; if you are going to run ten times that, then you have to spend a lot more time tooling up, and I think our friend Ford, in Windsor, has made the first move to fulfil the agreement conditions as the company becomes a continental manufacturer of one or two motors instead of the eight that they are now manufacturing. It is obvious that they cannot crowd those through the present plant; they cannot use the same equipment; perhaps they cannot even use the same dies and tools.

I believe that these things are going to happen, not only in Ford, but perhaps they will happen in other plants which may not have moved as quickly.

As hon. members know, there are 25 or

30 agreements with various people in the automotive business, and the full details of that one agreement have not been released to the public. I think it is going to be discussed in Ottawa this week when the Budget debate is finished. How much more information will be available as to what the individual manufacturer has to do, we do not know any more than hon. members do, except that this morning, I believe, in one of the newspapers I was given notice of how much each automobile company has to produce in extra dollar volume in the goal years such as 1966 and 1967.

I would only offer one word of caution at the moment, and that is that there are perhaps 50 per cent of the people in the United States who are not too enthusiastic about the automobile agreement. And there are some people in this country, perhaps, who are not enthusiastic, possibly because they do not know all the details. We do not know all the details, but we know that there is great pressure on in Washington right now to block it—as I told you about the man in the *Globe and Mail* this morning, and he is only one of many.

Despite what is said, the United States is still a very high protection nation. They talk about free trade, but it is not always free trade as far as they are concerned. It is a most difficult market to get into.

On the other hand, I think that President Johnson is recognizing that he has to do something to free trade between Canada, the United States and other countries, and I would suggest that the less we say about what the automobile companies have to do in order to become continental manufacturers, the less information and ammunition we are going to give those in the United States who are waiting, perhaps, for Canadians to make these statements so they can use them for their advantage in the United States.

I have no doubt in my mind that President Johnson will sell this to Congress. It was hoped that he could sell it in April, but now the rumours are that it may not go through until fall. If they keep up a filibuster in Congress and have a number of hearings it may not go through until fall. On the other hand, we have time between the 1965 and 1966 contract to assess the situation, and move in whichever way The Department of Labour or The Department of Education or this department has to move in order to help implement the contract. But I would say to hon. members in all sincerity that I believe it is a good deal. I believe it is a good deal because I do not see any other way that we

are ever going to become competitive in world markets unless we get longer runs. And longer runs can only come from increasing the possibility of making less products and distributing on a wider basis without these ramifications and circles.

I think I have had sufficient experience in trying to get my former company's products into these markets to know that you can turn the key off almost overnight and find you have lost the market. This is not good for Canada because we are highly industrialized with only 19 million people. We should stop to figure the opportunities that are ours if the agreement is successful, and I am quite sure it will be.

Perhaps these short-term dislocations are a blessing in disguise. In Windsor—I do not know what the labour conditions are, I think Mr. McEachern said that many of these people would go to work for somebody else—the hon. member himself mentioned, I think, that 19 new industries moved in there recently and there is a shortage of labour in some of those plants, particularly the skills that will be released on this programme. I think with the supplementary benefits, the unemployment insurance—which I hope they do not have to draw on for too long because I think a man would sooner work—I think that with what Chrysler is doing to step up its production, plus the automobile manufacturers in Windsor who are still turning out 1965 and 1966 contracts, that there will not be too much dislocation. And if, in this period, there are people who need to be retrained, this is a good opportunity to retrain them.

Just before I conclude, there is some concern as to whether we will be making the same variety of products when the agreement is consummated, or will we not? I do not think that anybody knows that, but we do know that the agreement calls for up to 60 per cent in Canadian content, and that these cars are going to be produced and this amount of money—this \$265 million of extra business—has to include certain Canadian content. It may be quite possible that a man who is making four items at 10,000 a piece today, when the continental agreement is through he may be making 100,000. I do not know; maybe it will be one item and he will employ just as many people and will need more equipment—as many undoubtedly will. They will need new tools if they are to get on to a continental basis, but I firmly believe that if there is any training required—and I discussed this with the hon. Minister of Labour—it may be easier to make fenders, for instance in Detroit and car radios in Windsor,

and the man making the fenders may have to be trained to make radios. I am not using a very good example, but I am going from one extreme to the other, but these are the economies of continental manufacturing. I would think—I would be willing at the moment to concede—that the federal authorities have done a good job in negotiating a very difficult arrangement to keep Canada in the United States market and I would hope that with our support—and they certainly will get the support of this government, we have already intimated that if there are any short-term dislocations between the federal authorities and ourselves—we can find the answers.

Mr. Newman: Mr. Chairman, knowing the hon. Minister's capabilities and enthusiasms, I was certainly well pleased to hear him speak so optimistically concerning the programme. This is all well and good, but in the meantime we are going to have numbers of people who will be laid off.

I know that the younger fellow will not have difficulty because he can leave the community and go elsewhere to get employment. Some of them will be absorbed in the Chrysler manufacturing plant in their new night shift programme. That will take care of approximately 500 or 600.

We still have on our list of unemployed, including those seeking employment in the community as of March 31, 5,779 people, five per cent of our work force, and to throw an additional strain on the number that are unemployed has a very substantial effect on the economy of the community.

I am interested to a large extent in those who are 50 years of age and over who may be laid off. How does a man at the age of 50 get employment these days? He applies at a factory and quite often is told that age is his handicap. In addition to that, some of these employees at the Ford Motor Company may not be too well versed in the English language when they apply for employment and are given a 50-question test, they look at the test and flunk out immediately. So you see this bars some of the men who are working at Ford and seeking employment in some of the other industries—industries that do not use such a test.

What efforts are going to be made by either this department, or any other department of government, to attempt to cushion the effects of these proposed layoffs? We know they are going to come, we foresee them, we have been forewarned. Now is the time when we should plan to see to it that the effect is very minimal.

Hon. Mr. Randall: I will just try and answer the hon. member's first two questions. The first question he brought up was about 5,700 people seeking employment—this is in the Windsor regional area, it is not just the city of Windsor?

Mr. Newman: This is as the national employment service turn out their figures. What area does it include? It does not include the town of Leamington and Kingsville, it is Metropolitan Windsor.

Hon. Mr. Randall: But the figures are somewhat misleading because—

Mr. Bryden: It is a unified labour market though.

Hon. Mr. Randall: Yes, but here is the situation. Chrysler at the moment is reporting that it cannot get enough people for the night shift. Maybe it is skilled workers they are looking for. I cannot argue that because I do not know. I understand that GM is having the same difficulty in its new trim plant, it cannot get the number of workers required. So perhaps the hon. member's second question is the one that is of most importance, and I think I am inclined to agree with him, that there are a number of older workers—we say "older workers" but a man of 50 in my estimation is not old or I should not be here—but I am inclined to believe that these are the people we are going to have to spend time with through the national employment service, to help; we are working with the federal authorities to lay out plans to retrain these people for a job that will be available. I think one of the biggest problems in the automotive industry particularly is to find out what kind of job is going to be available, because as the companies change their production lines around, they have to determine whether they need trim workers or press men. This is one of the things our department—this group that I am talking about—is trying to put together.

Mr. Newman: If I may suggest it at this time, I would like the hon. Minister to forget about the trim workers because my understanding is most of these trim workers may be women.

Hon. Mr. Randall: Yes, I imagine a fair number of them are. But I also think the manpower the hon. member talks about down there is going to be utilized in some of these areas. I think he mentioned a figure of 19 industries having moved in during the last year. It is obvious that these companies are going to put in continental manufacturing

that will attract and expand these 19 companies and attract new industries.

This again brings up the problem that the hon. member posed of training the workers who are available today and who do not have jobs. I think all I can suggest to him is that this is certainly under consideration by our department, and I know The Department of Labour has spent more time on it perhaps than we have. But it is one of the things on which we are working in co-operation with the federal authorities. I think Mr. McEachern has made a number of statements with reference to the necessity of training as quickly as we can the people to fill the labour force. I mentioned the other day that that is our major problem; the second one is to fill the gaps among our skilled workers by immigration.

Mr. Newman: Mr. Chairman, if I may speak once again on this same issue, I do know that the hon. Minister is in close co-operation with the federal authorities, but the retraining is going to be a provincial endeavour. As a result, what steps will this department or any other department of the government undertake to see that these people are retrained? Now is the time when you can approach the Ford Motor Company and find out from them just who is going to be laid off. Knowing who will be laid off, these people could possibly be taken into some type of evening retraining programmes in advance of the time that they are going to be laid off, so that they could step right into industry once they are laid off, provided the job is available in industry.

Hon. Mr. Randall: I would suggest also, while we are talking about the 1,600 workers out of the Ford plant, that this is only a temporary layoff, as you recognize. Many of these people want to go back and do what they have been doing—build more motors and probably better motors—so that many of these people will be off for a period of perhaps five or six months from the Ford plant—

Mr. Newman: One year!

Hon. Mr. Randall: That may be, I do not know; they talk about five or six months. But they will go back to doing what they were doing previously, so we will talk now about the unskilled, as the hon. member says, who do not have jobs at that age and whom we would like to retrain. From the hon. member's own Greater Windsor and industrial commission we have a letter here on the Windsor situation. Perhaps I could read just one of its paragraphs. It says:

Due to the increased interest in Windsor

location by manufacturers of parts and equipment, job opportunities in the future for our citizens will increase rather than decrease. We are hopeful that municipalities will study ways of more adequately servicing industrial land and that owners of such land will keep the interests of the citizens in the area in mind and be realistic in their asking price.

If we all work together our community will be able to capitalize on the long-range benefits the auto plan is designed to bring into Canada. This announcement by Ford stresses the importance assigned Windsor as a production centre, and while the jobs of citizens are always important, so are the tools of production.

Mr. Newman: Mr. Chairman, we can foresee the long-range effects but what I am primarily interested in is the immediate effect once these people are laid off. Then it is bad and it is particularly bad for the elderly in these laid-off categories because they are going to have a most difficult time in obtaining employment.

Mr. Bryden: Mr. Chairman, I do not quite know how this subject came up at this time under the vote relating to the economic council, because I gather that one body that really is not very much involved in it is the economic council. However, I think there are still further implications in this matter that might be explored.

The hon. Minister said the federal officials did a good job in negotiating a very difficult type of agreement. I am inclined to agree with him. Admittedly, this is a matter that is extremely complex and with extremely broad implications. Any person who has not studied it has difficulty in forming an opinion, but the general principle seems to me to be sound—that if this country is going to grow industrially it has to get bigger markets than can be provided by 19 million people. That principle seems sound and I believe the hon. Minister is right when he says that the agreement is a forward step. I am not sure that the hon. Minister of Labour agrees with him, judging by some statements he made recently, but that is a matter they can sort out between them.

However, I think that where there has been a failure is not in the negotiation of the agreement, but in the failure of the federal government to exercise any real foresight in considering the full implications of the agreement. We know that there was a layoff not long ago at Windsor. It would appear from what Mr. Paul Martin said that this layoff

came as a complete surprise even to the federal government. He was quoted in the *Globe and Mail* as saying:

No one likes to see any layoffs but I don't like the way the announcement of this particular layoff was handled by the Ford Motor Company. We met with the company a short time ago and there was no indication given then of this action.

This is the sort of problem that will be compounded as the readjustments that have to take place in relation to this agreement take place. If layoffs of people come as a complete surprise to everybody, obviously there is going to be real difficulty in making necessary adjustments to prevent excessive dislocation and excessive distress for the working people.

I would like to know if any machinery is being worked out whereby these matters can be anticipated. It would appear that the federal government representatives who negotiated the agreement were not even in consultation with representatives of this government. Yet the government of Ontario has a real interest in the matter. I think they were entitled to be briefed as to what was going on and what could be expected. There seemed to be no planning at all other than to get the agreement through. When another layoff takes place, is that going to come as a complete surprise to officials at both government levels? Or can some machinery be worked out whereby the governments will know as far as possible in advance that the layoff is likely to take place, and can start laying their plans before it takes place?

Another difficulty that arises is the extreme division of jurisdiction in relation to easing the adjustments. First of all, the federal government has jurisdiction; second, the provincial government has jurisdiction; then different departments within each government have jurisdiction for different phases of the problem. It ends up that there are committees trying to co-ordinate all their activities, but I am not so sure that through committee work we will necessarily get the kind of action that is going to be required.

I would think that a major responsibility would be with the national employment service, in developing alternative opportunities for these people. That also involves training and retraining, and I really cannot see that an informal committee system is going to provide the kind of co-ordination that is going to be necessary to ease the adjustments.

We know that economic progress creates dislocations. This agreement, I think, will

result in economic progress but there are going to be acute dislocations along the way and who is it who has to bear the brunt of the dislocation—the working man. I think it is time that we got over the idea that the working man is expendable—he is like the tools; he can be discarded when he is not immediately needed and then brought back again. I think we have to look at him in terms of his needs as a human being, not merely in terms of his usefulness as an instrument of production.

The hon. Minister said that these 1,600 workers who have been laid off are likely to be called back during the next number of months. What are they going to do in the meantime? It is fine to say they can go on unemployment insurance. Well, I would not like to live on the allowance paid under unemployment insurance, and I do not think the hon. Minister would either.

Hon. Mr. Randall: You understand about the supplementary benefit which is \$60. As I understand it they get \$60 plus the unemployment insurance which is \$96—

Mr. Bryden: You mean supplementary benefits under their own union agreement?

Hon. Mr. Randall: Yes.

Mr. Bryden: Well, these workers, I will agree, are fortunate in that they have had a very strong and forward-looking union that has negotiated a lot of benefits for them. But there are going to be other workers laid off, quite probably, in other industries as a result of this agreement who may not have the same advantages. I know of people who were laid off—I will not mention cases now—but I know of people who were laid off and lost everything, pension benefits and everything.

This is a matter too that has got to be looked into. Where there is a good forward-looking union like the UAW, I suppose we can assume that the problems will be dealt with at least in part, but what about the overall problem of the laid-off worker, the worker who has been displaced by technological change, either for a short- or long-term period?

I think we have to start thinking in terms of much higher benefits than are currently available under The Unemployment Insurance Act. I think people, when they are displaced in this way, should be able to look forward to pretty close to their full wages in the period of readjustment. I think that steps should be taken to protect pension and related benefits. Then of course the whole

question of training is vital, I dealt yesterday to some extent with this training problem and really we have not got to grips with it at all. It is a joint federal-provincial programme and everybody and his brother is mixed up in it, but not producing any results.

I do not know that it is the prime responsibility of this government, but I think it is high time in Canada that we developed a co-ordinated labour market policy along the lines proposed by the economic council of Canada. I think that is really a federal responsibility, and I think perhaps the provincial responsibility in the matter may be mainly to press the federal government for action, and then assist and co-operate where necessary. I know the hon. Minister of Economics and Development is an energetic Minister and a forward-looking Minister, and I am going to suggest to him that he really put the heat on the federal government—urge it to read the report of its own council and get down to business on a co-ordinated labour market policy.

This layoff at Ford is just the first, a sort of first warning that this type of problem is going to become much more acute and widespread. The more economic progress we make, the more widespread and acute it is going to become, because progress means dislocation inevitably. I can see some acute suffering among working people, especially those who are not represented by strong unions if there is not a much better type of policy than we have at the present.

Could the hon. Minister indicate if any sort of procedures could be developed whereby this government and the government at Ottawa will get advance notice of layoffs, changes in plans and so on that are going to take place, instead of being caught by surprise as apparently one of the senior Ministers at Ottawa was by the Ford announcement? I must say that I was a little shocked when I heard that the first the hon. Minister opposite heard of the actual signing of the agreement was at the same time as I did, when it appeared in the papers. I think that is terrible, I think a protest should be made to the federal government. They ought to keep you informed so that you will have a chance to get adjusted.

Hon. Mr. Randall: May I just make a couple of brief comments following your remarks? There are always two sides to a story. I have it on good authority that not only did Ottawa know that the layoff was coming, but also Mr. Burt. I have that on good authority. I am not going to press the issue, I am just going to suggest to you that

when the meeting took place between the president of Ford Motor Car Company up in Ottawa yesterday, or the day before, you noticed the comments in the newspapers. Well, it was not as bad as it appeared. I do not think the company should be classed as a whipping boy because somebody runs off at the chin and says we were not informed.

Mr. Bryden: This government was not informed.

Hon. Mr. Randall: This government was not informed, I can assure you of that. I know the hon. Minister of Labour was not informed and we are taking steps to talk to our friends in the motor car industry and say that if this is going to happen again, I certainly hope that you not only inform the people you say you inform, but you will also inform us. I think that with the group we have working with the federal authorities from here on in, that we will get this information and be able to do something about it, at least be prepared for it.

Second, I would suggest this. I talked about the Kennedy round, and as you know the Kennedy plan was that if industries were affected and workers were dislocated, there would be a programme set up over a period of months, or three years, to pay them an income plus train them, and maybe what has happened is a blessing in disguise. Perhaps instead of having the entire economy dumped in the same position with all these unknown factors, the automobile business can be a good example of how we are going to solve further problems if we have freer trade.

There are always some benefits. There are going to be some pleasures with a little pain. I am inclined to believe that while at the moment this is a hot subject—it is a very major one because there are over 81,000 persons employed in this industry and most of them in this province—we certainly have a deep concern about people who are going to be laid off and about what is going to be done about assisting the manufacturers. If my business drops off, what do I do about the money I owe? What do I do about new equipment? We are gathering all this together. Perhaps we have not been able, in view of the circumstances, to move as quickly as possible and have a programme ready. Neither have the Americans. I think we recognize this, and it is one of the things that is coming up in Congress right now.

I think that if we look at this as an experiment that we have to learn to live with, and learn quickly in the matter of a few months, perhaps if other industries go this way in the not-too-distant future, we can prevent

mass layoffs and dislocation. At least I think we will be better prepared to find the answers than we are at the moment. I am encouraged to believe that this is an example of how we can get co-operation with the federal authorities. We have different political faiths, but I can assure you that as far as I am concerned—and I am sure some of the other Ministers will say the same thing—we have a very good working relationship with the Ministers up there now, and I can understand their reluctance to discuss with us the minute details of negotiation until it is completed. On the other hand, we would have liked to have been informed, but we were not. However, there is no use sitting around crying about something you could not do anything about. The thing for us to do is get on the job, work with them and make sure that the man in the factory that carries the lunch pail is not the victim of a lot of conversation and no action.

Mr. F. Young (Yorkview): Mr. Chairman, did I understand the hon. Minister to indicate that some training programme is going forward at the present time that will occupy the time and energies of these people during the period of layoff? I understand from what he said, that he is very optimistic that the industry will ultimately absorb these men, either back in these factories when they are retooled, or in other phases of the industry. But what he has just said would seem to indicate that a programme is going forward for retraining. Is this the fact, or did I misunderstand what the hon. Minister said?

Hon. Mr. Randall: No, I did not say there was a plan going forward. I said I am quite sure that at The Department of Labour and at The Department of Labour at Ottawa—as you know the national employment service has been transferred into The Department of Labour—there has been a lot more activity to see what it can do about retraining, and I think there will be some very definite changes and plans coming forward, and we will be informed of it and make our contribution to it. I would think it is too early for us to predict what the plan will be, but certainly it is obvious that the change up in Ottawa of the national employment service means that they are going to put some teeth into it, and they are going to get perhaps more co-operation with the provincial authorities in doing so. There are some plans as you know. We have had in-plant training in some areas. We have had some pilot plans going on, but we recognize, and we are probably the first to admit, that there has not been the activity in this that we would like to have. Certainly

I would be inclined to believe this will be stepped up also.

Mr. Kerr: Mr. Chairman, I would like first of all to thank the hon. Minister for his very frank remarks regarding this international agreement. I would also like to agree with many of the remarks of the hon. member for Woodbine.

The first time I heard about this agreement, the Drury Mark II plan, I thought it was a new cigarette. I think that the idea of negotiating prior to the making of an international agreement that affects an industry which is more than 90 per cent in our province, is important. I also agree with the hon. member for Woodbine when he says there should be co-operation in planning between the two levels of government and also with the particular companies concerned. I would also include certain agencies in a municipality.

I was wondering, if the hon. Minister, Mr. Chairman, could inform me and inform the House whether or not he has any indications of any layoffs at Ford in Oakville?

Hon. Mr. Randall: No, there is no indication and I have talked to Mr. Carl Scott in the last two or three days. I would say, knowing what I know of manufacturing, that that is a brand-new plant out there with lots of acreage around it, so it is not too difficult to knock out a wall, and while you are still producing, to extend the building and extend the line. I do not think they will have the problems there that perhaps they would have in Windsor. I have been through that plant out there and I know a large section of it is temporary. It is put up with telephone poles; it was done that way purposely, so that they use it during the summer months for storage and extra production. Knowing how quickly a company of that size can work, I would think there would be very little dislocation. I am not quoting Mr. Scott, I am just suggesting that the plant layout, the area, lends itself to knocking out a wall and extending the plant and turning out more sausages without too much disruption.

Mr. S. Lewis: Mr. Chairman, if I may, I wonder whether it would be appropriate to offer the hon. Minister a thought related to this Windsor situation. It would seem to me that in view of some of the studies which have been done in the United States on the effects of the impact of technological change that this is a perfect opportunity for the government of Ontario, under the aegis of the economic council, to institute a case study of what happens to the workers during the interim period of displacement.

Why would it not be wise for The Department of Economics and Development to choose 300 or 400 or 500 of the workers who have thus been displaced and follow them through their travail and their difficulty during the next year, analyze the existing contracts, discuss the aspects of monetary return during this displacement, analyze the age distribution of the work force attacked, take a look at the applicability of Programme Five and those who can make the adaptation and those who cannot, take a look at the economic and social forces in the community and how they come into play over the next six months to a year when the displacement will be at its height, and perhaps present this Legislature in a year or a year and a half with a case study of economic dislocation due to technological change, the precise effects on individual workers, on their families, on their incomes, on their psychological adjustment problems if there are any, and give us some kind of basis upon which to predict for the future?

I think that as sad and unfortunate as some of the aspects of the Windsor case are, it does give us this opportunity. It is an opportunity which has been seized with great dispatch and intelligence by the labour statistics branch of the federal department in the United States and I think it is one that could well be duplicated here on this occasion, Mr. Chairman.

Hon. Mr. Randall: I thank the hon. member very much. I think that this is a recommendation that certainly the economic council can give very serious consideration to. Mr. Cranston informs me that it would not be too difficult for us to do this, particularly in Windsor, where the problem has boiled down to one particular city, or if it happens—say, for instance—in Oshawa. Certainly I think it is one we can take into consideration and see what we can do about it.

I am also informed that through the figures released by the national employment service in Ottawa, a Department of Labour release, that there are more than 25,000 unemployed going through various retraining programmes across Canada now, and this compares with 65,000 in the United States. If there is a retraining programme going on, I cannot give you the details, except that these figures were released by the federal authorities at Ottawa, how factually I do not know, and give some indication that there is a training programme going on. I think what we would be more interested in is the 1,600 people we are talking about in Windsor. Is a man going to make radios; is he going to make automobile fenders?

Mr. Bryden: Mr. Chairman, before we get into some of these very large-scale problems, I do not think the hon. Minister had an opportunity to answer one of the questions asked by the hon. member for Grey North regarding the composition of the staff of the economic council. I am not concerned about clerks and stenographers, but some of the more senior staff. I am also not interested in names. I would just like to know about the classifications and the duties of the people.

Hon. Mr. Randall: Yes, I will be glad to give it to you. We have, as you know, a chairman and 17 members on the economic council.

Mr. Bryden: None of those are salaried people, though, are they?

Hon. Mr. Randall: The chairman is on a per-diem basis.

Mr. Bryden: And otherwise they get their expenses?

Hon. Mr. Randall: That is all, yes. We have ten permanent people on the staff of the economic council. We have one secretary to the chairman, one executive officer, one senior economist, two other economists—I suppose they would be considered to be junior economists—three project consultants and two clerical stenographers, for a total of ten.

Mr. Bryden: How does this staff tie in with the staff that comes under the next vote—that of the office of the chief economist? Do they have some sort of clearing to make sure they are not engaged in the same things? Why is the staff separated from the office of the chief economist in the first place? I can see that the council may need a small staff to make its physical arrangements for it—meeting places and that sort of thing—but it seems to me that there would be sense in the co-ordination of research functions and I would judge from the titles that you gave that most of these people are carrying out research of one kind or another, either as economists or on special projects. Why is not the whole research function co-ordinated?

Hon. Mr. Randall: Let me just suggest that even in some other departments of government, as you have already heard, there is an economist or two to prepare some of the work for the department. Then, when the detail of that work has to be taken into consideration, it is transferred, let us say, to the mass department of economists, which is now under the chief economist.

In other words, if there is a preliminary

report to be prepared to decide what a department wants or what the economic council wants, the department has to have those people on the staff, but they are not running a regular programme of work on specific projects. They prepare the projects, turn them over to the chief economist, and he in turn will do one of two things. If we have sufficient staff to carry out the research for the economic council or any other department, we will do it; if we do not, we will have it done by a consulting service, so that the work is done as quickly as possible at the lowest cost.

This is the minimum number of people, we believe, with which the economic council can be operated to do the things that it has been doing. I can assure you that they are many and they are varied, and much of the information I have given to the House this afternoon has been gathered by the economic council with its authorities up in Ottawa and various other sources. Therefore, it is not a duplication of the economist in The Department of Economics; it is just a feeder service so that we can do the detail work for it if the work is of long duration.

Mr. Bryden: Mr. Chairman, how is the council going about studying the problem of automation, as the hon. Minister indicated it intended to do? The impression I get is that automation is a sort of fringe concern of three different departments. It is very deeply submerged in the research division of The Department of Labour; it seems to be one of many activities that is engaging the attention of the economic council along with such matters as the souvenir industry. Personally I think the problem merits a much more co-ordinated attack than that and it is possible it can come through the economic council. The members of the council are certainly experienced and knowledgeable people, but they themselves can only provide the benefit of their general savvy and experience. The job still has to be done by somebody else. How is it being organized? I mean, what sort of results can we expect from this study? Will we have published documents to indicate the anticipated projected impact of automation? How is the project going to proceed?

Hon. Mr. Randall: Well, as the hon. Prime Minister announced a few weeks ago, the assignment on automation and technological change was given to the economic council because it is one in which it originated. Let us say it originated through the economic council at the conference we had here some two years ago. It was thought that we could

use the council to work with Dr. Deutsch and the economic council of Canada, with the universities, and also with our own chief economist, The Department of Labour, The Department of Education—it will be almost a co-ordinating body to find out what is the programme, what is the plan that should be established to deal with automation. I would think that it is in the right department at the present time, because there are people there who are very much interested, as you see from the makeup of the council. Not only many businessmen, but labour leaders, who perhaps have as much interest in this as anyone else, and have more time to devote to it and give us their thinking on it.

I would suggest that the pivot point of this automation programme should be with the economic council. Much has been done already to get the programme started. I would hope that we would have a further report on this in the not-too-distant future. It is something I think the hon. Prime Minister outlined fully about our feelings on automation. Certainly it is something that cannot be ignored, it is something, as I pointed out in my estimates speech, that only 26 per cent of the workers by 1970 are going to be employed in manufacturing, and yet we are going to be turning out more products so that many more will be included in the service industry. When we talk about automation, I think we also have to talk about the service industry, because even the service industries are going to have to become more automatic and more efficient than they are.

I would think that with what we are doing through the economic council we will come up with a plan and a report that will satisfy the hon. members of the House.

Mr. Bryden: Mr. Chairman, one reason I am concerned about this is because of the statement that the hon. Prime Minister made some time ago and to which the hon. Minister referred on a few occasions.

My impression from the hon. Prime Minister's statement was that he really did not think the problem of automation was a very serious problem—that if we just let nature take its course everything would work out in the long run and we would all be better off. That may be true, except the long run can be an awfully long time and a great many people can get hurt in the meantime. I had hoped that perhaps the economic council was going to take what I would call a more realistic view of this thing; that it would get down to cases and actually try to anticipate the kinds of problems that are going to arise. You see, this automobile agreement we were

talking about is just one of many similar situations that are going to arise.

Something that strikes one about the hon. Minister's department is that it seems to have a great many committees with pivot functions and people whirling all around the pivot point. Is anybody ever going to get anything focused, and get on with the job so that there can be not just opinions or guesses but some pretty hard study on which to develop policies? There seems to be a great deal of talk about all these problems and everybody is getting into the act, but nobody seems to be pulling anything out of it. I may be wrong on that, but this is the impression I get from some of the statements the hon. Minister has been making.

Hon. Mr. Randall: I just want to assure the hon. member that the hon. Prime Minister has a very serious interest in the problems of automation. I think that is one of the reasons why we have asked Mr. Cranston who, I am sure, knows as much about automation as anybody else in this House. He has been in the shoe business for many years and if anything is automated it is certainly the shoe business. I think I know something about the problems of automation. I certainly have a great interest in making sure that these problems don't get out of hand and we don't get in real deep trouble.

So I would suggest to the hon. member that while it may sound like we are putting committees together, there is not a day goes by but, you will have to admit, your own side of the House gets up and says, "Why don't you appoint somebody to do this, why don't you appoint a commission here, appoint a commission there?" This seems to be one of the major things you do in government—to appoint bodies and commissions. I agree with you. It is probably necessary in view of the amount of work that has to be done. For the gigantic job that has to be done in government certainly we require, I believe, committees for this and committees for that. The major problem about committees is being able to control them and get them to reach deadlines. One of the things that I have discussed with the hon. Prime Minister and other members of the Cabinet, particularly with the economic branches, is that I look at it somewhat like a drafting room. If you are running a plant and you keep throwing jobs in the drafting room and you do not put a deadline on them, you may never get them out of the drafting room.

I think our economics department is set up on the same basis. When we put a job in

there we would like to have a deadline as to when we are going to get it out. If they do not have the bodies we will get them. If we do not think the bodies are needed for a length of time, perhaps we should get a university to do the job, as we have done in the past. I would think that the matter is well in hand insofar as automation is concerned. We have been charged by the hon. Prime Minister in bringing in a report, and we certainly are going to.

Mr. Bryden: Mr. Chairman, it has been said that a dromedary is a horse that was organized by a committee, and I think there is a lot of truth in that. I know there is a role for committees, and I know they are proliferating at all government levels, but I still think that stress has to be laid on the actual development of co-ordinated policies and co-ordinated attacks on problems.

However, at this time I guess the most we can do is wait and see how the hon. Minister and his advisors manage to work out some of these problems.

Mr. S. Lewis: Mr. Chairman, just on that particular theme for a moment. Is there anything top secret about the studies which the hon. Minister intends to do, the projected areas of analysis? Would it be possible at some juncture in this House for us to have from the hon. Minister, under the umbrella of the Ontario economic council, a list of studies, whatever they may be, manpower or adjustments, presented to this Legislature so we will know what it is doing? And could we at some point have a list from the hon. Minister of Labour of what his research branch is doing, because certainly the words which have come from both hon. Ministers in the last several weeks have directly overlapped, and we on this side of the House, I think, have at least the right in this broad field to know which branch of government is undertaking which study at which time. It is not a matter of criticizing the study, it is just a matter of knowing what is being done in this general field.

Hon. Mr. Randall: Yes, I would say there are some studies that we could release. I am not sure we could release all of them because they may be released in part and they would not be factual. I would suggest that we will take that into consideration, and that any studies we have that we think would be of interest to the hon. members we will certainly release them.

An hon. member: You cannot beat that for co-operation.

Mr. Newman: Mr. Chairman, the hon. member for Scarborough West suggested a study in the community concerning the effects of automation, but I think this study was primarily centred around the Ford Motor Company and the layoff where you would have a select group. May I suggest to the hon. Minister that while they are conducting that study—there is a resources study that I think has been completed by your department of the Windsor area, so this would simplify the study as far as the automation factor was concerned—there is another effect that this auto trade agreement may have. The hon. Minister mentioned the number of parts that will be manufactured by a given industry will now multiply.

I would say the number of individual pieces will multiply, but the number of different parts will be much fewer. In other words, an industry now will make, let us say, 100,000 parts of one given item rather than make 20,000 of five items. This may adversely affect the tool and die industry in the community. The tool and die industry in Windsor is very substantial, so that while the department is undertaking this automation study, I would appreciate it if they would undertake to study the effects of this auto trade agreement on the tool and die industry. These manufacturers may not have to make the number of dies they would have had were there not an auto trade agreement. So, Mr. Minister, would you look into that at the same time?

Hon. Mr. Randall: Yes, that is included in the study.

Mr. D. A. Paterson (Essex South): Mr. Chairman, I have a question of the hon. Minister.

The hon. Minister mentioned a time limit on certain studies, I believe in 1962 a study was made of the tourist industry. I have asked this question prior in the year: Is this study now completed and printed, and will it be made available to the public at large?

Hon. Mr. Randall: The study is in the hands of The Department of Tourism and Information. I understand it is not printed yet but my information is that it will be very shortly.

Mr. Paterson: Is there any point in my continuing with questions in regard to this report, or should I await the published report from the hon. Minister?

Hon. Mr. Randall: I would suggest that it would be just as well to wait for the published report, you will have all the facts.

Vote 402 agreed to.

On vote 403:

Mr. Taylor: The hon. Minister indicated earlier that under the new setup the chief economist would likely be responsible for the statistics for all government departments. Do we infer from that that his department would be compiling those statistics as well, or will they continue to be compiled by the departments and co-ordinated by the office of the chief economist?

Hon. Mr. Randall: I would think that the major reporting on statistics—we have a statistics branch—will be done by The Department of Economics and Development under its chief economist. But as I said before, it is quite possible that some departments can put their own figures together. They will send them on to us and they will be compiled as they are in this report here so that they come out under the one report. I would say most of the correlating of the report will be done under the chief economist so that we are all releasing the same kind of information.

By the way, for the hon. members who have not met the chief economist, Mr. Ian MacDonald, he has just moved in here. I think you would like to have a look at him so you can ask him some questions. He would be glad to see you up at his office at any time.

Vote 403 agreed to.

On vote 404:

Mr. S. Farquhar (Algoma-Manitoulin): Mr. Chairman, in vote 404 on the ODA, I would like to make a comment or two.

First of all, I have been over many times to 950 Yonge Street and I want to congratulate the hon. Minister for the effort that goes into this agency and the kind of people he has been able to gather around himself over there. When this was established and came to my attention it seemed to me that here was a medium where I could get some help for various struggling enterprises in northern Ontario, so I steered some of these people over there. Some of these contacts have been fruitful certainly, but I continually run up against one or two of the weaknesses, as I see them, of the agency.

I want to ask the hon. Minister why, for instance, the terms of reference of the agency have to be limited to exclude primary industry? This is the type of thing that we always run up against in our country. There is not very much left when you take out mining, prospecting, fishing and lumbering and the kind of things that we do in northern Ontario. We have to realize that, for instance, in mining we find we have potential small

industries. We have prospectors who are certainly among the poorest of any of us and have not got the facilities, or have not the money or the ability, to develop certain small mines but could, mind you, employ 30, 40, 50 or more men.

But we are up against this roadblock. After all, this kind of help is not available within The Department of Mines; so it is not available anywhere. I can see no real reason why this kind of help could not be available in the agency. I would like the hon. Minister to comment.

Hon. Mr. Randall: The reason for the ODA working on the basis it does, not perhaps being as helpful to primary industries as I hope it will be in the future, is that we endeavoured to set up to make the most impact on secondary industry. This was where we felt the majority of jobs would be found, in secondary industry, and we would take out time and efforts and devote it that way. As you know the ODA, as far as I am concerned, has proven to be a very valuable asset for the province. As I announced the other day I think there will be some major changes made in the ODA's operations in the not-too-distant future.

We have many other things under consideration, particularly in view of the change in employment between now and 1970. I think we have to look at the secondary industries, which also would include primary industries. The closest we could come to assisting anybody in the primary industry is the Cobalt refining.

I do not know whether you know or not, but most of the silver mined in Ontario went down to Arizona somewhere to be refined and back up to the mint at Ottawa. This company was in need of assistance. We gave it a year or so ago and today the silver mined in Ontario is refined at Cobalt refinery and shipped up to the mint.

If you can consider that primary industry, we have helped one organization, one firm in primary industry. But I would think that consideration could be given to assisting the people you are talking about in the not-too-distant future. Again, it is one of the things we are looking at with reference to our planning for regional development.

Mr. Farquhar: Mr. Chairman, I recognize that the machinery is there, the people are there and this particular agency could do a wonderful job along the line I have suggested. I am hopeful that the hon. Minister will give this consideration and expand these terms of reference.

We have to remember that in the fishing industry, for instance, there is at the moment possibly no great future, but there are establishments in northern Ontario that are bankrupt at the moment, practically bankrupt, and could use a little help, could use possibly a little advice in their structural and financial setups, and possibly a little capital to keep them going in the light of the fact that fishing does seem to be coming back a little bit. But there is not this kind of help available within the fish and wildlife section of The Department of Lands and Forests. There is no help anywhere unless the agency can develop its terms of reference.

The same thing happens in the case of prospectors. There are many of them in our area, and there are many minerals, as all the hon. members know, which have not been exploited to this point. But in all cases the leases in connection with these various potential mines are held by prospectors who do not have the money to expand them. As long as the ODA can limit itself to the position where they cannot work with primary industry, we are getting no place in northern Ontario because there is nothing there but primary industry.

Hon. Mr. Randall: May I suggest that if the hon. member has a list of these people he says need that assistance—fishing companies and so on—if he will let me have a list we can do one of two things: We can put it on the programme and take a look at it; and second, I think that in many of those cases what many of them need besides money, and perhaps more than money, is a little advice as to how to market their products and how to operate efficiently.

I think I said the other day, and the fact is true, that the majority of these people do not need money but they certainly do need management advice. They need advice as to how to set up their accounts and how to merchandise. If some of these people come to see us perhaps we can even get them into our export trade promotion and find markets for them that they cannot find domestically. There have been instances where we have taken people into the export market who were not doing too well domestically, but now they are doing very well on an export basis. So if the hon. member will give us a list, we will be glad to take a look at them.

Mr. Farquhar: I think we have made our point here; just one step further. I have been over to 950 Yonge, as I said, with all these people. These cases I refer to are all on record and they have moved to a certain

position, but there they stopped because of the limited terms of reference. I am sure these cases I speak of are available to the hon. Minister, and if not I will surely make them available. But they are on record.

Mr. MacDonald: Mr. Chairman, there is one aspect of the ODA's operations that I would like to raise briefly.

The hon. Minister's predecessor unveiled the first loan that was made under ODA in a fashion that would make a Cecil B. DeMille Hollywood production look second-rate. Unfortunately, within a year that turned out to be the Fairfield episode and I think the original unveiling looked a little out of place.

The explanation given by him later with regard to the shroud of secrecy that fell upon the operations of the ODA was that the company did not want the internal operations of the firm to become public property and I think the hon. Minister gave substantially the same explanation a year or so ago.

Now we seem to have some slight change in this policy. The hon. Minister explained, if I recall his comments in his introductory statement, that he had permission from three of the companies to give the details and he did give these details. Perhaps it is not surprising that the three he had chosen were success stories. I am a little bit curious about the failures, because the Fairfield instance—the first instance—upon careful examination, struck me as being a pretty doubtful kind of proposition from the word go, and I am a little curious as to how the ODA or the various screening agencies involved in the ODA could ever have been drawn into a company with the questionable record that that company had.

As I understand it, what happens is that the hon. Minister has a financial advisory committee which reviews the applications and passes upon them. Am I correct, Mr. Chairman, that no loan is granted or underwritten, to put it more accurately, unless it has been approved by the advisory committee? May I ask specifically with regard to one? I understand that one of the companies that has gone bankrupt is the Campbellford Pulp Company, a small outfit that was getting into the pulp business. Am I not correct in this instance, that this application was turned down twice by the financial advisory committee?

Hon. Mr. Randall: Here is the answer to the hon. member's question about the Campbellford Pulp Company. I will give him the full details and I want to say that I am not reluctant to disclose information on

failures. I think that only by disclosing the failures and looking at our own weaknesses are we going to be able to protect ourselves in the future.

I might also make a point right now that this is the only province in Canada that developed an agency that does make public its losses. I would suggest that if the hon. member does not take that statement seriously, he should look at the statements of other development agencies across the country. They will not tell what their loans or losses are and if they are asked which are the companies that they loaned money to or which are the companies that went bankrupt, they will give no information whatsoever.

Mr. MacDonald: They must have a poor Opposition.

Hon. Mr. Randall: Perhaps that is it. I am just suggesting that they are set up on a little different basis, which perhaps we could discuss later on. But I am not at all reluctant to release information on any losses. I simply suggest though, before I talk about this one, that when the ODA was put together—as I pointed out last year—we did not have the backup staff that was required. We got into it because there was a need to assist small industries to provide jobs and as we got our experience, sometimes the hard way, we profited from that experience.

Again I say to you, as I said two days ago, that since I took over the portfolio, of all the loans made there has been only one \$5,000 loss and that was made to a gentleman manufacturing Indian products—totem poles and so on—and this was more or less a charitable donation to try to help somebody we have all been talking about. We have stiffened up very considerably the process of granting loans and I would think that the chances of our getting into a difficulty like the Fairfield incident will be very, very remote from here on in, because from this experience we have been able to put some teeth into our demands on the part of the people who want a loan.

Many of the hon. members send people in, and I think that because hon. members send them in they think that they can automatically get their hand into the till. When we ask them for an audit statement, they do not know what we are talking about; then they say that they will make it up and bring it in and we reply that it must be made up by a certified accountant. Sometimes weeks go by before they show up and then we get complaints that the agency does not work fast enough. But we are not lending money to anybody without a certified statement.

A statement will not always tell the facts, as the hon. member well knows. You have to read between the lines, and the people who come to us, even with a statement, are people who have gone to regular financial institutions where the statement is not good enough to get a loan. We have to be judge and jury as to whether the government should take a chance on this man, help him do the job he wants to do and provide the employment in his particular area.

Here is the statement on the Campbellford Pulp Company:

At its meeting on April 4, 1963, the financial advisory committee deferred consideration of an application from Campbellford Pulp Company Limited for a guarantee loan of \$75,000 until its next meeting pending clarification of certain points.

A serious situation arose in the progress of the company because funds were not available to process orders for pulpwood which had been received. The secretary of the committee therefore telephoned all members of the committee who were within striking distance of Toronto—eight of the nine appointed members—and asked them to attend a special emergency meeting. Forty-eight hours' notice was given of this meeting.

On April 11, 1963, when the meeting was held, only four members attended. The motion to grant this company a guarantee was passed by a majority of three to one.

It should be pointed out that this was one of the early guarantees and all of the rules governing the activities of the financial advisory committee had not yet been formulated. In the existing rules the majority of the members must be present to constitute a quorum, so this is just one of the weaknesses of the early days of the ODA and I am sure it has been corrected.

Mr. MacDonald: Had it been turned down twice?

Hon. Mr. Randall: It was never turned down, it was deferred. This happens time and time again. I have talked to some of the hon. Liberal members; they have sent people in, and in our first discussions with them they give us the information they have available. If we find that it should be questioned we ask them to go back and get further information. Perhaps in the long run they do get turned down but on the other hand deferring it does not necessarily mean that—

Mr. MacDonald: The door is kept open.

Hon. Mr. Randall: The door is always open. I can suggest that perhaps the criticism that ODA will get more than anything else will be from people who come in and do not get a loan because they think of ODA as the government and that they should automatically be granted a loan or a guarantee. Our feeling is that they have to be made to realize that it is a business institution. We are willing to take a risk, but at least we want a fair chance of knowing whether the money is going to be used for the purposes that it is needed for.

The hon. member would be surprised about the state of some companies that come in. Let us say that company A is \$100,000 in the red with its creditors and the owner wants to borrow \$100,000. If we gave him that sum he would go right back home, pay off all his creditors and then say that he had no operating capital and go down the drain. This is a thing that we have to watch very carefully because it can happen if we get too excited about giving loans. It is far better for us to say we would give him \$150,000 than to give him \$100,000 and then have him fold before sunset after he has paid off his creditors.

I could write a book about some of the organizations that have come in and attempted to borrow money. We have had some people come in who have six companies and \$9,000 of working capital, but when all of the six companies have been gone through, the last company owed the prospective borrower \$100,000. And that is exactly what he wanted to borrow. I am quite sure in my mind that if we gave him \$100,000 it would have been transferred through these six companies to the end, and he would have been the fellow to take the \$100,000. Therefore, we defer a lot of these until we get together. I am quite sure we could have lent this man some money had he done what we suggested—gone back and consolidated the six companies until we found out who his creditors really were.

This is one of the problems of running the agency. I would just like to suggest that the risks that we get are people who have gone to other institutions and cannot go anywhere else, but if we are going to be of any assistance, we have to take that kind of gamble. I know we are going to be criticized when we have losses, but also as I pointed out, we had many success stories, as you referred to. I have mentioned three only. I could mention 24 that are success stories.

Mr. MacDonald: May I ask you, what are the total losses now? More than \$4 million

has been lent. What are the outstanding losses?

Hon. Mr. Randall: The total losses are about \$487,000 since the agency started and perhaps this is a good point at which to review what has been accomplished.

I referred a few minutes ago to the other development agencies. I think this will be to the edification of the hon. members; I am sure they will be interested in it. Let us take GIC in Quebec. This is a Crown corporation setup; the bonds sold by it are guaranteed by the Quebec government. They sold something like \$50 million of the bonds, guaranteed by the province. The money was put into a committee to loan to small industries, and if you look at their balance sheet last year, they loaned about \$9 million, but they had an income of something like \$450,000 or \$460,000. Now, the money was not earned on the money loaned, the money was earned on taking the proceeds of the debenture and putting it out on short-term loans, and nobody knows whether any of the \$8 million or \$9 million was lost or not. This is why I say that no other agency, that I know of, explains its losses.

Now, ODA works on a different basis. We have no money. We use the government credit on a guaranteed loan through the bank, so that when we do have a loss it stands out like a red wheel on a hearse. It cannot be buried. We are not interested in burying it, but I think also we should recognize—

Mr. V. M. Singer (Downsview): A hearse too; do you bury it as well?

Hon. Mr. Randall: We are not interested in hiding the losses, because I think the \$487,000 has done this. There have been 43 guarantees made to 40 companies up to December 31, 1964. None of these companies could obtain funds from the conventional lending institutions, therefore the province took the risk where other lenders were not willing to do so. Management, consulting and technical services provided the 3,000 companies and individuals, many of whom are now operating more efficiently, maintaining or creating additional jobs, and adding to the economic potential of the province. These advisory services have been made available in all parts of the province. More than 170 inventors have been assisted in their projects. Of these, more than half have had their inventions evaluated by the Ontario research foundation at our cost. Some 40 new products and techniques have been assisted to reach the market.

In addition to the \$4,700,000 provided in guarantees, Ontario companies were assisted to raise \$11.5 million, making a total of \$16.2 million in additional financing obtained by Ontario companies as a result of the agency's efforts. The guarantees provided by the agency are either maintaining, or in the course of creating, 3,100 job opportunities.

Its other activities, both financial and advisory, are either maintaining or creating a further 2,800 jobs, for a total of 5,900 job opportunities. Canada's balance of payments position has been improved to the extent of \$19.3 million as the result of replacement of imports by the firms assisted of \$5.2 million, and additional exports of \$14.1 million.

I have given to the House three success stories of the agency of which we talked a few minutes ago, and I have many others. Many others have benefited from the Ontario development agency programme. Municipalities have added additional assessment. Local tradesmen and company suppliers have benefited from purchase of the companies and the payroll of the workers. Additional benefits have accrued through education and welfare, unemployment and similar causes. In some instances, new business has been attracted as a result of the establishment of plants under the guarantee loan programme, and I think I have pointed out that in Carleton Place Leigh Instruments attracted three other companies because they were put in business by the agency.

Under the guaranteed loan programme, the province did not have to go to the market to raise additional funds and pay interest thereon. Instead, we used the credit of the province. The hon. members may be interested to know that most of the repayments are being made on schedule. Repayments fall due at different times for each company. Some companies have a two-year moratorium before they start to pay back, some have a year. To date, four guarantees have already been completely discharged right on schedule, and several others will be discharged in the near future. Losses to date have amounted to about \$487,000. In what more economical manner could the province have obtained the successful plants which are now operating? And 5,900 job opportunities at an average cost of \$90 each?

I think the raising of \$16.2 million in additional financing, and improving the balance of payments position of \$19.3 million, as well as the other benefits to Ontario, have accrued for this \$487,000. I think the money was well spent, although I do not like to see losses any more than anybody else. But again I would like to suggest, and I think you

would agree with me, that the figures indicate that it cost \$10,000 to train a man for service industry and \$20,000 for manufacturing, so if we say it costs \$10,000 to provide a job, you take the 5,900 and multiply it by that, I think you can see that \$487,000. I am not alibing for the loss, I am just suggesting that I think the money—the way we have handled it—has been well spent, despite the losses, and again I say I think the losses have been reduced to a minimum in the last year.

Mr. MacDonald: I can understand how the hon. Minister sells refrigerators to Eskimos, when he can make a failure sound as attractive as that. He is obviously something of a salesman.

However, may I get some clarification as to procedures for my own satisfaction? If you have had a bankruptcy, does the government then in effect take over the payments, or does it wipe the whole thing off and pay the bank, or the lending institution or whatever traditional institution had made the money available?

Hon. Mr. Randall: What happens is that the bank, in many instances, will take a first floating charge on the assets of the company, whatever they are. The man may put up life insurance, or his furniture, anything he has in the way of an asset. If he goes bankrupt, the bank will then in a regular business way, as though we were not behind it, go ahead and exercise its opinion to take the assets. If the amount collected on the assets is not sufficient to meet the amount guaranteed, we make up the difference.

Mr. MacDonald: And is this \$487 million?

Hon. Mr. Randall: \$487,000!

Mr. MacDonald: Thousand, rather.

Hon. Mr. Randall: Get away from that million, you scare me.

Mr. MacDonald: In other words, the amount of loans involved, may have been much larger. This is the deficiency that you had to make up?

Hon. Mr. Randall: That is right.

Mr. MacDonald: Mr. Chairman, there is something in the nature of an exploratory question I would like to ask the hon. Minister and perhaps it falls into the category of the different ways that comparable agencies operate in other provinces. I was rather interested, and I am certain that a lot of people were, when earlier this year, it was announced by Clairtone that they were going

to move some of their establishment to Nova Scotia. The *Globe and Mail* on January 26 quotes Peter Monk, president of Clairtone Sound Corporation, as saying that the biggest factor in Clairtone's decision to build a \$3.5 million plant in Nova Scotia, was the \$7,945,000 it obtained through the Nova Scotia government.

I wonder if the hon. Minister would care to comment on that, because I know in business circles, and in many other circles, there were big question marks as to what, if anything, justifiably and legitimately, should be done in Ontario, when an industry like Clairtone would be attracted away, although I understand they contend they are not really closing up here, they are opening up elsewhere in an expansion. But I have heard it whispered that this may be only stage one. In stage two, even the existing plant here might be moving.

But quite apart from that speculation, what is the hon. Minister's comment on the relative position of the kind of assistance that is given by the government of Nova Scotia? We cannot suggest anything invidious about it—they are both Tory governments, there and here.

Hon. Mr. Randall: Let me be quite frank with you. This government is not going to go into competition with some of—let us say—our sister provinces who badly need industry. I say most of them could have a nickel mine if they would put the mine there first. It is going to cost money to put industry in these areas. The people who are attracted are people who probably need financial assistance now, even though they are in Ontario, but perhaps to raise the kind of money they want, their borrowing power has reached its maximum. Now, if somebody comes along from another province and says, well I will give you the kind of money you require and supply the kind of plant you require at an interest rate they can live with for the next 15 or 20 years, I would be reluctant to criticize any entrepreneur who would not take advantage of that opportunity.

I might suggest to you that this is not entirely exclusive to the Maritime provinces, this is going on in the far west. If any province can afford to have a 'give-away' programme, I am sure we could, but we would certainly be accused of trying to prevent industry from going into areas where it is badly needed.

The Clairtone situation is one I know something about. Peter Monk served on one of our committees here at the economic council for one or two meetings, and then got too busy and he could not continue to serve. So

he knew the agency was available if he needed funds from us. But from the amount of funds which were loaned to him by Nova Scotia, I think something like \$8.5 million over a long term at a very good rate of interest, one he could live with—I think he was very wise to accept it, despite the fact we did not want to see the company leave Ontario. I think if you had been in our position, you would have been reluctant to make the same deal.

The Maritime provinces, as you know, have had a number of meetings amongst themselves because they realize they are being outbid by each other. This company in particular was negotiated for by New Brunswick, and they were very upset when they lost it and it went to Nova Scotia. Since this has happened, as you know, there has been a meeting of the minds down there. They say they are not going to go out and outbid each other, and discount each other right out of business in order to attract industry. This was bound to happen and I think it is a good thing that it did happen. That is the answer to Clairtone, the man got a good deal and he took it. If I were in his shoes and needed that kind of assistance I would have done exactly the same thing.

Mr. MacDonald: My question was an exploratory one.

Hon. Mr. Randall: Are you happy with the answer?

Mr. Sargent: The hon. members of the House will recall last year that under this vote the Fairfield plant was a "cause célèbre," as it were. Seeing that frankness is the order of the day, in the words of the hon. Minister, I want to be very frank in that the concept of this loan to the Fairfield plant in Owen Sound was, to all of us, a fine one and we are very happy with it. In all fairness to the working staff of the ODA, they did an excellent job in trying to make an almost lost cause a going concern, along with those of us who had our own capital in the matter. I have no quarrel with anything, insofar as I am sorry the thing did not go; but the motivation at that point in discussing this department with the House, was that I knew \$85,000 had been expended by this department because there was an election in prospect at that time.

I think most members will appreciate the fact that we are in this business serving people, trying to do a job; but once we start to mislead people, then we are out of business. The hon. Minister who inherited this department and the situation at Fairfield,

tried to get the government off the hook, as it were, in his reply to me. I was a new member at that time, I was inept in presenting my facts, as I probably am now, and aware of my many shortcomings. But I was sincere in what I was trying to tell the House on behalf of my party. In light of the facts as they have developed now in the past year—I have had an opportunity to review the company books and everything I have said is true—I am going to ask the hon. Minister, after I have revealed my information, to withdraw his inference that I had misled the House, that I was trying to make political capital out of these statements.

This is a very serious thing, sir, for a Minister to accuse a member of misleading the House. The hon. Minister says on page 375 of *Hansard*, in a long discourse trying to justify the government's position:

I regret that the member for Grey North, in his maiden speech, attempted to make political capital out of a genuine effort—

That I will go for, it was a genuine effort:

—of this government to assist the employment situation in Owen Sound. In so doing, he has brought no credit either on himself, the Liberal Party, the citizens of Owen Sound or the constituents that he represents.

Furthermore, by his actions, he might well have dealt a blow to further friendly co-operation between local municipalities and the Ontario development agency.

My concern at the time was that two months before the election this money, \$80,000, had been poured into the company on loan signed by the ODA. The directors of our company met—the minutes show this, they are in a safe in Owen Sound—on July 22, 1962. They reviewed the situation, it was a hopeless situation and the plant had to close down.

But as you all realize there was an election underway at that time. The sitting member was a Tory in Owen Sound. The government refused, the ODA refused, to close the plant down and said: Keep her going. In the interim the Cabinet met, or the ODA met, and \$80,000 more was approved to go into the pot in Owen Sound.

However, only \$45,000 appeared at the bank.

On September 27, a telephone call came from Mr. Mitchell ordering the plant to close down for one week—that was two days after the election. Seeing that the election had been won by a Liberal on a very small majority of 10 votes, but it looked like the

election might stand, the order came to close down the plant. The point at issue is that it was not until October 18 that this department had sent a notice to the bank advising them of this, but in the interim, on October 4, all the employees had been discharged, they had received their vacation-with-pay stamps and there was a skeleton staff of two or three people there working.

The hon. Minister goes on further to complicate the House, I do not suggest that he would do it purposely, but he says, in effect:

I would suggest that the member for Grey North should have been aware of the fact that the plant was not closed down the day following the election and that it was still operating last week.

This date he talks about is January 30. At that point the bank was operating under section 88 to get the balance of the stock out, they had a skeleton staff of two or three people there.

Our investigation of records shows now that everything I said was absolutely true and that the company wanted to close the plant down two months prior to the election and the ODA would not let them, they said: Keep it going. The facts are true as I stated them and I would suggest to the hon. Minister at this point in all fairness—he is a fair man, and I know most of the hon. members in this House are fair when a man's reputation

is on the line, by his statement that I would mislead the House—I would suggest, Mr. Minister, that you have a full investigation of what I have said today, a full inquiry, and at that time I will expect an apology from you to me.

Hon. Mr. Randall: Mr. Chairman, I would just suggest to the hon. member that the finance advisory committee and the civil servants certainly do not enter into politics when it comes to granting loans. Second, if all the facts as outlined in my statement are in *Hansard*, I do not have them with me, what was said then is as true then as it is today. I will be very glad to review the new information the hon. member has discussed today. If there is any need for an apology, I would be the first to make it, but I would like to see the information.

Mr. Sargent: May I interrupt, please? You say *Hansard* is as true now as it was then?

Hon. Mr. Randall: That is right!

Mr. Sargent: The point I am making is, it is not true. I suggest you have a full inquiry as to who was telling the truth.

Hon. Mr. Randall: I suggest that we will take a look at it again.

It being 6 o'clock, p.m., the House took recess.

No. 81



Legislature of Ontario

Debates

OFFICIAL REPORT—DAILY EDITION

Third Session of the Twenty-Seventh Legislature

Thursday, April 29, 1965

Evening Session

Speaker: Honourable Donald H. Morrow
Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, APRIL 29, 1965

The House resumed at 8 o'clock, p.m.

ESTIMATES, DEPARTMENT OF ECONOMICS AND DEVELOPMENT

(continued)

On vote 404:

Mr. R. A. H. Taylor (Timiskaming): Mr. Chairman, in connection with the lending of money on these ODA loans, do the loans provide funds for the purchase of fixed assets equipment or are they sometimes loans for working capital as well?

Hon. S. J. Randall (Minister of Economics and Development): They are only made for working capital at the present time. We have found that is the major problem with the companies that are having difficulties, so these are really working-capital loans. I might say again that in checking with other agencies across the country, this is unusual. Most of them lend against buildings and machinery.

Mr. Taylor: May I ask what type of security is normally taken, or are loans ever made without security and how has that worked out insofar as losses are concerned?

Hon. Mr. Randall: As the hon. member knows, when the loan is made it is made through the local bank that the man deals with. The bank will take whatever security he has to offer, depending of course on whether our guarantee says we will make the loan without any security, in which case the bank will give him the money and we take the risk. But in most instances the bank will take a first floating charge on anything that can be turned into assets if something goes wrong with the business. In the majority of cases, the borrower has some assets and this is the way it is handled.

Mr. Taylor: From the hon. Minister's experience, what is likely to be the length of term of the loan, and what basis of repayment is normally tried for?

Hon. Mr. Randall: As I said, they vary. I think I mentioned this afternoon that sometimes a loan will be made and the man will not start payments for two years because he

is starting up a new programme. The loans run up to five years, but there are varying periods. I do not think we have had any that have gone over the five-year period.

Mr. Taylor: In connection with the advisory services, do these necessarily go with each loan and is there a charge for this service? Of the seven firms that failed, did they have advisory services in their failures?

Hon. Mr. Randall: There is no charge for the advisory services. That is our insurance that the loan is carefully watched. I wish I could say to you that the advisory services had been available from the first loss we suffered, but they were not. The advisory services were made available, I would say, nine or ten months after the agency went into business. The agency has proved that with the advisory services and the assistance we have been able to give, even some of these companies which failed were kept alive a lot longer than they probably would have under normal circumstances. But I would say now that any time we make a loan, we make sure that if the advisory services are required—and in many cases they are—they are available.

Mr. Taylor: Were the advisory services provided on those seven failures?

Hon. Mr. Randall: Not in all cases. With the original ones which went into difficulty, there would be no advisory service available. That was one of the weaknesses that we took care of. But I would say that with perhaps three out of the seven the advisory services were available. Despite advisory services, the managements had some responsibilities and if they did not do as they were advised—as in some cases they did not—they get into difficulties and we got into difficulties.

Mr. Taylor: Since the total amount of loans guaranteed by ODA since its inception is only \$4.7 million, does the hon. Minister feel that ODA has failed to achieve its objective or was the original \$100 million estimate out of line?

Hon. Mr. Randall: I do not get the question on the \$100 million; I presume the hon.

member is talking about the original thinking of setting up a development corporation?

Mr. Taylor: Yes.

Hon. Mr. Randall: Well, I think that—

Mr. V. M. Singer (Downsview): No, he did not say that, he just wanted to know whether the hon. Minister's predecessor was alert.

Hon. Mr. Randall: Maybe he was. I think the \$100 million figure or the \$50 million figure was something that was not definite—it was talked about. I do not think there was any definite figure established. I do not think that kind of money was required.

Answering the hon. member's second question, I would say yes, it has been very satisfactory. One of the reasons I say it is satisfactory is that in the first year when it was set up money was tight, it was very difficult to get, and we had most of the applications. Last year, as I mentioned, only nine guarantees were given and yet there were 1,500 of what we call interviews-in-depth with people whom we have helped, and about 1,400 people who merely made a telephone call or only came in once, and we do not call this an interview-in-depth.

I would say yes, it is satisfactory, but again, as I said this afternoon, we are looking at the needs of small industry, at what we call service industries today, and as the hon. member's colleague brought up, the primary industries. I think we have to take a look at where the jobs are going to be in the future and see where ODA can be of any further assistance.

Mr. Taylor: It was my understanding that the \$100 million figure was written into the original Act. As I recall, the former Minister suggested that the initial outlay would be up to \$100 million and if more was required another \$100 million would be provided.

Hon. Mr. Randall: It is not in the Act, and as to what the Minister said, I do not have that information.

Mr. Singer: Oh, come on!

Hon. Mr. Randall: Come, come, my hon. friend! I heard the \$100 million figure mentioned—it certainly was not put into the Act and there is nowhere in the Act that would show it. I do not think that the \$100 million fund was really something that anybody anticipated would be established for a development fund, because as we found out and some of the other provinces found out, you can do a lot with \$10 million, \$15 million or \$20 million.

Mr. Singer: Is the hon. Minister repudiating it?

Hon. Mr. Randall: I am not repudiating it. The hon. member asked a question—

Mr. Singer: Either the hon. Minister is for him or against him.

Hon. Mr. Randall: What does the hon. member mean, for him or against him?

Mr. Singer: Well, is he right or is he wrong?

Hon. Mr. Randall: I do not know whether he is right or wrong. We did not write it into the Act so perhaps—

Mr. Singer: The hon. Minister is repudiating it.

Hon. Mr. Randall: All right, let the hon. member have his way.

Mr. Taylor: Mr. Chairman, could I ask the hon. Minister whether he feels that the limitations requiring that applicants be turned down by all other lending institutions before becoming eligible for a loan, is too restrictive on this department's activities? I am thinking of the fact that the length of time required to be turned down by all the other agencies may well prevent a coming industry from getting established. These things can run anywhere from a month up to a year and a half by the time they reach the point where they have been definitely turned down, and under the circumstances the hon. Minister is more or less the court of last resort. Does he not think that the betterment of industrial development within the province might be effected by having a little more leeway in that particular restriction?

Hon. Mr. Randall: I would like all the flexibility that we can get, but what we find is that most of the people who come to us have already gone through the time the hon. member referred to and have tried the other institutions. As a rule they come to us perhaps as a court of last resort. What we require, as I said this afternoon, is a balance sheet. If a man brings in a certified balance sheet he can get an answer within a week or so, or perhaps less than that, but I think the time lag that the hon. member is talking about—he does not come to us and we say that we cannot give him a loan and to go and talk to three or four other people—he has usually gone as far as he can go and canvasses his creditors before he comes to us.

Mr. D. A. Paterson (Essex South): Mr. Chairman, the hon. Minister seemed interested

in the remarks I made during the estimates of The Department of Tourism and Information with regard to the development fund and service industries, and I wonder if he or his department has given any further consideration toward making available the assistance of the Ontario development agency in this particular field.

Hon. Mr. Randall: As the hon. member recalls from the comments made the other day, we have been holding meetings with the tourist industry. We have made one loan—a very satisfactory one—to a tourist operator in Ontario. It is working out very well, and I have reason to believe from talking to the hon. Minister of Tourism and Information (Mr. Auld) that we will pursue this again this year and probably in more detail. We have some further meetings planned, and one of the things we found out, as I discussed with the hon. member personally some time ago, is that in the tourist business most of them are small operators and their accounting systems are very inadequate. Our first approach with the tourist industry—and these things are going to happen from here on in—is to endeavour to assist them in setting up an accounting system so that they will know whether they are making or losing money, or what their chances are of making a success of the business they have chosen to stay in.

I would think that as we expand the operation, and we hope to, that tourism will be given every consideration.

Mr. Paterson: Fine; it would be appreciated.

Mr. Singer: Mr. Chairman, I wonder if the hon. Minister has had a chance to refer to the remarks of his predecessor, Mr. Macaulay, at page 2543 of *Hansard* of April 18, 1963, and if he supports all of the programme that I see here, the four point programme and later on, several other points. He talks about dollars and so on. Surely the hon. Minister must have some views on what Mr. Macaulay said, and I think we are entitled to hear them.

Hon. Mr. Randall: May I ask you to repeat that question, I did not catch it?

Mr. Singer: It is very simple. The hon. Minister's predecessor was the bright, shining light of this government. He was called in—

Hon. J. P. Robarts (Prime Minister): You had predecessors. Are you standing by what they said?

Mr. Singer: No, but I am glad the hon. Prime Minister has joined in because I think his present Minister should either endorse

or condemn the programme of his predecessor. He is the responsible Minister. He stands in his place tonight, talking on behalf of government, and he should say that he agrees with what Mr. Macaulay said.

Mr. A. H. Cowling (High Park): Why?

Mr. Singer: If he does not, in answer to my hon. friend from High Park, if he does not agree, then he should say that Mr. Macaulay was wrong.

Mr. Cowling: Why?

Mr. Singer: Why? Because—

Mr. Cowling: That was a year or two ago.

Mr. Singer: Oh, that is a year ago! Well, here is a government that cannot be consistent even from year to year. It is as simple as that. Either we had a programme that meant something in 1963, or the spokesman of government at that time meant absolutely nothing. Here was the usual noise, adding up to great confusion. Here is the hon. Minister, who has worked very hard, coming to us and telling us he is a great man. He has done all these things. He has got everything on an even keel; he is promoting greater good for Ontario. Does he agree with his predecessor or not, because the things he said about the Ontario development association do not jibe at all with what his colleague said on these pages. I want him to answer.

Hon. C. S. MacNaughton (Minister of Highways): Now, 007, that is quite enough!

Mr. Singer: Are you going to answer?

Hon. Mr. Randall: I would just like to suggest this to you, that what Mr. Macaulay said about setting up the agency is one way. When I talked to Mr. Macaulay about another way to set it up, we looked over other means of setting up the agency and how we could accomplish the same means. We came up with the Act as it is written today. Perhaps I was able to persuade Mr. Macaulay that this was a better way than his. Maybe right now, or a year from now, we should have the \$100 million. I think there is lots of time to review the programme. If we need that kind of money, I am sure that we will take a look at it in the future.

Mr. Singer: No, Mr. Chairman, I just cannot accept that. Right here on page 2548, this is what it says—

Mr. W. D. McKeough (Kent West): What year?

Mr. Singer: It says:

The 13th plank in our programme was the establishment of the Ontario development agency.

Mr. McKeough: What year?

Mr. K. Bryden (Woodbine): Just before the election.

Mr. Singer: Just before you arrived. It is unfortunate that you arrived, but it was just before you arrived, my hon. friend from Kent West. I would suspect that as my hon. friend from Kent West stood up on the platform in Chatham and the neighbouring voting subdivision, he quoted from this sort of thing, but I have not heard him stand up to say that the 13th point in Mr. Macaulay's speech on April 18, 1963, is something that he stands for four-square. No, I have not heard him say that at all, and I would think he would say that tonight.

But let me read to you the 13th point in Mr. Macaulay's platform.

Mr. A. E. Thompson (Leader of the Opposition): We may go to the 22nd point, if you are interested.

Mr. Singer: In any event, Mr. Chairman, the 13th plank in the programme, as Mr. Macaulay said, was the establishment of the Ontario development agency.

As hon. members are aware, legislation creating the agency has already received Royal assent and the first loans have been made. I am sure the hon. members will wish to discuss this in more detail and so I will delay any further comment until we come to vote 406.

And then he embarks upon a many-pointed programme concerning the Ontario development agency. The essence of it is, for my friend the hon. Prime Minister, that Mr. Macaulay suggested to this House and suggested to the people of Ontario, that he was prepared to recommend to his Cabinet colleagues and they were prepared to agree with him, that Ontario put in \$100 million of public money to provide this kind of development.

Mr. Bryden: The hon. Prime Minister was here.

Mr. Singer: The hon. Prime Minister was here and knows and approves, and had he been here the other afternoon he would have heard his friend the hon. Minister of Economics says, "We do not do anything without

the approval of the Prime Minister"—and I am sure that is true. The hon. Prime Minister must have approved of Mr. Macaulay's programme of \$100 million. What do we have? \$4.7 million of a \$100 million programme.

Hon. Mr. Robarts: May I suggest to my hon. friend that in the remarks he has quoted, Mr. Macaulay did not say that he had any Cabinet approval of this proposition.

Mr. Singer: Mr. Chairman, I would imagine, and I would think, that the people of Ontario are entitled to assume that when a Cabinet Minister, particularly as important a Cabinet Minister as Mr. Macaulay was in that Cabinet, stands up and says, "I am prepared to spend \$100 million of Ontario's money," that he does it with the approval—

Hon. Mr. Robarts: Is that what he said?

Mr. Singer: —he does it with the approval of his leader. I can suspect that there are some of your followers, sir, who might make that sort of statement as a suggestion and you might not approve—

Mr. McKeough: Are you prepared to endorse everything the hon. member for Grey North says?

Mr. Singer: —but I just cannot imagine that Mr. Macaulay in that day would have made that statement without your knowledge and approval.

Tonight, we have a different Minister, who pretends that he has not even read what Mr. Macaulay said, and I say that if that change can take place so quickly, there is no strength, there is no substance, there is no reality—all we have is a super-salesman who is capable, as my hon. colleagues or hon. members of the House have said earlier, of selling refrigerators to Eskimos, who is getting up and selling without any substance, without any meaning and without any real conviction.

Hon. Mr. MacNaughton: That is an irresponsible statement.

Mr. Singer: And I say that we, in this House, and the people of Ontario are entitled to a programme. What do you mean by ODA? What are you going to do with it? In our opinion, you are doing absolutely nothing.

Mr. Bryden: Mr. Chairman, I think perhaps that Mr. Macaulay's announcement of the loan guarantee plan, back in 1963, was somewhat in the category of Mr. Gordon's

Budget. It was a pre-election announcement. We had many great, bold announcements at that time. We find that very few of them have amounted to very much.

There is no question in the world that the \$100 million was the figure that was spread around all over the place. It was certainly mentioned quite firmly in this House by a responsible Minister of the Crown and caught, as it was no doubt intended to catch, headlines all across the province, trying to give the impression that the government was willing to stand behind this amount of loan. Now we find that it is not a \$100 million programme, but a \$4.7 million programme. I am not saying that a \$4.7 million programme may not have certain useful purposes, but it is quite a different thing from the original announcement.

Unfortunately this is just the way it is with almost everything from the government. Mr. Macaulay was a great man for points. We can all remember his 12-point housing programme. Same thing—nothing, or practically nothing, produced. However, housing can come up later, Mr. Chairman; I will not mention it any further now. But this is the sort of public relations type of job the government does, instead of an actual solid job on development or whatever else the topic may be.

Hon. Mr. Randall: Mr. Chairman, just to correct the record, it certainly indicates the government has flexibility. We can change our minds.

Mr. Singer: Flexibility?

Mr. D. C. MacDonald (York South): You just wiped out all the policies for the last ten years and got a clean sheet.

Hon. Mr. Randall: While we talk about \$4.7 million there is also another \$11.5 million raised through the services we were able to give the applicants without the taxpayer putting up a dime. I think it has been a remarkable job of getting these loans out with so little invested on the part of the province. I would like to see what we could do if we had the kind of money you are talking about. I am not too sure we can use all that money for that kind of purpose, unless the programme was broadened to take in many people today who can go to IDB. We do not want to go into competition with IDB in Ottawa. We do not want to go into competition with the banks. I think that we want to stay away from interfering with private enterprise. If they will lend the money, that is what they are there for.

Mr. Singer: Are you repudiating your predecessor?

Hon. Mr. Randall: We are only going to take care of the people who cannot get money from private enterprise. This is what we are set up to do and I think we have done a pretty good job of it.

Mr. Singer: Mr. Chairman, I have a few more exact quotes. At page 2549, the Minister of the day said:

I have spoken in New York, Chicago, and yesterday in Los Angeles—

and in this expansive way the present Minister has spoken in Tokyo and Timbuktu and done equally well:

—I have proposed that Canada must be permitted to sell more goods to the United States; that there are extensive opportunities for U.S. investment and enterprise in this province; that U.S.-owned subsidiaries in Ontario should be allowed to pursue actively, and in competition with the U.S. head office, export orders; and that U.S. subsidiaries in Ontario should be encouraged to buy Canadian component parts, particularly when the component parts can be obtained as cheaply or more cheaply in Canada than in the United States.

These were wonderful statements and they were made with all the authority of government behind them, with all the money that was available to buy publicity for them. There was not a man who had made available to him more PR men, more publicity releases, than the hon. Minister's predecessor. I am surprised and I am shocked that the hon. Minister can stand here tonight and pretend to plead innocence of all these statements.

Mr. G. H. Peck (Scarborough Centre): What are you trying to prove?

Mr. Singer: I am trying to prove just this for my hon. friend: At page 2555, in one of his again multi-point programmes he said:

And we are going to improve the province of Ontario—

No. 2 in that programme—I have forgotten which one that must have been; it must have been 26(z):

—by expanding aggressively and quickly the \$100 million Ontario development agency to help finance Ontario industries. The Ontario development agency will also play a major role in providing financial and other advice to small Ontario industries.

Mr. Chairman, the point is very simple. Either the government has changed its policy

or else the policy still continues. I ask the hon. Minister the very simple, the very pointed question: Is he repudiating tonight the statements of his predecessor made in 1963, with all of the fanfare and with all of the publicity that the government and the hon. Prime Minister permitted to be attached to them at that time? Has he drawn his horns in; has the government drawn its horns in? I think we are entitled to know, and I think we are entitled to know in more specific language, in particular language, what your programme is. The broad general banalities—and that is all they are—the pleasantries are not enough. Surely the hon. Minister has the courage to stand up and tell us what his policy is. Does he believe Macaulay or is he repudiating Macaulay?

Hon. Mr. Randall: I have suggested that we have accomplished exactly what we intended to accomplish without the \$100 million. As far as I am concerned, when the Ontario development agency needs expanding I will go back to the Cabinet and ask for the kind of money that is required to expand it.

Vote 404 agreed to.

On vote 405:

Mr. Thompson: I congratulated the hon. Minister this afternoon when he had explained to us about regional development—and I said it was really the most refreshing sight that we have had in the Cabinet benches in a long, long, dreary time. He said:

Quite frankly, I do not move on a programme until I have facts. I have not the facts yet or a pattern of how I am going to do it, so I have not a programme.

I think, really, that this has been most helpful, this discussion with my hon. colleague, and it is something that not only we in the Opposition have a right to ask but indeed the people of Ontario have a right. We had this enormous fanfare in connection with all kinds of economic development, of which this programme that Mr. Macaulay had emphasized was only a part, and now we find that this hon. Minister has really graded this down a great deal.

One of the things that the hon. Minister did on housing was show a sense of purpose again. He had shown drive and vitality, and when he stood before us during last year's estimates it seemed to me that he was honest about it and we congratulated him. He said, if I can paraphrase his remarks, "I have taken over; we are going to get going on the housing situation; I am going to be working

on an Ontario housing corporation, and this is going to be an answer—"

Mr. McKeough: You said all this this afternoon.

Mr. Singer: Well, you are going to listen again and you are going to be polite for a change.

Mr. Thompson: I might say with reference to my hon. friend, I hope he does listen because we have not talked about housing this afternoon.

Mr. McKeough: He said all this this afternoon.

Mr. Thompson: In connection with the Ontario housing corporation, we have not come to it until now and I suggest to the hon. member for Kent West that he listen because it seems to me he has to listen harder than a number of other people.

Interjections by hon. members.

Mr. Thompson: And when the hon. Minister right here stood up on August 19, 1964, he had shown a sentiment—

Mr. Chairman: This is Ontario House; it is vote 405 we are on.

Mr. Thompson: Do you want me to wait? Do you want me to continue on housing now?

Interjections by hon. members.

Mr. B. Newman (Windsor-Walkerville): Yes, Mr. Chairman, it is too bad, my hon. leader was making such a substantial contribution to the House.

Mr. McKeough: Same as he did this afternoon.

Mr. Newman: All you hon. gentlemen have to admit deep down in your own hearts you know it is true.

Interjections by hon. members.

Mr. Newman: Mr. Chairman, the Ontario House apparently does have salesmen, so to speak, operating out of the premises in London. How often are these commercial men brought back to Ontario to be re-oriented with the new developments here so that they can go right back on the continent and sell?

Hon. Mr. Randall: As a rule they are brought back once a year and at the very outside every second year. Most of them have been back within the last few months.

Mr. Newman: Mr. Chairman, do these same individuals make trips to the continent, or are the representatives on the continent responsible for continental Europe?

Hon. Mr. Randall: Well, they do both. If the man in the Milan office or in Dusseldorf requires the assistance of the director of marketing, say, of food stuffs for the agriculture department, and he believes he needs that assistance, he will go to Dusseldorf or Milan and work with our representative of that area. The same goes for Mr. Thompson, who is in charge of exports for manufactured goods.

Mr. Newman: If I may, Mr. Chairman: Are specialists in certain fields occasionally brought in from Ontario to do special selling jobs rather than have the personnel of Ontario House do the selling?

Hon. Mr. Randall: No, as a rule these men are quite qualified to do the job, as they are trained here first before they go. I would say they are the veterans in the trade ministry department who are over there now. When trade missions go over they also go out with the trade missions to lend assistance and as a rule the trade mission is accompanied by one of the men from this office who is in charge of it while it travels in its various locations. If the services of the man located in London, for instance, is required, he will go along with them too and help set up contacts.

Mr. Newman: Mr. Chairman, if I may: How many employees are there involved in just the London office?

Hon. Mr. Randall: There are a total of 44, including the Glasgow office which was opened last fall for emigration.

Mr. Newman: Was it 34, Mr. Minister?

Hon. Mr. Randall: Forty-four!

Mr. Newman: Forty-four! Have their salaries gone up in the past year?

Hon. Mr. Randall: Yes, there has been an increase, the same as for the civil service.

Mr. Newman: Then the hon. Minister does not look upon Ontario House with the same favour this year as he did the previous year, because I noted the salaries have gone up yet the total amount allocated for salaries is substantially lower, practically ten per cent lower this year than it was last year.

This year there has been allocated

\$198,000 for salaries, last year there was allocated \$217,000. There has been a substantial increase given, yet the hon. Minister is using approximately ten per cent less in funds. Are they that more efficient?

Hon. Mr. Randall: As the hon. member knows, the salary increments for people overseas are somewhat different to the civil service here. They have allowances along with the salaries for foreign service. We follow pretty well the same procedure in salary adjustments as the federal people do in their foreign offices. So the amounts could vary. It does not necessarily follow that every year they are going to be exactly the same.

Mr. Newman: Still I would like to know if the personnel has increased. Because salaries have decreased, your personnel must have decreased likewise. You must not be looking on Ontario House with the same favour this year as you did last year.

Hon. Mr. Randall: Perhaps we misunderstand each other. In 1964-65, the salaries were \$151,900 and this year, 1965-66, they are \$198,000—a \$46,100 increase. Is that what you are referring to or were you looking at some other figures?

Mr. Newman: You are right, Mr. Minister. May I then ask the hon. Minister, how these men are trained? Are they professionals when they first apply for the job or are they given training on the job?

Hon. Mr. Randall: What happens is that we try to take people from inside and promote them from here. To give an example, we are at present bringing back our man who runs the New York office and he is being replaced by a man who has been working in the trade and industry branch for the last two and a half years. We feel that he is sufficiently knowledgeable about the province of Ontario, its geography and its manufacturing that he can be a very worthy civil servant in the city of New York. The man coming back is coming back now with what we call foreign experience. He will be a key man here helping to train others, and eventually, perhaps, he will move on to Ontario House in London or somewhere else.

Mr. Newman: Are all of your employees former residents of Ontario, or are they from the countries in which they live?

Hon. Mr. Randall: No, I would say they have all originated from Ontario. Some have lived in Europe for some time. The man in Germany was over there for four or five

years, back here for two years and back in Germany for another three years.

Mr. Newman: May I then ask the hon. Minister how the officers in Ontario House differ from those in the offices in Germany, Italy or the United States?

Hon. Mr. Randall: They do not differ particularly, except that this is really the head office for Ontario where we do most of the contacting and most of the work through immigration, and through the agriculture department and through trade and export promotions. That is where the Agent General resides, and the people who are in Dusseldorf, and in Milan are particularly picked for the knowledge they have of that country.

For instance, the gentleman we have in Milan is of Italian extraction and knows his way around, talks the language and he fits into that picture more so perhaps than if we transferred a man from here who did not talk the language. He would be lost. I might say to you that when I was there last year, the representative from Quebec was using his services to get established because he did not speak the language. This is one of the major reasons why we like to make sure that the men in the other areas fit into the environment of the country and get along with the language, with the people and understand what is required in that particular office.

Mr. Newman: The individuals operating out of these offices, are their duties solely the sale of Ontario products, or are some of their duties searching out for skilled help for Ontario industry?

Hon. Mr. Randall: No, the gentlemen, we are talking about—and I refer again to the man in charge of the agricultural pursuits and manufacturing—they are interested not only in exporting, helping exports out of Canada, they are interested in getting branch plants over here, they are interested in getting licence agreements for Canadian manufacturers. They follow pretty well the same pattern out of those offices that we follow right out of this one. When it comes to going to foreign markets, we are looking for three things: We are looking for export possibilities, we are looking for licence agreements, we are looking for those who would like to come here and invest in the province of Ontario. Their jobs are pretty well similar to what we do here ourselves.

Mr. Newman: The hon. Minister when he was in my own community, Windsor-Walkerville, mentioned the fact that there was a

shortage of 17,500 skilled individuals, and he mentioned that it would be necessary to bring some of these people from Europe. Would that be the duty of the various offices operated by this department in England and on the continent, to search out this skilled help and direct it to Canada, or would that be under the jurisdiction of the federal authorities?

Hon. Mr. Randall: Let me perhaps tell you how we handle it. We have an immigration office in London that is the main immigration branch, and the immigration director there, working with the federal immigration people out of Canada House in London, and the other federal offices throughout Europe, surveyed the market by visiting these Canada offices. When he would go to Italy, of course, our man in the Milan office would go with him so that he could do any follow-up work. The same would take place in Germany. And one of the reasons for our men being associated with immigration, or giving a hand, is because in many of those countries in Europe you cannot advertise for people to come to Canada. It is forbidden by their government, it has to be almost word of mouth. So when our immigration director visited the capitals of Europe and the federal offices over there, if our man was available who covers that area, he would go with him.

For instance, the man in Milan even covers the Middle East. The man in Dusseldorf is not just in Germany, he has all the inner-six market of Europe, so he is doing a travelling job in various countries. Naturally, if we are interested in immigration, it is part of his job to walk in and talk to the Canadian federal officials and see if we are getting anywhere with our immigration requests, or what else can be done. He then feeds this information back to our London director and in turn it comes back here.

Mr. Newman: Mr. Minister that is very nice. Have you ever instructed any of your officers in any of the countries involved to look for farm labour?

Hon. Mr. Randall: No, I cannot say that we have, Mr. Chairman, although I have discussed this with my colleague the hon. Minister of Agriculture (Mr. Stewart). I know that he has talked to his agricultural representative in London House. I do not know how successful we would be. As you know, we do have a good many Dutch farmers in this country, particularly up in the Simcoe area and the Brantford area. But if farmers come in or somebody in the agricultural field over there wants to migrate to Canada, we would

welcome the opportunity of giving him the information and making sure, if he got here, there was full information available as to where to settle and the best place to make a living.

Mr. Newman: You do not specifically attempt to sell the fact that there is a shortage of farm labour in certain parts of Ontario, and you would appreciate having individuals migrate to Ontario.

Hon. Mr. Randall: Surely.

Vote 405 agreed to.

On vote 406:

Mr. Taylor: Mr. Chairman, has the department made potential surveys of export markets of various countries? And if so, what countries have been done? What moneys are set aside for that? Regarding a survey of the export market potential so far as we are concerned, have any studies been made along those lines?

Hon. Mr. Randall: Aside from the economic research group without our own branch, there are no special studies being made. I might suggest to you that there is quite a bit of information available to us from trade and industry in Ottawa, which we are aware of. I think the studies are of interest, but I think when we get into the markets ourselves—we have, as you know, been very active—then we will be in a pretty good position to assess whether we can do business there or whether we cannot.

One of the things that I personally found, and I am sure others have found the same thing, is that you are often told the product will not sell there and there is no use going. This is not true, and it is one of the reasons why when we have our sales missions and we hand pick people, we only do it after we have talked to the federal trade officials in that area about what kind of people we should bring along to do business.

There are, as you suggest or have requested information on, surveys available. The Department of Trade and Commerce in Ottawa is continually sending letters stating what the opportunities are. We have a new service of our own through which we send out information advising manufacturers where the opportunities are. But our experience has been—and my own personal experience has been—that you are not too sure whether you can sell or not until you have a look at your market. I think you have to go and look at it yourself, and so far we have been successful enough with our missions to realize if you

take somebody's word for it that there is not any business there, that is where you probably get an order. We are using surveys all the time. We have no particular programme of our own to survey markets because we find what we are doing is pretty successful.

Mr. Taylor: Would it not seem logical that if new markets were being investigated, to be selective in those markets, after having made surveys of the types of material those countries import that fits in best with the type of items that we are manufacturing in our province?

It seems to me that that has been the Japanese approach to the North American markets. They have surveyed the items they manufacture and that are likely to provide a lucrative potential market for them. Then they concentrate, not just on one item or on several items, but they make a mass attack at the whole economy of that particular country. It is my understanding that they did that to the United States and Canada, and later to certain Latin American countries, but I think it was all a planned programme rather than a hit-and-miss attack on individual items.

Would it not seem that a broader approach might be applicable in markets such as this?

Hon. Mr. Randall: Yes, I would think the suggestion is well put. As I say, I think we have a pretty good idea of what markets exist. I agree with the hon. member about our Japanese friends; I think that they have done perhaps the best job of market survey of anybody that I have come in contact with.

One of the major problems they have in Canada is that we have an imbalance of trade with Japan because they are buying more from us in the way of raw materials and food stuffs than they are selling to us, and they are somewhat perturbed because of the imbalance of trade. I suggested to them that we are importing many goods from the United States where we have an adverse balance of trade, and if they would come and analyze the U.S. imports that they, the Japanese, produce and produce them just as well with the same quality, and they concentrated on selling those goods in this country, they would not hurt Canadian manufacturers and they would help reduce the imbalance of trade.

Their surveys have been topnotch. I have seen some of the surveys and I know what they are doing and that they have been very successful in many areas.

There are other things, of course, that they have been successful at and one is, of course, to grant long-term credit as a nation, which we are not able to do as a province. I think that internationally it is recognized that a province is limited when it comes to long-term credit, but these countries, Japan, for instance, is a country of monopolies and they make no bones about it. The Japanese tobacco monopoly—or the Japanese machinery monopoly—is not entirely like the Russian system, but they are marketed through government agencies and all the manufacturers work through that agency. If they want to sell sewing machines here, four or five manufacturers can get together, turn their promotion money into the agency and they are well organized to do a job of selling. Here in Canada, we do not operate that way. We operate—

Mr. Taylor: Does the hon. Minister think it would be a good idea if we did?

Hon. Mr. Randall: I think that we could take a lesson or two from them, and I agree with the hon. member because they are pretty tough competition. But this is the difference in their merchandising techniques, and while I think that we have been successful, I think we have had to be successful only in co-operation with the federal authorities because it is a nation-wide job. It is not just a provincial job. We think we are doing a pretty good piece of work in getting as much out of the export market as we are doing at the present time, but I would go along with the hon. member in that I think surveys are essential and undoubtedly we will be making more than we have done to date.

There is a section here that has just been referred to me.

In obtaining information, exports-imports, of the general position of various countries, the industrial research division made detailed studies of more than 20 countries in 1964.

How effective these are remains to be seen. They have just been completed.

Mr. Taylor: With respect to the hon. Minister's offices in Italy and in Germany, I realize that they are relatively new, but have any specific results been achieved by these offices as yet?

Hon. Mr. Randall: Yes, I would say that they have been entirely satisfactory or, I can assure the hon. member, they would not be there. They handle all the sales mis-

sions that go through. We have had a sales mission and a fair in Milan, Italy, recently. We have just finished a big warm air heating show in Stuttgart, Germany. These are the things that they are handling, and as I pointed out some time ago—or at least a few days ago—we are going into more of these international fairs. These offices serve that purpose, plus the fact that they have been able to direct to us a number of foreign investors who want to operate plants in this country, or who would like agreements made, or they want to get products from Ontario to sell through their distribution centres in these various countries. So the offices have performed a very valuable service, and I think on page 30 in this report the hon. member will find an item on the work that those branches are doing.

Mr. Paterson: Mr. Chairman, might I ask a question in the same regard, being quite interested in the textile business which our province seems to have lost. Has the Milan office sought out any textile manufacturers in Italy who would be interested in moving into Ontario? There are a great many million yards of Italian fabrics imported into our country and there may be an opportunity here.

Hon. Mr. Randall: I cannot tell the hon. member offhand whether they have or not. I will certainly try to find out and give him the information. I cannot be specific on that, I am not too sure.

The market is one that we are very much interested in and certainly they do an excellent job of turning out good, high quality textiles.

Mr. Newman: Since the imbalance of trade between Canada and the United States is so great, would the hon. Minister not be better off to concentrate more effort with his offices in the United States, and possibly to establish more offices in the United States?

Hon. Mr. Randall: I think that is a good suggestion, and this year we have 18 missions going and nine of them are going to the United States. We also had two market surveys made as to what our possibilities are in selling in the United States. Again I think I can assure the hon. member that if we go over there we had better make sure that we have the answers, because most Americans in the survey areas that we contacted believe there is not too much difference in Canadian products, that they are pretty well the same, so why should they buy Canadian when American is just as good.

They will buy Italian pointed shoes and anything else that is imported because there is a certain amount of romance to an import. But these surveys indicate there is a market there for Canadian manufacturers, but before they go I think even the manufacturers have to recognize that they have to have good quality, they have to sell the difference, they have to be competitive in price. I might mention that we sell quite a bit of hard maple over there. I think just the word "hard" is one of the reasons why they say it is different.

I had a terrazzo manufacturer in to see me the other day and he brought a problem about importations of terrazzo from Italy. He said that he had started to get into the American market and asked if we had any ideas as to how he could take up the slack. I asked him what there was about Canadian terrazzo that is any different, and he replied that it was the hardest in the world. So I suggested to him to say that it was good hard Canadian terrazzo and to put the emphasis on the "hard." So he has gone back to try it out. I hope he is successful.

These are the things that we have to do in the United States. We have to sell the difference, because people think that if it is Canadian it is the same as American because everything that is produced over here has to be designed in styling and in quality to meet American competition because their people read American magazines, newspapers, and listen to radio and television, and they do not expect to settle for anything less than what they consider the best design and the best quality. It is not as easy as people think to crack the American market, and perhaps while I am on my feet I can give another point that would be of interest.

If you are a subsidiary American company such as the three major electrical companies, General Electric, Westinghouse and Frigidaire, then if there was free trade tomorrow and you wanted to sell appliances on both sides of the border, there would be no problem walking into a dealer and getting him to stock any of the products of those companies because they are known on both sides of the border.

But take one of the best selling appliances in this country, Moffat ranges. Nobody knows Moffat in the United States and if you walk into a dealer in Buffalo he will ask whether you are on the Ed Sullivan show, or if you have a 13-week television programme, or if you are going to pre-sell the range. If it is not pre-sold he will not want to pioneer it.

These are some of the problems that

Canadian manufacturers are going to have with national brands. As I say, to the three major electrical companies it would not make any difference because their names are pre-sold on both sides of the border. So when we talk about other items entering into a free trade area, such as automobiles, it does present some other problem. This is one of the reasons for the survey, to acquaint Canadian manufacturers—at least manufacturers in this province—with the necessity of recognizing they have to sell the difference, because if it is just the same, they are going to have a hard job.

Mr. Newman: The Canadian manufacturer either has to sell, or he has got to be advised that there are certain fabrication gaps, and I understand your department does a very good job of that. You published two booklets, one on fabrication gaps and another one on manufacturing opportunities. What type of distribution do those books get throughout the province?

Hon. Mr. Randall: I am informed that the distribution is roughly about 9,000 to 11,000 manufacturers in Ontario, which I think covers pretty well the bulk of the manufacturers. These are the people who would be interested in those booklets.

Mr. Newman: I am very glad to hear that because I can recall the early days of the publication of this type of manual. I had to distribute them in my own community individually because they were not sent into the community, so I think you are doing the right thing.

Mr. R. Gisborn (Wentworth East): Mr. Chairman, through you to the hon. Minister, I have here a letter sent to me, a copy of a letter sent to the hon. Prime Minister from Mr. Robert Sharp, president of the Sharp Brothers Cut Stone Company, and I would like to read it to the hon. Minister and have his comments on it. I think it is a disturbing situation.

Re the new women's residence for the University of Western Ontario, London, Ontario, Ronald D. Murphy, architect.

Dear Sir:

May we bring to your attention some disturbing facts pertaining to the awarding of the cut stone sub-contract by the general contractor, McDougall Construction of London in connection with the above project. The cut stone contract for the supply of Indiana limestone has been awarded to the Standard Stone Company of Windsor, Ontario, a company which has

not actively participated in this trade for the past three years and which incidentally submitted a quote to only McDougall Construction.

We have been advised by the local representatives of the stone cutters and planer's union that the Standard Stone Company of Windsor does not presently employ any skilled tradesmen, nor are their present facilities sufficient to undertake a project the size of the women's residence. We investigated these facts and find that the Standard Stone Company has made arrangements to sublet the contract to the Wollery Cut Stone Company of Bloomington, Indiana, U.S.A.

This situation is made financially possible by the present outdated custom regulation No. 306d, which is presently under review by the federal government. The loss of this project to foreign interests, with the resultant rise in unemployment and loss in tax revenues represents a loss of approximately \$160,000, of which \$85,000 in labour costs would otherwise have accrued directly to Canadian labour.

We have for some time been watching with great interest the Ontario government's efforts, through The Department of Economics and Development, to develop small business in Ontario as well as to bring the trend to buy Canadian. Our company does not feel that the aforementioned circumstances are conducive with present government policy.

Since all universities are government subsidized we feel that as a Canadian company, with 40 years experience in our field, it is reasonable to expect our government representatives to take whatever steps are required to stop this unnecessary export of Canadian capital.

However, if this situation is allowed to continue, then it will be to our advantage to import the finished product and we shall have no compunction whatsoever about becoming brokers for the American quarries and fabricators and thus eliminating much of the Canadian labour we now use. Although we have always been on excellent terms with union labour we primarily employ it, not protect it.

Yours truly.

Now, Mr. Minister, I think that this is a serious situation. I would like an explanation as to the validity of the situation. You see what it means if the remaining stone cutting yards in Ontario adopt this procedure; it means the end of the few stone cutters that are left in the province and it does away with

certainly labour and interest through the province. Would the hon. Minister remark upon this; and also upon the handling of the business with the universities, what co-operation and what co-ordination there is with a department of such magnitude and importance as Economics and Development? I would think there should be a great degree of co-ordination with The Department of Public Works in this regard so that these things do not happen—if in fact it is a fact.

Hon. Mr. Randall: Mr. Chairman, trying to find an answer to the hon. member tonight, I think, would be rather impossible.

I would suggest two things. One is that if he will let me have that correspondence I will certainly be glad to talk to the man in question. He will be one of many with whom I have sat down and discussed a similar problem. I had one when I first took office, up in Orillia, and I have been dealing with the tariff department in Ottawa helping him over the last year. I understand just last week, we were successful in getting the federal tariff authorities to recognize it was in inequity that they were imposing on this company if they wanted to compete and ship goods to the United States.

I can also suggest to you that in the new building that is going up over here in Queen's Park, I have had one or two occasions to talk to the hon. Minister of Public Works (Mr. Connell), and he is most co-operative. We have had meetings with the purchasing agents of all the government departments to point out what we would like them to do with reference to Ontario manufacturers and Canadian goods particularly, without necessarily becoming parochial in our approach to doing business with others.

I do not know what the circumstances are, but I have had enough experience to know there are two sides to the story. If you will let me have the correspondence, I would be delighted to look at his problem and if it is a federal one, we will do our best to discuss it with the federal people; and if it has something to do with any control we have through public works or The Department of Education I am sure we would be interested in making sure that an Ontario manufacturer got breaks along these lines, if his prices were competitive and his quality met the specifications.

Hon. Mr. Robarts: Mr. Chairman, inasmuch as this letter was addressed to me, I would like to comment on it. It is dated April 22. It crossed my desk this week and I instituted the necessary investigation to find out

what was behind it. As I recall, I sent a copy of the correspondence to the hon. Minister of Economics and Development. Naturally it will take some time, as this involves a tariff matter with the federal government. It would appear to be obvious that when the letter was sent to me, a copy was sent to you. The investigation into the situation has been started and in due course we will find what it is all about.

Mr. Gisborn: Yes, Mr. Chairman, I agree with that. I agree with what the hon. Minister says. I raised it, not to jump the gun in any way, but the president of this particular union is in my constituency, a member of the Hamilton labour council, and he asked me to check it out last week. I raised this with The Department of Public Works and I have received a reply from Mr. Miller. It is unclear and I thought—

Hon. Mr. Roberts: Well, I can only say this to you; that in the first place, as a government we have no control over the allotting of contracts by the various universities to whom we make grants. In other words, they are autonomous bodies and they are governed by their own boards of governors and they let their own contracts.

On the other hand, there is an element in this situation that goes beyond just simply the allotting of contracts by whoever it may be. We have no control whatsoever, as a government, over the institutions to whom we make grants, just as when the various school boards in the province build their own schools and allot their own contracts. On the other hand, there is a point in this letter which was obvious to me when it came to my desk and I read it. I have, as I say, started an investigation to find out what is basically behind it, because it does seem to me, as it does to you, ridiculous that a contract would be awarded to a company and then sublet in effect outside the country. We want to find out what it is about, because we are very interested in maintaining the union and those men who have ability to cut stone. Believe me, there are few of them left in the province.

Mr. Gisborn: Thank you. I would appreciate, Mr. Chairman, any conclusion you might arrive at on the correspondence.

Mr. S. Farquhar (Algoma-Manitoulin): Mr. Chairman, the hon. Minister will be aware that when some of our industrial commissioners find groups and industrial people who are interested in locating in small areas adjacent to regions which have low economic

activity sometimes it is to their advantage to have some housing and buildings available for these various types of businesses. It has come to my attention that the city of Barrie, for instance, has been very successful in entering into an estate type of development which has attracted industry in that area. I wonder if the department has ever given consideration to this industrial estate type of development in order to attract industry into specific areas?

Hon. Mr. Randall: At the moment we have not participated in any project to that extent, but I welcome the suggestion. I think it is a very encouraging way to get industry to go into a town, because in most cases the question asked of us is: "Where can we locate a plant in a hurry?"

For instance, I had one the other day looking for three-quarters of a million square feet with a 30-foot ceiling almost overnight. Well, you just do not wave a magic wand and find a plant like that. We do not get too many of those and I hope this one materializes.

What the hon. member is suggesting is what has happened up in Rexdale where a number of private developers have built small plants of 2,000, 5,000, 10,000 square feet on speculation and there have been enough small entrepreneurs who rent those on a lease-back basis or straight rent basis. This is what some of the towns like Barrie are beginning to realize that it is not just enough to have a serviced land sitting there available for industry, that perhaps they have to get together with developers and put some buildings on those lands.

This is one of the things, again, which I think will come into the programme I talked about this afternoon on regional development. It is one of the matters that we have in mind when we talk about regional development, because I think it is a good way to get industry diversified.

I have heard about Barrie's programme. As you know, Barrie has done an exceptionally good job of getting industry there in the last five years and I think that the town people themselves, at the grass roots level, recognize that they have a stake in the community. Some of their people have gotten together and developed this area and put their own money into commercial buildings.

As this takes place, I think we will find the mortgage companies more interested in going into areas and loaning some of their mortgage money against these commercial properties. Up to the last few years this has not been

necessary. Most of the commercial money has found placement right here in Metro Toronto, or within a radius of 25 or 30 miles. I would think that now, with many of these mortgage companies getting a little more competitive—and there are lots of them—that there will perhaps be other areas such as Barrie developed.

We are talking to the industrial commission about it. I would welcome any suggestions from them, and certainly it will be one of the things that we will have in our regional development programme, to guide them and assist them along those lines.

Mr. Farquhar: I am encouraged to note this has come to the attention of the hon. Minister. I think this has many advantages but in particular, possibly, in the interest of small industry which is not necessarily ready, or able or in too big a hurry, to develop a tract of land, complete with the housing and so on. I think the department could consider entering this field. I am sure that this would be one way of directing industry where we need it and away from the places where we do not need it.

Would the hon. Minister think a little bigger for a few minutes now and consider, or at least comment on, the establishment of some of the cornerstone type industries that we see, for instance, being established in Quebec by way of the steel development there, and there is a fertilizer plant as well? Could we discuss a little bigger thinking in connection with industrial development in Ontario?

Hon. Mr. Randall: Let me say this: Quebec has an entirely different industrial situation than that which we have in Ontario. They have lagged a long way behind and this is one of the problems with which perhaps Mr. Lesage is faced. He has recognized, and so have the business leaders of Quebec, that they have to take some revolutionary steps in order to get industry into Quebec and to get it moving.

They have formed GIC, General Investments Corporation, which we talked about this afternoon. I think the shares issued at the moment amount to something like \$35 million; there is another \$175 million to be authorized and they have borrowing power for that much more. I believe on the figures I have seen, the steel mill is going to cost \$225 million. Undoubtedly they are going ahead with it despite the fact that Dosco, I believe, is putting on a large addition.

The GIC has done a number of things in order to attract industry. They have even

gone out and bought family businesses, as you probably recognize. They have taken a whole interest or a part interest in family businesses.

I do not think, in the figures I have seen, they have attracted any more industry there than we have in Ontario. I think we are getting the bulk of it. We certainly do not want to do anything to discourage people from going to Quebec, and that is the reason why we do not go down that end of the country and take a floor in a hotel and say: "Would you come on up to Ontario?" We send our people across the border in some areas. If we are going to get industry, we like to take it out of the United States and bring it in here.

We have had groups in here from the west. There was a group here from Saskatchewan the other day. Mr. Thatcher was here and did an excellent job of promoting Saskatchewan, asking Ontario manufacturers to either build branch plants out there or move out there. I think if they spent as much time and energy just south of their border there are a lot more fish over there than there are down here, because if a man has a big operation here he sometimes is reluctant to cut it in half and take it where it is going to be perhaps an uneconomical operation. Unless he can justify manufacturing in those areas in volume, he is not going to split up his plant.

But on the hon. member's remarks, I would think that we have a steel complex here and I do not think another one is necessary. The one we have in Hamilton is spending something like, I think it is, \$85 million now and another \$80 million later on to expand. This is just as good as a new steel industry. I think what we should be interested in doing—again as I said the other day we have 11,000 manufacturers in this country employing less than 50 people—it is far better to concentrate and build them up to 100 employees and twice as much floor space than perhaps spending all our time trying to coax in new industry. I think we should work on the industry we have as well as try to get new industry.

I think, being specific, we do not have the same problems as Quebec. We are not complacent about it, but I think we are doing a pretty good job of getting our share of industry in the province of Ontario.

I hope that GIC is very successful in its task, because a strong Quebec is a strong Canada. We personally feel here that if Quebec gets as big as Ontario then we are all going to be better off, because we

certainly cannot live without the rest of Canada and I am sure the rest of Canada would have a hard job getting along without Ontario. Our future is a joint one and as soon as Quebec reaches its economic objectives I think the country as a whole will be a lot better off. We have done everything in our department, even our offices in the States and overseas, to encourage their people to come to us and work with us and we will give them all the help we can.

I believe, in answering the hon. member's question, that we are not losing anything to Quebec; we are getting our share of the business and certainly we do not want to go out and raise the ante in order to stop people from going to Quebec.

Mr. Farquhar: Mr. Chairman, I appreciate the hon. Minister's hesitation to cut any throats across the border and certainly more power to him as far as that is concerned.

On the other hand, I hope he will not ignore the fact though in the interests of being fair we are still competitive with those people and we still have to remain competitive and we will have to do everything in Ontario they are doing in Quebec to keep even with the board, as has been shown in recent months in connection with the pulp and paper industry and others. I just hope that the hon. Minister does not take too soft an approach and does not bend over too far backwards in connection with competition with Quebec or any other province.

Hon. Mr. Randall: Perhaps I could suggest to the hon. member how we solve some of these problems. It was not too long ago, about a year ago, that Dominion Textiles talked about building a plant in eastern Ontario. We worked with Dominion Textiles for several weeks. I talked to the people myself and they finally wound up going to Quebec. We have been talking to them in the meantime, and now they have opened up a new plant just outside Cornwall, a \$14.5 million plant which employs 300 people. When we lost the one to Quebec they said: "Mr. Randall, we have another one coming which will fit better in Ontario than this one. We only have to haul the material out of that plant which is a raw material plant and it has to be finished in Quebec. We can haul it from there, just outside of Montreal, and it is economically sound for us to put it just outside of Cornwall."

Then announcement was made the other day by Mr. King, the vice-president. So we

have been informed as to what is going on with these plants. This is just one case where we get a plant. If Quebec gets a plant today, we will get another branch plant tomorrow; but the manufacturer has to decide himself where it is economically sound to put the plant. I think that we will go along on the basis that we cannot force them to come in. We can encourage them, and in many instances they have come here rather than go to Quebec.

Mr. J. B. Trotter (Parkdale): Mr. Chairman, a year ago the estimates for this particular branch of trade and industry were \$910,000 and now we are up to \$1,335,000.

There is one thing that I have objected to before in this particular department, and in this particular estimate, and it shows up in the public accounts of 1964 under "Miscellaneous." Under this particular item, \$970,000 plus has been spent. Over half that amount, Mr. Chairman, \$515,510, goes to Dalton K. Camp and Associates. Of course as we all know, Mr. Camp is the number one organizer of the Tory Party and this particular item, as I have pointed out before, to my mind is just a means of using public money to keep the government machine in power. Public accounts also had to do the same thing right around election time in 1963 and 1964.

I think that a government, or a business the size of the province of Ontario, could easily afford to handle much of this business itself. The total of \$515,000 on this one particular item in this department, to me is nonsense, it is a waste of public funds and it is obvious to me that it is a political pay-off. I think if we are going to have efficient, clean administration in this province that this is something that we in government have to watch—

Mr. McKeough: What is it for?

Mr. Trotter: Obviously the advertising and exhibits and there are so many ways to use that. I remember on a previous occasion in this department, immediately prior to the election, that they had great pictures of the leader of the Conservative Party in the province of Ontario down at the CNE—this was in the Ontario building—and of course once there was an election this type of advertising disappeared. But this was the type of thing that was billed in this department, and it is obvious that again this is on the increase.

This particular item 406 has gone up approximately \$400,000. I hope that the present Minister is not going to use the

same means and the same system of rewarding the faithful workers of the party in power. This is on the increase, and it is a shocking waste of public funds. It is most undemocratic, for an item such as this shows that any political party that is in power and has become entrenched can perpetuate itself over the years by the use of public funds. Again I must protest, as I have protested before, that this type of spending is obviously a misuse of public funds.

Mr. M. Gaunt (Huron-Bruce): Mr. Chairman, a few moments ago the hon. Minister mentioned something about trade missions. As a matter of interest I would like to ask him how decisions are made as to which countries sales missions are sent.

Hon. Mr. Randall: As I said earlier, we work with the federal trade authorities as well as our own, and we ascertain from them and through the material available to us through their own research, where we have an opportunity of selling goods. Then we gather the various industries people together and take them on these missions. At the moment I think we are going to explore almost any market where we can sell products manufactured in Ontario, and most of the markets are open to us. I would hope, as I said earlier, that we will concentrate on the American market this year with half of our missions, but there is a market for almost all the goods we sell in any of the markets of the world.

It may be a lot easier to sell manufactured goods in Great Britain, for instance, than it is to take them all the way to Japan, because the Japanese are pretty tough to sell. Even in the car business they talk about competition, but they do not allow Volkswagens there except on a very restricted basis.

In some areas, due to their tariff regulations, we find that if we are putting a mission together it is necessary to make sure that the mission is going to a market where there is an opportunity of getting an order.

Mr. Gaunt: How many countries will be visited this year?

Hon. Mr. Randall: I listed them yesterday. There will be a total of ten countries involved this year in the 18 missions, including the United States.

Mr. Gaunt: The hon. Minister pointed out earlier that there was a very definite advantage as far as he was concerned in visiting the potential foreign markets. Does he plan to visit all ten countries that he has listed?

Hon. Mr. Randall: I wish I had the time to do it, but it is not possible to go on all the missions. I will go on what I think are the key missions where we have not been before. If I can go on missions where I think it is necessary that a Minister can be helpful, that is where I will go. It does not matter where it is as far as I am concerned, as long as I think that we can get results.

The areas I went into last year were places I had never been before, such as the Far East and Africa. The result, in Africa particularly, was that we did bring back business. In the Far East particularly in Japan I think that we have made the Japanese aware that we have a Canadian nuclear system, which I can assure the hon. member they were not aware of at the grass roots level. I talked about the utility of our product when I went over there; we were not even on the international chart showing that Canada was in the nuclear energy field. All countries but Canada were represented, and when we had the opportunity to talk to the people who will buy the equipment, which are the major utilities, they were quite surprised that we had done as well with nuclear energy here as we had. In fact, the word that we have had since then is that they are very much interested in our system because of the reason Canada has not used nuclear energy for anything else but commercial purposes. These are the things that come to light when we go into new markets, and when they do buy nuclear equipment we will have an opportunity of selling it to them.

Mr. S. Lewis (Scarborough West): Mr. Chairman, on this small point, may I tell the hon. Minister that there are other members in other parties of this House who would gladly accompany him on some of his trips, particularly to the African continent. I was intrigued by his suggestion that he had some success in Africa. In what field, I am curious to know.

Hon. Mr. Randall: We had some success with the sanitary industrial products. Also one of our mission members had sealants for the major dams over there—the Niger dam and the Volta dam. Apparently they were having trouble in the Niger dam, and this sealant was the one that they felt would do the job. He got an order for \$36,000 worth of sealants.

I might say at this moment just a little more about Africa and the possibilities there. In the first place, these people are short of money as we all recognize—they are an emerging nation; they need long-term credit. We have credit facilities at Ottawa—I know something about them as I served on the

board with Mr. Hugh Aitken, of the Export Credit Insurance before I came into government. They will give long-term financing on specific products, but they have not gone into the business of financing completed factories. I found out in West Africa that Ontario manufacturers can go down there and sell completed factories tomorrow without any difficulty, but we have to be able to give them longer term credit. For instance, we may have to take Nigerian bonds for 20 years, and they have to be re-financed through a consortium of banks or by the federal government. As I said earlier, the Ontario government is not in the business of international financing, we do not have that kind of money available.

But just this week we had one of our contracts with \$9 million of orders in the hand. One was for a small hospital and two schools. And there is another hospital to follow if we can find a way through the federal authorities to finance it.

They are in Ottawa this week talking to Mr. Sharpe. I phoned Mr. Sharpe and set up an appointment for them on Wednesday, and I expect I will have a report by the time I get through here tonight.

I believe that if we can finance completed factories we can go into these countries tomorrow with people such as wire and cable people, grinding wheel factories, bicycle factories, and we have nothing to lose because we are not selling those kinds of goods in the African countries today. As you know, there are 35 of them, and they all need long-term credit.

One of the things, I think, that most people do not recognize is that perhaps we have a government in Nigeria today that is a little unstable. It may even be a little pro-Communist, but a hundred years from now the people are still going to be there, the needs are going to be there, and the government is going to change. I think if we in Canada can get some of our factories in there we would be doing a much better job than giving them handouts of cash sums which do not get into building factories and turning out products.

Perhaps one of the most interesting visits I had was from Mr. Nkrumah. I had an hour with him and he asked me what was wrong with the economy and I told him. I said: "You are building schools and hospitals and universities and wide boulevards, but you have no industry to speak of and the industries you have are about to close down because they cannot get a permit to bring in the raw materials." He said, "What do you suggest?" I said, "I suggest what we do

is see if we can work out a deal with the federal government to allow us to come down and put in factories and use the money in that regard."

They had a meeting of Cabinet the next day and before I got back home there was a letter here wanting to send a mission of high-powered ministers in the government to talk to ours. We have since been talking, not only to Mr. Sharpe and Mr. Drury, but External Affairs.

I am in hope that we can convince the federal authorities that instead of going out trying to sell a bicycle chain here and a pump there, we could go out and sell a complete factory. When we walk away with that order, we walk away with an order of some substance and we make a contribution to that country that I think is as worthwhile as building a hospital or a school. As much as they are needed, when they are built they need money behind them to keep them operating. I think, as I said to Mr. Nkrumah, "Perhaps your economy is in reverse. In Canada we got the factories first, these other things came second."

I think in most of these emerging countries, as you recognize, you have had some experience, they are placing the emphasis on education and schools. These students are being turned out and the worst thing you can have is a fellow well educated who cannot find a job. Then you have some problems.

This, I think, is the proper approach to selling in those countries. Only by going there yourself and talking to the people who can tell you what their problems are, can you come back and be any kind of an authority on where we should spend our time and our efforts.

Mr. S. Lewis: Mr. Chairman, I simply commend the hon. Minister strongly on his initiative. I think not only is it of inestimable value to develop the secondary manufacturing industry in that kind of continent, but that it will ultimately have very worthwhile economic and social repercussions here. I wish I had had a tape recorder for the conversation between the hon. Minister and President Nkrumah.

The one reservation I have—I hope the hon. Minister did not tell him that he cannot carry conversation to the bank, he would have been taken aback.

Mr. Taylor: Last year the hon. Minister mentioned that The Department of Trade and Commerce had offered a space in their

foreign offices for any industrial development officers the Ontario government might wish to appoint. Has the department made use of these opportunities in any case?

Hon. Mr. Randall: No, I said we had discussed with Mr. Sharpe the possibility. It was brought up when Mr. Sharpe asked me if we were going to open up any more foreign offices. I said we had not made up our minds, we are looking at other areas, and he suggested to me that perhaps we could solve our problems by making use of the offices they had. I said yes, I think the suggestion is a good one. We have not placed any industrial officers in their offices yet; we have not found it necessary. I can assure you, as I said yesterday, for all intents and purposes the officers they now have are almost on our payroll because as long as we will continue sending people over they are only too happy to work for the province of Ontario or the province of Quebec or any other province that will send people in to work for them.

Again, in these areas I have just finished talking about the federal authorities did a remarkable job of setting up appointments for us and staying right with us and giving us all the help we needed. So I think to put an office of our own down there at the moment, when they will spend their time, would be a waste of effort. If we find it necessary, the offer still holds good.

Mr. Taylor: Thank you.

The hon. Minister mentioned participation in the federal trade shows. Does he plan on participating in all the trade shows that they are putting on this year? I think there are some 30, are there not?

Hon. Mr. Randall: The last I heard there were something like 70. No, we will not participate in all of them, for a number of reasons. It is very hard to get a single manufacturer to take his product to a trade show, and then turn around and come back home and go back with another. If there was an Ontario section, such as there was in the Stuttgart show, we would concentrate on one industry, such as the heating industry. The reason for that is that in Germany today, like Great Britain, heating is selling like it is going out of style. Our feeling is that if we could get a section at one of the international shows put on by the federal government we will take a section. In the areas where we cannot get a section, we will have one of our men from Europe stationed there with an Ontario booth and see if we can pick up prospects for branch plants and

utilize the efforts of the show in order to try to get suspects turned into prospects, to bring them here, to sell them something or to set up plants over here.

Mr. Taylor: You will be participating in most of the shows then, will you?

Hon. Mr. Randall: No. Here is a list of some of the shows in which we are now going to participate.

There is the hospital equipment show in London; there is an international exhibit of oil and gas heating in Stuttgart, which we have just finished; there is an international sample fair in Milan which finished on April 25, we were in that one; the Hanover fair on April 25, we are participating in that; the Mediterranean fair in Palermo, Italy; the Dallas gift show out in Dallas, we think there is an opportunity out there to do some good work; the British toy fair, we were very successful in Britain last year and we are going to be in the toy fair again this year; and there is the international household goods and hardware show in Cologne, Germany.

These are what we have on the docket for the moment. Later on in the year if there are some others come up that look like we should participate in them, we are flexible.

Mr. Newman: Mr. Chairman, my colleague, the hon. member for Parkdale brought up the item of the Dalton Camp associates expenditure of \$515,000. Would the hon. Minister care to elaborate how it was possible to give to an organization a sum equivalent to half a million dollars for advertising purposes?

Hon. Mr. Randall: Well, the reason I did not answer the hon. member for Parkdale is that it is under vote 401. That is where the advertising is. It is not in this vote at all.

But since I am on my feet I will be glad to tell you why the \$515,000 was spent. That was a trade crusade programme that was launched. I do not think there is anything evil or crooked about putting your advertising through a legitimate advertising agency. This is done by the major companies in the business.

As far as I am concerned, I was not involved in this but I see nothing wrong with the former Minister choosing an agency of his choice. I had one of my own last year that did not do the job I wanted and I have another one this year. I presume as long as I am in government I will use an advertising agency. I have never done advertising myself in my own company because I feel that these people, for what they get out of the account,

are entitled to what they earn in the way of a commission. They are specialists in their field, they are used by all intelligent business men and most of those men who want to promote and sell their products. There is nothing evil or crooked about an advertising agency earning a 15 per cent commission.

Mr. Newman: Mr. Chairman, the hon. Minister made the comment that they are used by all intelligent business men. Is he assuming that other business men are not intelligent who do not use them?

Hon. Mr. Randall: Not necessarily, no.

Mr. Newman: Why would the hon. Minister not have distributed this total sum of money to a whole series of advertising agencies? It has never been done in this fashion before.

Hon. Mr. Randall: Frankly, I do not think that you can take that sum of money and spread it among the major advertising companies. It may be a huge sum to us, but not to some of the advertising companies which do millions of dollars worth of bookings and have advertising accountants work an account. The most this man can get out of here is 15 per cent. Let us assume that his gross commission is 15 per cent and out of that he has to pay his staff. I do not know what he has left out of the 15 per cent when he is finished.

Some of them would probably not break even on a half million dollars, depending on the size of their operation. I can assure you that some years, when I was in the appliance business, and we were not going to spend too much money, in order to get our advertising done we had to guarantee a fixed sum to the advertising agency, regardless of how much we spent, because at the 15 per cent commission the man would have had to go to the bank and borrow money to service our account.

So this amount of money here I think is a legitimate expenditure. It did a job in the trade crusade. It has created the prosperity to which we think we have made a contribution in Ontario. I would like to think that as long as we are spending this kind of money in advertising, we spend it through people who are professionals and know how to get the most for the dollar that we spend.

Mr. Trotter: Mr. Chairman, this is what I wonder, when so much money is spent in this field—incidentally, it is under this item in the accounts, under trade and industry.

You said it was not under this item but it certainly—

Hon. Mr. Randall: Yes, but the advertising is under vote 401. It has always been under 401.

Mr. Trotter: We are discussing vote 406, sir, and maybe they have changed the items in the last year.

Hon. Mr. Randall: I am sorry, the one you are referring to in public accounts is under trade and industry, but this year it is under 401, and last year it was under 401.

Mr. Trotter: Well, they must have changed the number. But one of my arguments was this, that even the government within one of its own departments had a group that could do this type of advertising, because this literally goes up into the hundreds of thousands of dollars. For example, in the same item, McConnell Eastman, I think, received \$71,000. You go to another department and McConnell Eastman got \$193,000, or Mr. Camp's firm got over half a million under this item. In another department he got \$78,000.

It would take accountants to go through and see how much these different firms get, where it is handed out. All kinds of this money, I would say, is not spent wisely and when it is needed. Certainly a business the size of the province of Ontario could handle this far more effectively, far more cheaply, if they retained the men themselves on their own staff.

Mr. J. H. White (London South): How does Walter Gordon do it?

Mr. Trotter: Because, let us face it, in this PR work, you do not need to be that brilliant to have the Pepsodent smile and the handshake and the fancy sign. It does not take so much brilliance as it does a good handshake and a bar. I say that this is wasting a lot of money, and, as I have said time and time again, it is a way of paying off political friends. I do not care what party does it. I say it is bad for government, it is bad for the people of Ontario. Other parties do it in other provinces, or at the federal level. I say it is wrong, because millions of dollars today are being spent by governments and it is so easy to bury from public view the fact that hundreds of thousands of dollars can be handed out. In principle it is wrong, and I think there are far more efficient ways of handling this type of thing and doing this type of work.

Vote 406 agreed to.

On vote 407:

Mr. Thompson: Mr. Chairman, I just made a short introduction previously under vote 405 and I apologize. I was looking at the estimates of 1965. I realize you have changed the numbers. But in that short introduction I was really leading up, in a most complimentary way, to some remarks that the hon. Minister had made previously, and I would like to quote some of those. On August 19, the hon. Minister said:

The importance of adequate housing at a realistic rental, in my opinion, lies second only to food as one of the basic essentials of life.

I think, Mr. Chairman, you would agree with me that is a very humanitarian sentiment. It was very encouraging to us when we realized that this remark was coming from the hon. Minister who was in charge of housing. We appreciated it when he stood up before us last year, that he had looked at the situation that the government was offering, with respect to encouraging public housing, and he was not satisfied. No matter how it had been embellished with a point system and so on, he was not satisfied. He was not satisfied with a lot of the red tape and the constant number of agencies and others that you had to go through in order that a developer could get going on the job, and he told us, "Give me until next year and you will hear results."

I think the term you used, Mr. Minister, is that conversations do not count in the bank, it is something else. This is what we are looking forward to hearing from you—not conversation, not that you have set up an Ontario housing corporation, but what the results are. I have been interested in the fact that you had obviously a real awareness of how fundamental good housing is to the citizens of this province. You related it to food. Mind you, you have come through with results, but you do not look as though you have starved particularly, if I can be that personal. It seems to me that you are not starving from lack of food. You have got a good healthy complexion on you and I am sure, therefore, that you have produced something in connection with housing.

I just want to repeat that this housing situation is, as you say, fundamental to the welfare of our citizens. If I could refer to Metropolitan Toronto, two months ago I looked at the figures that had come from the Metro housing register and there were apparently 2,700 to 3,000 people applying. The hon. member for Woodbine had said, and I agree with him, that there would be more than this; that the people who need housing

so desperately had become frustrated with the futile exercise of registering; that they just did not apply any more.

We opened the newspapers yesterday and read of a man—I looked at television and saw him being interviewed—who in this great wealthy province was going to be evicted from his home. There was an apartment project going to be put up. I looked at his face as he said, "I am hoping that the city or someone will surely help me to get adequate housing for myself and for my children and for my family."

We place great hope in you, sir, in that you would sense the need for this low cost housing, the desperate need. I am sure that you have realized just how widespread this is, not only in this province, but across the nation. I think that the hon. member for Woodbine and others gave figures to the effect that we really need almost a million units for people across this country. This was in the brief that was presented to you which suggested that there were 570,000 young families and 18,000 elderly people across this country, who are living in substandard conditions. It is because of this kind of situation that I felt you would tackle the job. It is not that it cannot be done, and I know you realize this.

I was looking at the city of Newark in New Jersey, with a population of half a million, and they have built more than twice as many housing units as have been built right across Canada.

If we want to do the job, we can do it. It is because of this kind of situation, that I was encouraged in examining the housing corporation and the approach you are taking. I think it is a good Act. I think, as you yourself said, this can really move right in and get the job done. It can cut out the red tape. I was encouraged by the kind of men that you are attracting to serve on this—your chairman, a thoroughly able person, and others.

There were questions that were raised in the last estimates when you said, Just give me until next year. One was from my colleague, the hon. member for Downsview who wondered whether city councils might still maintain red tape, or in some way hold back the need for getting action; getting that green stuff that you say the banks need; and being able to produce the statistics. I remember you assured him that the Ontario housing corporation had the direction and planning and things would be done. It is because of this that I am now particularly keen to hear from you because we have not heard from him just how many houses have been built since August.

I would like to limit this to Toronto where we know that there is a desperate need for low cost housing, and I would like to ask the hon. Minister if he would tell us the statistics—how much has been done since August.

I know that the hon. Minister has not delayed, that he has got going on this job, that he has very encouraging statistics, not only for us in this House, but for the people who desperately need low cost houses.

I would ask how many have been put up under direct construction. In Metropolitan Toronto how many units have been built?

Another thing that interests me is that the hon. Minister can actually move in and buy houses in Metropolitan Toronto under his Ontario housing corporation. So that even if he does have difficulties with a metropolitan council or anything else, he can still move in and buy old houses and convert them into apartments, or have them as they have them in Sacramento, California, as scattered housing units. I am interested in how many have been bought and how many families are now in them.

Hon. Mr. Randall: Mr. Chairman, in order to answer the hon. member's question intelligently, and I am sure that he wants an intelligent answer—a complete and factual answer, I would like to tell him what has happened since I was here last year.

As he will recall the legislation provided for the creation of the Ontario housing corporation; this was passed in the last session of the Legislature, but the corporation did not actually come into being until August, 1964, due to the fact that the federal enabling legislation was not enacted until mid-June 1964. And even then the corporation did not physically come into being until the housing branch and the Metropolitan Toronto housing authority staff were merged on November 1, and since that time a complete staff reorganization, to meet the greatly increased volume and scope of the new housing programme, has been carried out. All Ontario municipalities have been advised, in writing, of symposiums in Toronto and Sault Ste. Marie and in many cases by individual meetings with municipal councils of the housing assistance now available to them.

Procedures between Ontario housing corporation, the federal government and municipalities have been reviewed and streamlined down to an infinitesimal proportion.

There has been an extremely good response from Ontario municipalities in the form of requests for surveys for specific projects, and perhaps the best way of illustrating this is by comparing the figures for eight months

proceeding the formation of the Ontario housing corporation with the subsequent eight months.

I read from January to August 1964: Municipal requests were seven, and we cannot start anything until a municipality requests a housing programme. August 1964 to August 1965, we have gone from seven to 33 in the same period, the next eight months.

Municipal requests for projects, January to August, 1964, were five, for a total of 170 units; and from August 1964 to August 1965, the requests are 36 for 10,641 units.

Tenders or proposals called from January to August, 1964, were six for 170 units; and August 1964, to April 1965, there were 14 with 2,085 units.

Contracts awarded in the earlier eight months were four for 134 units, and from August 1964 to 1965, there were five for 168 units.

Units completed or purchased to date were 154 in the first eight months—I am talking about from January to August. And August 1964, to April 1965—306.

From these figures it will be seen that, although the number of units completed were purchased in August, 1964, and at the present date amount to only 306, a total of more than 2,000 units are at the point where construction will commence or where the units will be purchased during the next month or so.

In point of fact the response to our proposals for existing units and new construction in Metropolitan Toronto was so good that this in itself amounts to over 2,000 units. I agree that the number of units completed and occupied during the past fiscal year was very small. However, again using the statistical comparison which I have just enumerated, it will be noticed that in the eight months from January to August, 1964, requests for only 170 units were received from municipalities. It has never been our practice to force housing upon an unwilling municipality and therefore we can only build the housing that was requested. However, the housing programme now available is so attractive that, as the figures I have just given you prove, over 10,000 units have been requested during the last eight months.

Ontario housing corporation has already acted on these with speed and imagination, as indicated by the fact that 14 tender proposal calls have been made totalling over 2,000 units. Tenders for a further 432 units will be called within the next few weeks and the architectural design of over 2,000 units is under way.

I think that is a pretty good record from the time the corporation was proclaimed and got into business, and I think the hon. member will realize that a magic wand cannot be waved on construction. It takes time to process blueprints and designs and I think that between the federal authorities and ourselves, we have done a remarkable job of getting housing off the ground and getting under way.

Mr. Thompson: Mr. Chairman, I must say that I think this is a very puny effort. The hon. Minister tells us that at this point he has 306 units that are actually built in Metropolitan Toronto and he explains that the delay has been because he was having these built, and he says that I am to understand this. One of the things that the hon. Minister emphasized when he spoke to us last year was that he could buy existing houses—and I think particularly of the families which have three or more children. Surely it would be a great opportunity for the hon. Minister to buy existing houses—and the scattered Sacramento approach was lauded not only I think by the hon. Minister, but by his predecessor as an approach that would take place. How many existing houses in Metropolitan Toronto have been bought since last year and how many have people living in them on a low rental basis?

Hon. Mr. Randall: Let me give the hon. leader of the Opposition another full and factual explanation. This is the Metro story: It has been suggested that the Ontario housing corporation is not the proper agency to be providing houses in Metropolitan Toronto and that its programme leaves much to be desired. I would like to say a few words concerning this.

To start with, Metropolitan Toronto is well represented on the board of directors of the Ontario housing corporation in that four of its members are residents of Toronto; two of these were previously members of the Toronto housing authority. In addition, by arrangement with the Metro chairman, Mr. Allen, two of his commissioners, the commissioner of planning and the commissioner of welfare and housing, had been appointed as advisers to the corporation.

I would now like to say what has been done concerning the metropolitan housing programme since the Ontario housing corporation was formed last year. This is the information requested by the hon. member: Metropolitan Toronto requested the Ontario housing corporation on February 9, 1965, to develop 4,500 units of housing over the next

three years; this was Metropolitan Toronto's request. On February 27, 1965, the Ontario housing corporation advertised for a minimum of 1,250 units, either existing housing or to be constructed by builders on their own land and to their own design. Approximately 1,636 units of existing accommodation were offered and it is expected that more than 1,000 of these will be purchased during the next month.

For new construction proposals—

Mr. Thompson: Those are being bought; how many have been converted?

Hon. Mr. Randall: For new construction proposals, over 1,000 units were submitted. These plans are presently under review by the Ontario housing corporation—

Mr. Singer: The hon. Minister is reading—

Hon. Mr. Randall: Mr. Chairman, do you want me to continue or am I going to continue to be interrupted by the hon. member?

Interjection by an hon. member?

Hon. Mr. Randall: Just keep quiet now; I did not interrupt the hon. member. Just sit down. Let him go and watch the hockey game if he does not want to listen.

These plans are presently under review by the Ontario housing corporation and the Metropolitan Toronto planning commission to determine their suitability and tenders for the first 309 units will be called within the next few weeks.

I would add that the installation of services—that is sewers, water, roads, and so on—have been under way for a considerable length of time. Ontario housing corporation has hired architects to produce designs for the second stage of 269 units and it is expected that tenders will be called for these in June of this year; the third stage is 618 units, and tenders will be called in May, 1966.

Tenders for the construction of 237 units on O'Connor Drive will be called in August of this year. The architectural design of this development has been carried out by Central Mortgage and Housing Corporation but the housing will be developed by the Ontario housing corporation.

The Stapleford Farm development in Scarborough will go to tender during May. I know that this project has been delayed for many years but I would like to point out that it is back on the rails and now the Ontario housing corporation has taken over.

A further project of approximately 500 units at north Jane Street is under design

and will go to tender about December of this year. This will provide for a spring construction start and occupancy in 1966.

Now, much has been said about the delays that have occurred at Alexandra Park and we might as well get these two items off the agenda because I know hon. members want to know about them. I would like to point out that neither Ontario housing corporation nor its predecessor, the housing branch, were involved in these delays. Not until an accepted renewal plan has been prepared, until there is an agreement between the municipality, the federal government and The Ontario Department of Municipal Affairs, until old houses have been purchased and the land cleared, can Ontario housing corporation build the new housing that is required.

As a matter of interest it was not until December of last year that agreement between the city of Toronto and the federal government was executed. When Ontario housing corporation was requested to provide the large housing requirements in Alexandra Park, it was found that the city had not at that time determined the street pattern or general planning of the public housing area. However, the city immediately hired consulting engineers and architects to carry out this work and, as a sign of good faith, Ontario housing corporation agreed to continue with the same architects for the design of this housing.

The preliminary planning is now virtually completed and the architects have agreed to make a start on working drawings for the first area to be cleared by the city. Ontario housing corporation has given the architects a light schedule to work to which provides for a tender call for the first units during the second week of July, 1965. The remainder of the project will be developed as quickly as the city can acquire and demolish the housing and other structures which are now in existence.

In the meantime, Ontario housing corporation, through the central housing registry of Metropolitan Toronto, is providing housing for those families whose properties are being purchased and who require public housing accommodation.

Other redevelopment projects in Metropolitan Toronto were: Ontario housing corporation will be developing new housing at Blake Street, Napier Street, Trefham Street, Sackville and Dermot streets.

However, I cannot emphasize too strongly that the municipality must first complete the necessary urban renewal planning and must obtain the approval of my colleague the hon.

Minister of Municipal Affairs (Mr. Spooner) and of the federal government before Ontario housing corporation can become involved.

In summary, I believe that 1965 and 1966 will see a significant number of public housing units developed or purchased in Metropolitan Toronto. Our schedule calls for the acquisition or construction of approximately 2,200 units during 1965 and over 2,000 units during 1966.

I would like to suggest before I finish my remarks that the housing that we advertised for and the 1,632 that we got, have to be appraised by not only the Central Mortgage and Housing Corporation, but ourselves; otherwise the 90 per cent loan money from Central Mortgage and Housing Corporation will not be forthcoming.

CMHC have loaned us five or six appraisers; the job is going on and the housing we are going to purchase I believe will be acquired very shortly.

Now that is the Metro story. I had hoped, as I said yesterday, that I could have been more encouraging on housing but I recognize, and I think hon. members do, the amount of work that has to be done to get a programme like this off the ground, and we did not get started until November. What was in the works then is what has been completed, the 306 units.

Mr. F. Young (Yorkview): Mr. Chairman, I want to congratulate the hon. Minister for one project which is now underway on O'Connor Drive, because that project has been under way now for a great many years. I sat on the municipal council when it was planned and when the Ontario municipal board intervened to make certain changes there. I hope that what the hon. Minister said tonight is true and that it is now actually, at last, going forward.

The other thing that emerges tonight is that what the hon. Minister has said is that there is here a great condemnation of the inactivity of former Ministers in this department and of the government up to this point. If the hon. Minister is serious about what he says—and I believe he is—and if he is undertaking a project of this magnitude, then perhaps this province will see a freeing of the shackles on public housing which we have seen in Ontario over the past generation and more.

Last year I drew the hon. Minister's attention to a problem which occurred in my riding and which has occurred generally throughout not only this area but throughout the province, where large families are evicted

because there are too many children in those families and landlords do not like large families in their apartment buildings. They say, and I talked to many of these landlords, that it just is not economical, when the family gets too large, to have children running around and doing damage to the walls and to the rooms and to the building, and so they want to get them out. So the landlords and private enterprise here take the attitude that they will build for small families and for couples. But when it comes to large families, they do not like them in their apartment buildings and they say, frankly, that this is a business for government to provide for housing of this kind.

Just since last week I have been working with a family in my own riding where three children constitute a large family. The landlord has given them notice to get out. We struggled for some time to try to find accommodation for the mother and father and three children. Finally, last night, they did find private accommodation and their problem was solved.

This is typical of what is going on, and more and more we are going to have to face the fact that this problem is with us.

But there is another problem, and I bring it to the hon. Minister's attention because tomorrow a family by the name of Helmus is moving out of Rectory Road in Weston.

The father has been a hard-working, industrious person; he came here from Holland with his wife 13 years ago and finally found a job as a truck driver, and over these years has saved and worked. His work has been spotty and sporadic, but he was industrious and honest and a good citizen. Then he had a brain haemorrhage in 1963. The result is that he is living on welfare.

The family which owns the house in which he lives has given him notice because they want to move in; and now Mr. Helmus, his wife and their five children, ranging in age from one to eleven, have to move out tomorrow and they have no place to go, in spite of the searching that has been done.

They have been told that because of two things a landlord does not want them: First of all because they are on welfare and the husband is sick; and second, because of the five children.

The result is, through the good offices of the church to which they belong, the Albion Road Lutheran Church, they are now going in tomorrow with another family of five members for the next month. The expectation is that at the end of that period, a house will be available. The house is now spotted

and the promise is half made, provided they can produce \$125 per month out of their welfare cheque and their family allowance to pay the rent.

This is almost a sheer impossibility and this family is on its way to real trouble over this next period. The fear on the part of the parents is that they may have to break up because of a problem which is presented.

This is simply another illustration of the failure of this government over the past years to really produce houses.

I was very interested, Mr. Chairman, in the by-play here tonight. I was not here when the predecessor of the present Minister, who was also the predecessor of the present hon. member for Riverdale (Mr. Renwick), was here but I understand that he had a bit of capacity for making certain promises—12 points, 20 points, whatever the points were. I was delighted a few years ago when I attended the eleventh annual housing conference on September 11, 1963, held in Windsor. I brought away the speech of the then Minister and it is a very good speech. He told us what he was going to do and what the government was going to do and he said this, among other things:

We approach housing for the elderly in Ontario with an entirely new look, with entirely new projects; and we cast aside all aspects of axe grinding in our approach to the housing needs. If we apply skillful, broad brush strokes to our social canvas, we can accomplish in the next few years in this province a goal of magnificent dimension.

Well, then he goes on to tell about "the project that we have proposed in Metro Toronto, it is unique and for the following reasons." And he lists nine reasons—because this project for the elderly in Toronto is going to be unique.

He said, "It will take care of over a thousand people, it will cost approximately \$12 million." I listened to this and I read this with a great deal of interest.

The only problem is I go down to the spot to look for this development and I have not yet been able to locate it. I do not know, perhaps some of my hon. friends over here can tell me where it is. I just could not get at it.

But he goes on to something else, and this is the thing I want to draw the hon. Minister's attention to, because it is really good.

This programme by no means ignores the needs of low-cost housing generally for

our people. It simply becomes an additional plank in the 12-point housing programme of Ontario, which has been described—

now this is good:

—which has been described by the commissioner of housing in the United States as 10 years in advance of anything on the North American continent. A programme such as this will release a great number of houses for family occupancy, many of which hitherto have been only partially occupied. There is still a great need in Ontario for low-cost housing. I believe that with an ever-broadening understanding of it on the municipal level and an enlargement of the legislation now contemplated at the federal level—when that has come—we will be able to get on in Ontario with the finest public housing programme available on this continent.

Well, this was 1963. And this afternoon, Mr. Chairman, as I listened to the byplay here, and to my good friend, the hon. member for Grey North (Mr. Sargent), and when I heard about the hon. Minister going down to Africa and selling dryers—was it?—and other items to the people in Africa, and as I heard this byplay tonight, I could not help thinking that the government's housing plans, particularly this kind of plan, is all too much like the tropical dysentery that people seem to get down there sometimes, a diarrhea of words and plans but then followed by a complete constipation of action, as the medicine men of the government move in and prevent the hon. Minister and the staff from implementing the plans that they want to implement.

Now, whether the hon. Minister wanted to implement these plans or not, I do not know, but certainly in my discussions with staff members I do know that on that staff are dedicated men who do know their job and who have been anxious to get ahead with this job of housing. And I hope tonight that the hon. Minister is really sincere—and I believe he is—when he says that now they are moving forward on this plan.

Now the only problem I can see in this—

Interjection by an hon. member.

Mr. Young: Well, we hope he will be here as the hon. Minister next year because we shall call him to account next year. We want him to tell us at that point just how many houses he has built.

Mr. Bryden: He told us last year what he is telling us this year.

Mr. Young: But there is one point I want to bring to the hon. Minister's attention. The question was raised by my hon. friend here tonight. That is the acquisition of old houses. While it may solve the problem of the large family—and I hope that this acquisition goes forward for that purpose specifically—this does not add to the stock of housing unless those houses can be divided up, perhaps, into more housing units than they now contain. But the tremendous challenge that the hon. Minister faces is this challenge of 350,000 new homes that we are going to need by 1980. It means, Mr. Chairman, that we have to have an average of about 14,000 housing units per year over these next few years to catch up with the need. And that is not going to be sufficient to carry through the great population explosion that is coming.

And so, Mr. Chairman, I would hope that the hon. Minister tonight is making plans, not only to build the 2,000 units he is talking about, not only to get the request from the municipalities but to do two other things: first of all, to go out to the municipalities, wherever they may be, and to urge upon them the necessity of low-cost housing and to invite from them the kind of requests which he wants and his corporation wants, that they can measure up to this challenge of 14,000 houses at least per year.

And the second thing I hope he will do is lay long-term definite plans—those plans that will, from 1965 on, result in an ever-increasing spiral of housing in this province. It is all right to talk about what the other municipalities are doing, and what the requests are as they come in; it is all right to put the blame there, and say that unless requests come we cannot do anything about it. But I think the hon. Minister must initiate action, and then he must lay long-term plans and the kind of capital expansion that is needed in the days to come, so that he knows in 1966 and 1967 and 1968 what needs to be done to catch up with this backlog. As I said a moment ago, the hon. Minister has a staff which is keen to go to work. The hon. Minister himself knows the need and the hon. Minister himself is a pragmatist, a person who is willing, I think, to accept the challenge and to move forward in this field.

All I hope is that around him on this Cabinet and in this government are not going to be the kind of drags which we saw in years back, which prevented other Ministers from doing a job if indeed they wanted to do it.

So I would ask the hon. Minister tonight if he has definite plans ahead, if he is planning ahead for several years on this matter

of expansion so that he knows what he can expect and what he wants to do and what his staff can really expect to do in the years ahead.

Hon. Mr. Randall: Mr. Chairman, to answer some of the questions that the hon. member posed. First, let me assure you that the gentleman you talk about, Mr. Helmus—you have already given the information to Mr. Suters—Mr. Suters assures me we will find him accommodation, he is one of a few others for whom we are trying to get accommodation and before I get through tonight I could give you some information on St. James Square. I am sure we are all interested in that, too, in view of the publicity. There has been a lot of work done down there and I am sure he would be interested in it.

One of the things that you would perhaps be interested in is that since last August we have had 19 municipalities that have asked for developments for senior citizen housing. We have not had one request from Metro Toronto but we have had a request for the 4,500 family units.

We can only start, as the hon. member suggested—he hoped we would go to the municipalities and tell them the story. I do not know what more the Minister in Ottawa and myself can do than what we have already done to awaken the municipalities to the fact that the money is available, the machinery is here. Will they request this survey?

Mr. Singer: Nonsense, utter nonsense.

Hon. Mr. Randall: Just a minute, my friend, do not get excited.

Mr. Bryden: You have taken over in Metropolitan Toronto.

Hon. Mr. Randall: No, we have not taken over in Metropolitan Toronto. We have taken over the Metro housing authority which was our own branch.

Mr. Singer: Macaulay in 1962 said it was done.

Mr. Bryden: Is it not a fact, Mr. Chairman, that the Ontario housing corporation has taken over the planning, construction and administration of projects in Toronto, other than those under the Metro Toronto housing company—limited dividend company—and the Toronto housing authority? Otherwise you have just moved right in; you dissolved the Metro housing authority.

Hon. Mr. Randall: We still have to have the Metro request regardless of how badly we want to get on with the project. The

Metro council definitely has to make the request. I think that is understood. We are not trying to evade the issue.

Mr. Singer: Is it their fault?

Hon. Mr. Randall: I would be glad to go ahead and do it tomorrow if we could get on the property and build, but we have to get a request from Metro, as from any municipal council.

Mr. Singer: Would the hon. Minister answer a question?

Hon. Mr. Randall: Yes, surely.

Mr. Singer: Is it the fault of the Metro council that we have not got housing in Metro? Or is it the fault of the province?

Mr. Bryden: It is the fault of both.

Mr. Singer: Whose fault is it?

Hon. Mr. Randall: They build their own senior citizen housing. They have not requested any senior citizen housing from us. They build their own. As I say, they have asked us for family units. We got the request on February 9. We moved on February 27. I do not know how we could move any faster.

Mr. Singer: With great respect, you did not answer my question, sir. I said, is it the fault of Metro that the plan projected by Mr. Macaulay in 1962, as reflected on page 380 of *Hansard*, was not implemented, or was it your fault?

Hon. Mr. Randall: I am not too sure what Mr. Macaulay's original intentions were, but—

Mr. Singer: I will tell you shortly.

Hon. Mr. Randall: Just a minute. This was put up to the Metro chairman, Mr. Allen, and it was turned down.

Mr. Singer: Is it Allen's fault.

Mr. J. F. Edwards (Perth): Yak, yak, yak.

Hon. Mr. Randall: I would not say that. It is not fair to say that.

Mr. Singer: Well, you should say it.

Hon. Mr. Randall: It is their decision.

Mr. Edwards: Yak, yak, yak.

Mr. Singer: Yak-yak, as long as you want, but there are no houses.

Mr. Edwards: But you have been yak-yaking for years.

Interjections by hon. members.

Hon. Mr. Randall: Mr. Chairman, may I just finish answering the hon. member's question?

Mr. Chairman: Order.

Hon. Mr. Randall: Mr. Chairman, in answer to the hon. member's question. You ask, are we serious? I say, yes, we are serious and the government is serious. I would point out to you we have \$9 million this year to spend on housing, that is \$90 million with the 90 per cent from the federal government. Only yesterday Mr. Nicholson went before the Cabinet and asked for another \$100 million, and I have had a number of discussions with him. Mr. Soble is up there today talking to Mr. Nicholson about some housing matters, and I can assure you that the federal government and ourselves are serious about a programme. We have to be. Of the 10,000 units we have got here as a result of being serious about the housing programme—these cannot disappear—we have got to do something with them, and I have outlined a programme of what we are doing. They are coming through in stages, and I am quite confident that a year from now these houses will be produced as we say.

Mr. Thompson: Mr. Chairman, there is something I want to clarify, and I think the hon. Minister will understand me completely. He said that conversation when you go to the bank counts for nothing, it is the statistics of the cash I presume he is talking about when you see a bank manager. I would recommend that to the people.

I had felt the hon. Minister fully recognized what this is doing to human beings in this city, because I am going to focus again on Metro Toronto. They do not have homes. You are aware of the need for low cost housing. You stood up last year, and said to us, the Opposition, give me a year and I will come back. When you go to the bank manager, we are through with conversation, I will show you the green stuff.

I want to ask a question, and I would like, instead of a long involved answer, some green stuff for the man without a house right now, and there are thousands of them in this city.

Mr. Trotter: Thirty thousand of them in Ontario.

Mr. Thompson: The green stuff that he wants to know is how many houses this

great Ontario housing corporation has bought. That is, first of all, you can buy existing houses and you can give us excuses about the fact that you will hear next year that they are developing houses. You can actually go and buy houses. How many have you bought in the past year? That is my first question.

Hon. Mr. Randall: I thought I answered that, but I will repeat it again. We have not bought one house at the moment. We got a request from Metro on February 9 to advertise for houses. We got the 1,652 houses turned into us by the builders, they processed the paper work. We borrowed staff from Ottawa to go through their propositions. We had to boil a lot of them out because they did not meet NHA specifications, and the federal money would not be forthcoming. As I say, it has boiled down to 1,000 houses.

Mr. Thompson: I am sorry to interrupt, but my question was about existing houses. You do not need NHA plans for houses that are built and exist.

Hon. Mr. Randall: Oh yes, you do.

Mr. Thompson: Well, let me put this again to you. When you stood before us last year, the hon. member for Downsview raised the very apprehensions which you are now using as excuses for not having come through with results. He told you he thought there would still be delays. You assured him that with this Ontario housing corporation there would be results. You said you would stand up before us and there would be results. I say to you, sir, that if you went to your bank manager and you did not produce the green stuff, he would say you have got conversation. That is the state of the man in Toronto right now. We read yesterday of a man's troubles in connection with getting low cost housing and does not know where to turn. At this point, you have not provided him with an answer and you have not provided us with an answer.

Once again, we have to give you a waiting period of another year, and we hope that next year you will really come back and have production. I think you probably will, but as far as I am concerned you asked for a deadline of a year and you have not produced.

Mr. Singer: Not a thing.

Hon. Mr. Randall: I have produced. There are 10,000 houses right here that have been requested, and we are prepared to produce

them. I have told you time and time again you cannot wave a magic wand and build houses overnight. We have to get the requests. The requests are here, and we will build the 10,000 houses.

Mr. Bryden: Over how long a period?

Hon. Mr. Randall: We have told you what the schedule is. You have more intelligence than to stand here and tell me that a year ago I promised you I would have this number of houses. I told you I would get a housing programme underway, and I would produce housing, and the very fact—

Mr. Thompson: And produce housing.

Hon. Mr. Randall: —that we have 10,000 requests here tonight indicates that we have done exactly what this government promised to do, and we will follow up the schedule until the houses are built.

Mr. Chairman: The member for Scarborough West.

Mr. S. Lewis (Scarborough West): Mr. Chairman, bless the Chairman of this House. I do not want to wait another year. I want to give the hon. Minister about an hour and 33 minutes, because in an hour and 33 minutes time, 53 families presently in St. James Town, could well be evicted according to the previous stipulations that were presented to them. I am rather interested to find us on the verge, or in the midst, of a housing debate in this House without having brought St. James Town into direct focus, and I would like to spend a little time on this.

Hon. Mr. Randall: Would you like me to talk about the St. James Town?

Mr. S. Lewis: Well, I will offer some ideas and you can illuminate them.

Hon. Mr. Randall: I will listen and make notes.

Mr. S. Lewis: I would like to spend a little time on St. James Town because I think it is rather an interesting reflection on what happens when the Ontario housing corporation steps in, and then fails to come to grips with the problem. As a matter of fact, if St. James Town is the test case—and it is one of the most dramatic examples of the last little while—then indeed there are some concerns about the Ontario housing corporation. I am not particularly appreciative if the hon. Minister sits like a latter day Nero fiddling

while St. James Town burns, because of course, that is precisely what is happening.

I want to suggest to him that it is basically out of character. The persistence and the energy and the capacities which he has demonstrated in certain other areas of this portfolio—sometimes more limited, sometimes in a grandiose but effective way—are not reflected in the housing branch, and it may be that it is too much for him.

Hon. Mr. Randall: I disagree with you.

Mr. S. Lewis: It may be that the housing branch should not be part of this department. It may be that it should have a separate hon. Minister. It may be that it should report to some other Cabinet portfolio, but through the last many years, housing has been seriously—and, I suggest to you, callously—neglected by the Conservatives in Ontario. And that although this hon. Minister has some signs on his books for change, we here continue to be concerned about it. Let me put St. James Town, if I may, in the context of public housing for just a moment in the Metro Toronto area. The hon. Minister points out that it was not until August that the Ontario housing corporation began to come to grips with things, and in that incredible fall period between August and December, let us say, we had what I would like to describe as an adolescent by-play between the Ontario housing corporation people and the officials in the city of Toronto and Metropolitan Toronto. Indeed, between themselves and the hon. Minister. As a matter of fact, if memory serves me correctly, the esteemed mayor of Toronto at one point said that the hon. Minister was full of some very unlovely substance, and he replied that the mayor himself did not know what he was talking about.

Nobody could understand what the needs of Metropolitan Toronto were; no one could seem to come to grips with the problem, despite the fact that Mr. Brady, who is the number three man on the Ontario housing corporation, had been the major force behind the Metropolitan Toronto housing authority and knew exactly what the housing requirements in Metro Toronto were. He knew precisely what was needed and we have this interim lag of several months.

“And then,” says the hon. Minister, “finally, either through persuasion or coercion, the city of Toronto and Metro Toronto were forced to come before the Ontario housing corporation on February 9 and made their request for 4,500 units over three years. And that,” says the hon. Minister, “cleared the air.”

Cleared the air, did it? That was on February 9, 1965. On March 31, 1965, nearly

a month ago, we had a major news story in the Toronto press saying: "Muddles Over Housing, Mayor, Controllers Admit."

Let me read portions of it into the text:

Mayor Philip Givens and Toronto's four controllers confessed yesterday that they are hopelessly confused about the city's public housing situation, and the respective roles of the Toronto housing authority and the Ontario housing corporation.

Mr. Givens told the board of control that he had been unable to get any answers out of the Ontario housing corporation. Whenever he asks what the corporation is doing, it says it has not been asked to do anything, the mayor said.

He said the only information he gets about the corporation is through the newspapers. "Everything is in the rumour stage, I get everything second-hand," the mayor complained.

Controller Herbert Orliffe, who started the protest, said there is either a lack of communication or clash of personalities between the authority and the corporation.

I strongly suggest that it may, unhappily enough, be the latter.

Controller Margaret Campbell said: "I find myself completely confused about what the situation is."

And then the mayor ended the meeting by saying: "Let us hope the good Lord intervenes in our behalf."

"We certainly need help," said Mrs. Campbell.

It is a rather interesting situation that on April 1, 1965, almost two months after the Ontario housing corporation had finalized agreements, there is still no liaison between the Ontario housing corporation and the Toronto housing authority; still no liaison worth anything in terms of clarity and understanding between the Ontario housing corporation and the board of control and its membership in the city of Toronto.

I want to suggest to the hon. Minister that he may be pleased with what the Ontario housing corporation is achieving, but obviously it has not persuaded the people with whom it must deal. The hon. Minister will never get housing in the Metropolitan Toronto area if that situation is allowed to persist.

The St. James Town project is a case study in cynicism and unsavoury motives. It goes all the way back—the hon. Minister will know better than I—to the days of the Parliament syndicate and Andrew MacFarlane's spate of articles in the *Telegram* which were blood chilling to read—as unhappy a

history of inadequate planning that could be conceived. Duplicity, harassment, creation of a slum—right through that series of subsequent syndicates to take over the St. James Town area—continued slum evolution down to 1961 when the Rose Park Apartments Limited were unsuccessful in their efforts to take it over.

Finally, in the latter and final part of this saga, at the end of 1964 and early 1965, the Howard Investments stepped in.

I want to say to the hon. Minister—and I say this to him in all good faith—that in every instance, while the whims of the private developers were given overriding precedence, the need for relocating people in a planned fashion was relegated to the waste basket of the urban renewal programme. There simply has never been a grasp within the Ontario housing corporation now, or within the authority which preceded it, for the need to relocate people effectively.

The plans are finalized; the axe falls and the eviction notices are served. I have no doubt that the hon. Minister is going to stand up a little later and say that the member for Scarborough West will be pleased to know that we are postponing the evictions, nobody will be evicted tomorrow and they will have a little more time. I am sure, as I stand here, that this is likely to be his reply. I say to him in anticipation that no Minister of the Crown has the right to hang a Damocles sword over a large number of families, many of them with multiple problems, no right whatsoever.

If, in fact, the Ontario housing corporation steps into this kind of situation, it cannot simply play with people's lives in a rather frivolous and unbecoming fashion, which is the main characteristic of this whole St. James Town affair.

I want to point out that there are more than 200 families affected; that they are on low income levels; that there are large numbers in many families; that several suffer cultural deprivation.

There will be a real problem of psychological adjustment for some of them. There are a goodly number on welfare rolls, existing in present slum conditions and being faced with the possibility of further slum conditions and we have engaged, by putting them on welfare rolls, in this peculiar policy in Ontario of subsidizing slum landlords out of the public purse. But 53 of the families involved have been presented with a *fait accompli*, just as in effect the city of Toronto was presented with a *fait accompli*.

The housing authority stepped in when the

plans were made early in 1965. While perhaps the hon. Minister will correct me if I am wrong, I believe that the Toronto housing authority is the only municipal authority of its kind through the province and that the Ontario housing corporation when it merged a great many other authorities, created a quite distinct and individual entity, but it left the Toronto housing authority alone—itsself very distinctive.

The Toronto housing authority worried about the consequences to the St. James Town residents and it began—I believe it was in February or March—to develop a programme. They worked for six weeks and were prepared to provide what Mr. Bradley said at the time was “instant” housing. He even named the housing and the streets.

He went to the Toronto board of control at the end of March, 1965, and asked for \$36,000 and the Toronto board of control said he could have \$36,000. They were willing to vote the money. The Toronto housing authority was willing to relocate the people. They had been in the field for 17 years and had opened up a lot of contacts. They had undertaken the relocation and at that point, for reasons I would appreciate the hon. Minister explaining to the House, the Ontario housing corporation stepped into the St. James Town picture, with great largesse, and agreed to take over the relocation of families.

At the moment the Ontario housing corporation stepped in, all the most perplexing and confusing trouble began. In fact, let it be said that those families for whom the Toronto housing authority is still responsible are likely to be adequately relocated. It is the families for whom the Ontario housing corporation is responsible who are not likely to be relocated and who face eviction—if the evictions are served—tomorrow, during the day an hour and 20-odd minutes from now.

I want to know why the Ontario housing corporation suddenly stepped in. It was very nice of them to step in; it meant that the Toronto board of control did not have to pay the full \$36,000 and they were glad to pay a lesser sum. But since the Ontario housing corporation talked so much about municipal initiative and municipal authority, surely this was a situation where the Toronto housing authority should have been allowed to do the job.

But the Ontario housing corporation stepped in and it throws many of us—it throws me, I must tell the hon. Minister frankly, into a quandary. I have never particularly thought that we could rely upon this happy thing of municipal initiative, I do not

think it comes properly from municipalities. I do not think that we will ever have a housing programme in Ontario if it is contingent upon municipal initiative. But in the one instance where the municipality had showed initiative in relocating people, the Ontario housing corporation stepped in and promptly managed to destroy the base of confidence and to set in motion a chain of events so that large families are continually faced with the prospects of eviction and live in a perpetual state of harassment and uncertainty; not to mention the fear that is attendant on families on public welfare who have the prospect of upheaval.

I do not know what the answer is, I say honestly to the chairman. Perhaps the hon. Minister should remove housing from the crude and partisan political arena, perhaps he should appoint someone from this party and someone from the Liberal Party to sit on the Ontario housing corporation board for a year. I promise him some results if it is humanly conceivable. Perhaps we could meet and see for ourselves the frustrations that he lays claim to and that he pretends form an impasse to progress. But I strongly suggest to him that he is getting nowhere now. If he would like bi-partisan or tri-partisan political help, we are perfectly happy to join in.

What do we find after the Ontario housing corporation steps in? I would like the hon. Minister to answer these questions, and I assume that he would take them carefully and answer them carefully.

First of all, I would like to know, and the House would like to know, what is going to happen to these 53 families in an hour and twenty minutes from now, assuming that the bailiffs or whoever else is involved are excited about the job they have to do and will be on people's doorsteps promptly on April 30.

Second, how many families will be evicted, if any, and how much flexibility is there to the eviction date?

Let me refer him back to another confrontation of people from his department and the citizens involved. There was a meeting not long ago at St. Simon's Church. It has become the local hub of activity and anxiety, and the hon. Minister sent Mr. Bournes, who—and I may be corrected—has been seconded to the Ontario housing corporation from CMHC. He also sent along someone else; I am not quite sure who it is, but that particular person is not of consequence—I profoundly hope it is not Mr. Suters—no offence meant.

In the meeting's most tense moment—

says the news story:

—Alderman June Marks challenged Mr. Bournes, “I want to be told right now in front of all these people whether I can tell the families who call me, that they will be allowed to stay in their homes if no accommodation has been found for them by April 30.” Mr. Burns replied: “You shouldn’t give them a black or white yes or no.”

If that is not catching the spirit of Ontario housing, nothing does.

You shouldn’t give them a black or white yes or no. It may be true to say that they will not be evicted on May 1 but I couldn’t say whether that would still hold on May 2, May 10 or May of next year.

Now, how does the hon. Minister allow leading representatives of the Ontario housing corporation to play in that less-than-reputable fashion with the anxieties of the families concerned? And why is it not possible to tell them precisely what the terms of the eviction are likely to be, and what housing prospects they have and what relocation prospects they have, and when action will take place? Mr. Frizzelle, the other gentleman who was there, said that the housing authority was working on the rehabilitation of houses, “but it would take 100 men a month to fix up those houses”—that is, other houses in the St. James Town area—and he asks tenants to be patient. He asks them to be patient—faced with eviction on April 30 or May 1.

I would also like to know from the hon. Minister how many require multiple unit dwellings. We all know you can offer one-bedroom or two-bedroom apartments or homes, but how many require multiple unit dwellings and how many of those dwellings have you presently on the books? How many precise units are available now for the residents of St. James Town? How many Ontario housing corporation people are there in St. James Town now assessing people’s needs?

Why, until this afternoon, had there been no contact with Mrs. Lena Cook, who works two days a week, partly with the Toronto housing authority and partly with the social planning council of Metropolitan Toronto, researching what is happening in St. James Town, and trying to find ways of relocating people?

Is the hon. Minister happy with the methods the Ontario housing corporation has adopted? Is he happy with this cloud of fear and despair that hangs over so many families in the St. James Town area? And is it the policy of the department to move people

from one bulldozer step to another? Because, let us be frank with each other, some of the alternative housing accommodation which has been offered to the citizens in St. James Town is not much better than that in which they are now located. In fact, for some of them it was a great emotional shock, it was worse than that in which they are now located. That is not the way one plans a project of urban renewal. I say that frankly to the hon. Minister.

And finally, I would like to know what rationale there is for demanding that repairs be made and bylaws suddenly enforced at considerable expense—I refer to electric wiring and similar aspects—right on the eve of eviction, in the last week prior to the eviction, when these same people cannot even get low-cost housing in Regent Park north because Regent Park north will not take people who owe a Consumers’ Gas bill unless it is balanced off on monthly payments.

I say to the hon. Minister that there are doubtless some answers, there are doubtless some explanations and, as I say, I have no doubt that you will say the promoters, the private interests are willing to hold off, and that you are willing to hold off, which simply means that the concern and anxiety in people’s minds is allowed to become that much more intensified. I do not know whether the hon. Minister faces eviction tomorrow; I suspect that he would not be here tonight with the equanimity that he demonstrates, if he were. And one cannot in fact play with people in that fashion. I do not think that a single project has ever been so badly acted upon by a housing authority. I do not know what happened, I do not know what went wrong, and I would be interested in hearing the hon. Minister’s explanation.

You said in your opening speech, Mr. Minister, that you would have a thousand units ready in May of 1965. Now why cannot some of those housing units be used for these families who are on the verge of eviction? There does not seem to be any plausible or possible excuse for the general delay and the general concern. I do not wish the front bench of the Cabinet, that attractive, handsome, charming, disarming front bench of the Cabinet to be known as the guilty men, but it is happening; we are on the threshold of it in the field of public housing and housing requirements generally. The same energy which the hon. Minister applies with such admirable finesse to other branches might be extended here and I suggest that the actual methods and activities of the Ontario housing corporation be analyzed with as much scrupulous intent as the projection of figures for

houses and the accumulation of old houses in the Metro Toronto area.

Hon. Mr. Randall: Well, Mr. Chairman, I will try and answer some of the questions for the hon. member.

First of all, let me clear up the so-called misunderstanding between myself and the city of Toronto. There is no misunderstanding on my part, regardless of what you read in the newspapers. Mr. Allen and Mr. Givens were both in my office on September 9, along with Mr. Suters and many other people. On September 10 I wrote them both a four-page letter and outlined exactly what we were prepared to do. I did not hear a word from either one of them until just before election time when Mr. Givens made the remarks that he did not know what was going on in housing. When I wrote to Mr. Givens and said, "Would you mind looking up the letter of September 9," he apologized and said, "I didn't think they would quote what I said." And I said, "Well, Phil, if you can't tell a friend what he is full of, you can't tell anybody." I can assure you that Phil and I are still good friends.

And may I also say that in the matters of housing—and I think you know as much about municipal law as I do—the city of Toronto is just another municipality in Metro. The Metro housing authorities are the ones that request the housing and the mayor sits on the Metro board, so he knows what goes on. We do not deal directly with the Toronto housing authority. Many of the things you brought up today are municipal matters in which the Ontario housing authority is not involved. We are involved in some of it—not many of the things—like the electric light switch being turned off and so on. I think you will recognize that.

Now let me just say this: There are 200 families—

Mr. S. Lewis: I recognize that.

Hon. Mr. Randall: There are 200 families involved at the moment and that whole area is not going to be bulldozed tomorrow, so we are talking about a percentage of 200 over a period of time. We have ample time to look after, let us say, the majority of these people.

Mr. S. Lewis: But there were evictions for tomorrow?

Hon. Mr. Randall: That is right, and I will talk about them in a minute.

Now, as for the 12 houses that Mr. Bradley said he could produce—instant housing—he

made the statement and the mayor suggested to the Metro chairman that Mr. Bradley should ask the Ontario housing corporation to take those over immediately and do something with them. When we called on the 12 houses they were all occupied by people who needed the houses just as badly as those whom Mr. Bradley was trying to house. We could not throw those people out of housing so we have to look around and find something else for them. I do not evict people to put other people in. Those houses were not instant housing, there were people living in them. So Mr. Bradley's statement about instant housing just died a natural death very quickly when we found that the houses were occupied.

Mr. Singer: What did you do with the people, other than—

Hon. Mr. Randall: Just sit still now, do not get excited. This is your bad night, now, just be careful.

Mr. Singer: No, it is your bad night. It is the government's bad night. You have got nothing.

Hon. Mr. MacNaughton: You cannot hear when you are talking so loudly.

Hon. Mr. Randall: The city asked Metro to have the Ontario housing corporation take over the St. James Town project. The city asked Metro to ask us and we took it over. Now, this is the way it came to the Ontario housing corporation. Let me give you a full report on the St. James Town area, because this is where I was brought up. I know something about it. I know the conditions in that area, so I think I can talk from experience.

Although this has been referred to in the press as a redevelopment area, it is actually a private redevelopment scheme in which the old, existing properties are to be torn down and replaced with a high-density development, largely for single persons and childless couples. The government of Ontario is playing no part in redevelopment of this area. We are not in it.

On April 9 the Ontario housing corporation was asked by Metro to assume responsibility, with the assistance of the city of Toronto housing authority, for finding housing accommodation for families who are being displaced by the rental programme. Previously the city of Toronto housing authority had undertaken the finding of accommodation and had also agreed to assume responsibility for the management of all houses in the area

scheduled for demolition over the next few years. The Ontario housing corporation was advised that accommodation for all the families in the area slated for immediate demolition had to be found during the month of April. Ontario housing corporation interviewed all these families, to determine their accommodation requirements and also approached the developers to determine exactly when the existing houses would be demolished. The present position is as follows:

Ontario housing corporation staff interviewed 64 families. Of these, 11 refused to complete an application for housing. The developer, as you said yourself—and I will repeat your words now—agreed that no family would be evicted. In point of fact, the Ontario housing corporation discovered that the developer had not obtained a court order for possession.

A total of 25 families have since been offered accommodation and of these, 19 have accepted, two are undecided and four have refused. Thirteen families have found alternative privately-owned accommodation, either with the assistance of OHC, or of their own volition. Fourteen families remain to be housed; all require a minimum of four-bedroom accommodation.

In addition to the families housed by the Ontario housing corporation, the city of Toronto housing authority has found accommodation for five other families. A number of these families in the area were previously tenants in either Regent Park south or Lawrence Heights project, who left for various reasons. You can use your own imagination why some of them left.

One fact has been clearly illustrated in Ontario housing corporation's endeavour to rehouse families in St. James Town. Quite a number of the residents refused to complete application forms and do not wish to receive assistance in the form of public housing. In other words, no matter how desperate a family's circumstances, they still reserve the right to decide whether or not they wish to be provided with decent, safe, sanitary accommodation.

Now, I do not know what more we could offer to do, than what we have already done at the request of the city through Metro to us. I think, again, this proves that we are not ducking our responsibilities. We have an interest in these people. We said what the corporation was going to do and we have had our people working, trying to find what their problems are, how soon they are going to move. I can assure you that, in that 1 hour and 18 minutes you are talking about,

you can go home and sleep, because it is not going to happen.

Mr. S. Lewis: Well, I am glad that we finally—if I may follow up for a moment, and then throw it open to my hon. colleagues in both parties—I am happy to hear that they are not, in fact, going to be evicted and I want to tell the hon. Minister that this is the first time in the last eight weeks, since this has been a boiling issue, that someone of authority has said they will not be evicted on April 30. No one has yet said it, and I suggest to you strongly, sir, that to do so an hour before they could be evicted, is not in fact an intelligent way to relocate families. This simply demonstrates the incredible confusion in which all of this has been immersed. It may be breakdowns in communication, there may be other problems involved. It may be that Mayor Givens is incapable of comprehension. That is the implication of your earlier remarks, but somewhere, something broke down and I am not at all sure where that happened. And when I say that yours is the first announcement, I quoted from what Mr. Bournes said on your behalf. I recall a rather—I do not want to recall it too vividly because it was a rather painful question and answer story in the *Toronto Globe and Mail*, involving Mr. Suters, in which, if I may say, he was not absolutely precise about the eviction possibilities or otherwise. All I suggested to you earlier was that this aspect of the relocation was very badly mishandled.

Mr. Singer: It could not be. Nobody told him what to say.

Mr. S. Lewis: Now, let me move to the other point. Multiple housing units are obviously going to be one of the problems. Eleven out of the 64 families would not sign of their own volition and move. But on your own notes, 53 will move and the four who have said no, said it not on the grounds that they will not move but on the grounds that the accommodation offered them was not what they wanted. And I think that families who are being uprooted can on occasion be given the opportunity to choose between one or two alternatives. I do not think that is too much to ask of a government. Now where are these multiple housing units and why are they not available? Let me quote again from your speech, Mr. Minister, when you led off on the estimates:

On February 27 the corporation advertised for a minimum of 1,250 units either existing or to be constructed this year. These are now being appraised and it is

expected that at least 1,000 units will meet OHC requirements. Purchase of acceptable units will be carried out during May, 1965.

Now, is it not possible for the hon. Minister to stand in this House and say, "Of those 1,000 units which I promised, 48 hours ago, would be purchased during May, 1965, I am prepared to designate this many for the St. James Town residents"? Can we not, in fact, have some clarity? How can you expect the members on this side of the House to have confidence in the Ontario housing corporation if, in fact, the procedures have been characterized by this confusion? I suggest, finally, it is ministerial responsibility. It is a good strong Minister who steps in and says, "On my authority they will not be evicted and on my authority we will look after them." Well, on your authority, Mr. Minister, we are also going to have to look after a considerable number of people for relocation in Alexander Park and God help them if this kind of anxiety pervades their relocation as well.

Mr. Singer: Well, Mr. Minister, I have listened with very great interest to your remarks tonight. My recollection brings back your remarks of a year ago and my further memory goes back even before that and recalls the remarks of your illustrious predecessor, Mr. Macaulay, and I can only say to you, sir, and to your colleagues, where is the Macaulay of yesteryear?

Hon. Mr. Robarts: He seems to haunt you.

Mr. Singer: No, he does not haunt us. He haunts you and he haunts the government of Ontario because, sir, I say to you, Mr. Prime Minister, that if you are going to parade a series of false faces on your front benches who get up and make ridiculous statements that are abandoned a year after they are made, your government is a sham and a fake. If you are not prepared, sir, to stand up and say that a responsible Minister who stood in his place on December 18, 1962, meant what he said, you, with him, are a sham and a fake. Now, let me read to you what he did say.

Hon. Mr. Robarts: Do.

Mr. Singer: On December 18—I quote from page 380 in *Hansard*—Mr. Macaulay said this:

Earlier this year the 12-point plan for housing in Ontario was approved to give our housing programme greater flexibility.

We have not heard tonight, we did not hear a year ago, any mention of the 12-point pro-

gramme. In fact, sir, you and your colleagues pretend Macaulay exists no more. Anything he said was no responsibility of yours, that he is discarded, that he is in limbo, that in fact you are embarrassed by him and ashamed of him. Now why does the hon. Prime Minister not stand up and say that?

Hon. Mr. Robarts: Ha, ha.

Mr. Singer: Do not sit there and laugh. This is a very serious—

Hon. Mr. Robarts: I have nothing else to do but laugh.

Mr. Singer: Macaulay said, and I quote again from page 380: "I am pleased to say that our endeavours are beginning to bear fruit with the following results." Listen. Just listen. These are the results of—

Hon. Mr. Robarts: I have no alternative; I will listen.

Mr. Singer: Of course the hon. Prime Minister has no alternative and the people of Ontario have no alternative but to listen to the nonsense that comes forward from a succession of his Ministers—

Hon. Mr. Robarts: I doubt—

Mr. Singer:—full of sound and fury, signifying nothing—

Hon. Mr. Robarts: I doubt if they will want to hear last year's debates again.

Mr. Singer: Absolutely nothing. Macaulay said in 1962 exactly what the hon. Minister of Economics and Development says in 1965, and nothing has been done.

Listen to Macaulay's words; listen to what he says: "I am pleased to say that our endeavours are beginning to bear fruit with the following results: Scarlett Wood, Etobicoke—150 units."

Where are the 150 units in Scarlett Wood?

"Warden Avenue in Scarborough—350 units." Where are the 350 units on Warden Avenue in Scarborough?

"Thistletown, Etobicoke—1,200 units." Thistletown has been going on almost every year for the last ten years. There never were any units in Thistletown.

"O'Connor Drive, North York—300 units." A few minutes ago the hon. Minister said that we were going to have something on O'Connor Drive in North York. How many units have they got on O'Connor Drive? Not one.

"Jane-Steeles, North York—500 units." A few minutes ago the hon. Minister again said,

"Stapleford Farm—100 units." Stapleford Farm has been going on since 1955. How many units are there there? Not a single one and the hon. Prime Minister knows it. He should be ashamed and embarrassed to allow his hon. Ministers, one after the other, to get up and say that this is their programme and this is what they promise and they produce absolutely nothing.

This year the government has a salesman and he gets up and says a lot of nice words signifying absolutely nothing. What did he say a year ago? What did the hon. Minister say a year ago? On April 28, 1964, he said: "Again, I can only say to you and to the hon. members of this House, that if this housing Act"—and that is the one that created the Ontario housing corporation—"is passed, and I am sure it will be—" that was a fairly well calculated guess, it does not take any great genius to recognize that there are 77 votes over there and 23 plus eight over here, and the bet is that the 77 will get together and pass almost anything they want to.

"I think a year from now," and I think the hon. Prime Minister should listen to this, "I will be very pleased," and this is the hon. Minister talking, "I will be very pleased to take any criticism on the housing programme and I will deserve everything you say if it does not work out as we anticipate."

What has the hon. Minister got to tell us tonight? Not a thing has worked out. There is not a shade of difference between what he said tonight and what he said a year ago, or from what Macaulay said two or three years ago. It is a sham, a fake, a delusion, a red herring dragged across the trail to confuse the people of Ontario. The hon. Prime Minister should get himself a new Minister who will do something about housing.

I ask the hon. Minister very seriously if he has any interest in housing? He is very busy going to Tokyo and Canberra and all these interesting places in the world and selling Ontario. Perhaps this is needed, but this hon. Minister has no interest at all in housing. His approach to this indicates it; the results that he has achieved indicate it; the results the Ontario housing corporation have achieved indicate it; and the attempt to shift the blame from his department to the municipalities indicates it. A year ago when this thing came in I suggested to him, quietly and politely as I usually do, that they were asking for trouble, seriously asking for trouble, because the lack of the municipal anticipated efforts could frustrate this whole plan. It has been obvious, the municipal effort has not been productive of the housing units that are needed in this province.

There is no excuse. The hon. Minister said that it would not happen; and it has happened and he knows that it has happened. The blame lies at his doorstep, and his explanation of the housing policy tonight is an explanation of utter and complete failure.

The hon. Minister must have seen, and I am sure he has seen, a submission made to him and to various housing authorities by a firm called Blainey Real Estate Limited which offered to supply some 3,000 units of housing to any housing authority that was interested and the economic basis for it is very soundly set up. Now whether this is a good one or a bad one I do not know. It would seem to me, costing less, that it makes reasonable economic sense.

Here is a private enterpriser who comes forward and says that he is able to offer to government, on the basis of what we have heard in your legislation, several thousand units of housing in accordance with the findings and the regulations and the statutes laid down. They tell him that one of the chief complaints levied by social organizations with respect to the present inadequate subsidized housing scheme is a lack of integration. There is such a lack of integration that it is not uncommon these days to find subsidized housing facilities referred to as "ghetto-like." In recent years the movement seems to be toward having the greatest possible number of subsidized housing units in the same area. It is acknowledged that there is a social stigma attached to the residents in subsidized housing units now provided.

It is submitted that the housing units herein present the maximum in social integration and that the buildings are located in virtually every municipality in Metro, and for the most part in each location there are no more than 250 suites. Where there are 250 suites, the buildings are a part of a large apartment complex in that municipality; or you might say are integrated into an apartment development.

Here is a private developer who listens—perhaps to his folly because he spent a great deal of time and effort trying to present a plan that seemed to be feasible in the direction in which the hon. Minister was apparently pointing to more private enterprise toward assistance in public housing. He presented a scheme that seems to me, at least, reasonable on the surface.

It is backed up with economic facts that seemed to me to be reasonable. I gather from the gentleman who gave me this information that he hardly received the courtesy of a reply. With all the time and effort that went

into this type of presentation where he was able to offer to housing authorities several thousand units on a sound economic basis that would be available for public housing, he hardly got an answer from the hon. Minister.

Certainly either his offer or his suggestion was never accepted or encouraged or modified or anything else. The only answer, Mr. Chairman, that can come from this is that this government pays no more than the barest lip-service to the idea of public housing. The only answer, Mr. Chairman, is that the hon. Prime Minister in his wisdom has now chosen perhaps his best salesman to get up and to surround this very serious social problem with mere words.

There is nobody up there—I am talking to the hon. Prime Minister, Mr. Chairman—there is nobody up there at all; they surround this very serious social problem with a bunch of words full of sound and fury signifying absolutely nothing.

I suggest to you, sir, that no one in this province can seriously believe that the hon. Prime Minister or any of his colleagues are at all concerned about the provision of public housing.

Some hon. members: Hear, hear!

Hon. Mr. Randall: Mr. Chairman, I would like to clear up a few facts so that the hon. member can go home and sleep with an easy conscience tonight. I know that he would not want to go to bed having made some misstatements.

Warden Woods, with 340 units, has been occupied for over a year; Scarlett Wood, with 150 units, has been occupied for over a year.

The gentleman that the hon. member referred to at Blainey Real Estate I know well. He is a very fine fellow and I have had some dealings with him. He was in to our office and sat down and went over his proposition. It revealed the very thing that the hon. member for Scarborough West was talking about. Ninety per cent of his offer was bachelor suites or one bedroom suites, which we do not need for the kind of accommodation for which we are looking. If he has other accommodation, he knows that we are still in the market. I spent over an hour talking to him and his partner and pointed out that this was the reason why his proposition was not acceptable.

I mentioned that there were 1,632 deals offered to us, but there was no use buying something that was not going to meet the needs. On the 1,000 units of which we were speaking, we hope that within these 1,000

units we will be able to do the things that the hon. member for Scarborough West was talking about, and that is take care of the bigger families.

One of the problems at Regent Park and Moss Park is that there are not enough bedrooms. We recognize that the problem of housing is not housing as such, but housing with sufficient bedrooms to take care of these expanded families.

Now I just want to clear one other thing while I am on my feet, and that is yesterday when I presented my estimates speech, I explained the reason why we formed the housing corporation, I would just like to reiterate again why I think it was a good idea.

It is obvious that the Minister is not going to be here all the time. It is obvious that perhaps in four years, or eight years, or 12 years, that there will be a new government here. Who knows?

Hon. Mr. Robarts: In 16!

Hon. Mr. Randall: Sixteen perhaps!

Mr. Singer: Four—next election! When are you going to call it?

Hon. Mr. Randall: The housing problem is going to be here for a hundred years. The housing problem is going to be here, regardless of who the Minister is and who the government is.

Mr. Bryden: If you fellows are there it is certainly going to be here forever.

Hon. Mr. Randall: The housing problem needs an entity to look after it, such as Central Mortgage and Housing, and that is exactly what we have created with the Ontario housing corporation. All I say is, it has hardly had its first birthday, give it a chance to get off the ground. We have indicated that it is working, so far as I am concerned. I do not think we need any separate Minister of housing. They do not have it in Ottawa, and I think with the two Ministers, the hon. Minister in Ottawa and myself, looking after housing in this province, we are going to do a good job for the province as a whole.

Mr. Bryden: Mr. Chairman, I think the hon. Minister, who is a reasonable man, can understand why we view all announcements from the government opposite about housing with a jaundiced eye. They have been nothing but phonies for 20 years. Everything they have announced amounts to nothing. Now it certainly would be unfair to make

this hon. Minister responsible for the gross failures of all his predecessors, although I think the government has to take responsibility for those failures. This hon. Minister may have new plans, he may actually be going to carry out some plans, and it would certainly be a whole new departure in housing in this province if any significant plans were carried out. However, he asked us last year to wait a year and see how he performed. We waited a year, and the performance has been negligible. He has asked us to wait another year. We will wait that other year, but in the meantime, I have a number of questions I would like to ask.

There is one in particular I would like to ask him about these houses that the housing corporation is buying up from builders. Could he give us some idea—I gather they have not yet been acquired—but the hon. Minister must have a pretty good idea of what is likely to be acquired, since they are likely to be bought shortly. Could the hon. Minister tell us: A. What is the approximate geographic distribution of these houses? B. What is the bedroom distribution?

He himself mentioned the great importance of larger houses with two, three and four bedrooms. How many is the hon. Minister planning to get in those categories?

The hon. Minister referred to Moss Park which was, I suppose, one of the greatest abortions in the history of housing, a plan that started as a good idea and was turned upside down by a federal Tory government until it was practically useless. I hope we are not going to make any more mistakes like that, and spend large sums of public money for accommodation that does not meet the need at all. I hope that is not going to happen. Now, what is he getting in these houses he is buying? How many four-bedroom houses is he getting? How many three-bedroom houses?

Hon. Mr. Randall: Answering your question, I do not have a bedroom count as yet, the appraisers are working on it. We are trying to finish up our own appraisals, but these units that we are talking about—there are 80 in the city and the other 1,000-some-odd are spread across the rest of the municipalities.

Mr. Bryden: How many of them are adjacent to the Macdonald-Cartier highway?

Hon. Mr. Randall: None whatsoever. When we undertook that project we made sure that this would not be turned into this kind of a programme, because I think it is good

business on our part not to do that. That is an area where we have used a little discretion. We are picking those houses up, anyway, on the basis of the offer to the "401" people, but they are not being used for this particular purpose.

Mr. Chairman: Is the vote carried?

Mr. Bryden: No, far from it.

Mr. Newman: Mr. Chairman, I have a special problem in my own community that I would like to bring to the attention of the hon. Minister at this time. That is, the lack of available space in the community in which to put up the low rental type of home. Windsor, as you know, is fairly well landlocked. There is not the space available. Windsor has applied for some low rental housing. Certain numbers of low rental housing have been approved by the government. However, because of the lack of space, it makes the problem that much more acute.

The problem could have been solved if the municipalities beyond the bounds of the city had applied for low rental housing. The city of Riverside has only applied for 16 low rental units and 12 senior citizens homes. Sandwich West has not applied for any. Sandwich East has applied for none.

In the meantime, because of the tremendous boom in the economy, there is a terrific need for housing. The need has become so acute that during the last weekend, I received over ten telephone calls from individuals, not asking, but begging, for any type of rental accommodation. I am just going to mention three different people.

A fellow by the name of Tom Griffin, married, six children. His eviction notice is for Monday morning. He has no place to go. There is absolutely no housing available for him, a man with six children. He does not know what he is going to do. He has applied to the mayor of the city. He has applied to everyone of the real estate agents in town. He can get no housing whatsoever.

Tom Ford, five children, has done exactly the same thing, and can get no rental whatsoever.

Then I have a Mrs. Jean Couvillan, a mother of ten, who has had three of her children leave home, because of the type of accommodation in which she lives. Her children did not think it was of a sufficiently high standard in which they should be living. What can she do? She cannot find housing accommodation.

As a result of this, rentals have been driven sky high. For a home that at one time rented

for \$50 a month, today the landlord is asking anywhere from \$90 to \$100 a month. It makes it most difficult for these people not only to be unable to afford the rental, but just to find a place to rent.

May I read just this short article from the local paper on April 23?

Boom is a much-used word around Windsor and other Canadian communities. Apply boom to housing and you get bust for growing numbers. They are on a vicious road leading to a deadend. The cost of building prevents them from building a house. The cost of renting is starting to really hurt many, and chase some into nowhere.

In the war and post-war period, governments saw the need for rent control. It was the only way to curb inflation. Rent control long went out of the window, and with it so did justice and fairness in many cases. Thousands in Windsor and elsewhere have failed to benefit from the booming economy. Their salaries or pensions have not gone up the same way the cost of living and housing has.

A typical case—rent for a small flat in Windsor has been increased from \$65 to \$90 in seven months.

We could go on for 1,000 words and detail personal case miseries. There is no need to. Most in Windsor are aware of the situation. The problem is obvious. What must be sought out are the solutions.

Might not some of these solutions be: 1. The return of rent controls; 2. Better administration of public housing to ensure that low-rental housing is for low-income groups; 3. An increase in public housing in this area. And urgent, a city-provincial-federal governments study of the housing needs and problems in this area?

The hon. Minister will say he has conducted these surveys, but I will say that Windsor is landlocked and cannot meet the needs. It cannot force municipalities adjacent to it to ask for this type of housing, or to entertain or go ahead and develop this type of housing. The sad truth is there has been quite a bit of building in Windsor and the area in recent years and months. Apartment block buildings seem the latest thing. Questions:

How many of those in great need of housing can afford the rents? For the sake of suffering people, will someone, city hall, Ontario, Ottawa, landlords' consciences, do something?

Would the hon. Minister consider imposing some type of rent control on a temporary

basis up until the time the housing situation could ease itself in a local community?

Mr. Peck: Is this Liberal policy?

Mr. Singer: What is the hon. member's policy? Does he have any? If you have any policy, why does not one of you stand up? He has no policy.

Hon. Mr. Randall: Mr. Chairman, in answering the hon. member's question, let me first of all say that if he has specific cases of people there who have difficulty getting accommodation, I suggest two things. If the hon. member will let us have a list of those names, the people who are having difficulty—

Mr. Newman: I will be glad to.

Hon. Mr. Randall: Also the Windsor housing authority, let us have a list of the names, and I am sure that we can assist in some way to take care of the problem. At the moment there are 176 family units being built in Windsor; 87 of these are on scattered sites, the balance are downtown in Windsor, which is going to assist the problem. I do not know when the annexation is going to take place but Riverside is being considered as one of them; if it does there is a lot of building land out there as you perhaps recognize.

The hon. member also asked if we had any property. We do own property down there, federal-provincial property; there are something like 232 acres and there are over 200 acres now in the process of being serviced. So that will be available for modest-income family housing in the Windsor area.

Mr. Newman: I would like to thank the hon. Minister for his remarks there, and I will turn over the names as I get them. The one in here is being forced out of the home as of Sunday night. A married man with six children. He was crying when he was talking to me; he is 29 years of age.

Hon. Mr. Randall: If the hon. member would let us have that correspondence.

Mr. Newman: I will not give the hon. Minister the correspondence, I will give him the notes, because I talked with the man over the telephone.

Hon. Mr. Robarts: Why did the hon. member not give it to him when he received it instead of waiting until 11:23 to do so?

Mr. Newman: Well, if the hon. Prime Minister were any type of a decent individual, he would have called the—

Interjections by hon. members.

Hon. Mr. Robarts: Mr. Chairman, the hon. member could have brought this information to the hon. Minister by merely a telephone call immediately he received it but he saved it until 11:23 tonight in order to—

Mr. Newman: Mr. Chairman, I have brought this up to all of the authorities I could back home, and could not get any satisfaction.

Hon. Mr. Robarts: I only asked if the hon. member had phoned the hon. Minister. Had he phoned and communicated this before this time—

Mr. Singer: It is obvious that you have no housing policy at all.

Mr. Newman: Well, I will apologize, then. In the future I will be more than pleased to give these problems to you people as they come in to me.

Hon. Mr. Robarts: We would be happy to deal with them.

Mr. Thompson: I am delighted that the hon. member for Windsor-Walkerville put this before the House, Mr. Chairman, because it is this kind of individual problem which must be brought before the House so that you can recognize the really serious need that we have for public housing. And I think he has done a service in bringing this up, not only for his community but for the whole of Ontario, and in hearing that the—

Hon. W. A. Stewart (Minister of Agriculture): He has neglected the people he was elected to represent by not—

Mr. Singer: Utter nonsense!

Mr. Thompson: What a shocking approach to public housing, where it is suggested that the only way to get public housing is get in touch with the hon. Minister. Do you not realize that your Minister is in Japan and all over the country—

Hon. Mr. MacNaughton: What about the Deputy Minister?

Mr. Thompson: He himself said, "I realize I will not be around to look after the Ontario housing corporation." And then the hon. Prime Minister suggested to the hon. member for Windsor-Walkerville that the proper approach is to get in touch with the hon. Minister. And the hon. Minister said that they will set up regular collective bodies to look after it.

Well, if I could turn again to the subject of housing—

Hon. Mr. Robarts: Before we finish, Mr. Chairman, I would just simply say this: The hon. member could very well have brought this to the attention of the department and then he could have brought it into the House, as an illustration of what is going on in Windsor. But he did not do this—

Mr. Thompson: Yes, he did.

Hon. Mr. Robarts: Did he? Did he bring this to the attention of the department?

Mr. Singer: If that is your whole housing policy, it is a sham and a farce.

Hon. Mr. Robarts: We have machinery as the hon. Minister has already illustrated and spoken about; we have machinery to deal with emergencies. All I say is this: Had the hon. member brought this to the attention of the hon. Minister it could have been dealt with and then it could have been brought into this House as an example of what is going on in Windsor and we would have been delighted to sit here and listen to it.

But I am only asking why, when the very sad case of each of these persons, and a number of children involved—and I have listened very carefully to the three of them—why did not the hon. member get in touch with the department to see if there were some emergency action that we could take, because we have means of doing this, as the hon. Minister has already pointed out. And then the hon. member could bring it in here as an illustration, if he chooses, of the housing policies of this government, if this is what he chooses to do. But I am just asking—

Mr. Bryden: We should not have the emergencies.

Hon. Mr. Robarts: Well, of course—

Mr. Singer: You heard what Macaulay said, you did not do anything about it.

Interjections by hon. members.

Mr. Singer: You heard what this man said a year ago, you have not done anything about it. It is a sham and a farce.

Mr. Bryden: Mr. Chairman, I think that this intervention by the hon. Prime Minister is typical of the government's evasion of the real issue—they try to laugh it off and scoff at it, and they make snotty comments on what a member does. The hon. Prime Minister

quibbled for five minutes as to the exact procedure the hon. member for Windsor-Walkerville should have followed. He can quibble about that, Mr. Chairman, but the basic point that is at issue is that nobody can find houses for low-income families. The housing corporation no doubt is doing its best but it cannot find them either, in the St. James Town project. The Alexander Park project is coming up fairly soon, we trust, and we are going to have the same problem. The situation is that there is an acute, critical shortage of housing for low-income families and it is getting more critical all the time. I pointed that out yesterday but it is no answer to say, "We will look after this or that individual case."

The problem is an overall problem that has reached crisis proportions. Frankly I do not think the government is taking a serious view of it at all, even though it finds in the experience of its own corporation that it just cannot find houses for people who are being pushed out by development. The hon. Minister has said 4,700 houses are going to be provided in the Toronto area over the next few years—I just do not remember how many years, two or three years. Assuming those are all low-rent houses—and I am not sure that they are going to be—that will about double the stock of low-rent housing in the city of Toronto and my guess would be that it might meet somewhere between 10 and 20 per cent of the need.

The programme outlined by the hon. Minister is not even scratching the surface of the problem. The association of Ontario housing authorities, in its report to which I referred yesterday, estimated that between now and 1980 in Canada, we will need a million houses for low-income families. I suggest that it would be reasonable to assume that means about 350,000 in Ontario. Now, 4,700 is not even looking at the problem. With 4,700 over the next two or three years, you will do well if you merely prevent the crisis from getting worse. That number is not going to cut into the backlog of needs, it probably is not going even to keep up with the growth of the needs. I know that the hon. Minister will say, as he has said before, that this is all—in fact it is 200 more than the Metro council asked for.

Well, frankly, Mr. Chairman, I think that Metro council has been sound asleep with regard to housing. It has no vision or viewpoint on it at all. It is great on building expressways that it can name after chairmen, and those things are no doubt necessary, but it has never had a realistic view of housing and apparently it still has not.

Now, the Ontario housing corporation has assumed responsibility in this area. I realize they have to work with the municipality, but I think the sights of both of them have to be raised tremendously, if we are not going to have continuing recurrences of the St. James Town experience.

Hon. Mr. Randall: May I just make one more comment on this low-cost housing you talk about? The reason why we have gone into the market to buy existing housing, is to provide, first of all, the space that all of us know is required for large families. This housing is going to be provided on a geared income basis, so it does not necessarily mean the people we are talking about here tonight—who need housing immediately and do not have sufficient income to go out and live in these high-rent areas you are talking about, or these high-cost buildings.

Mr. Bryden: That is fine.

Hon. Mr. Randall: The rent is geared to the income. You can appreciate that they are going to be subsidized, and this is a good start on that major problem. We recognize it. The move we have made here to pick up this first 1,000 units, is going to solve some of the situations we have talked about, whether they be individual, or whether they be mass situations.

I do not think anywhere here tonight I said that we have not been able as yet to find accommodation for people if they are prepared to go. I do not think there was one case here tonight in St. James Square, or St. James Town, or Alexander, where we have been asked to find accommodation, that we have not been able to do something. And if it ever gets to the point where we cannot find accommodation, then I know we are really in trouble.

I can assure you that this move to buy existing housing, I think, will take the pressure off the people we have been talking about here tonight, and perhaps down in our friend's town of Windsor. We recognize that there are individual cases when they come before us, but I hope there will be no need to have them come to us. I hope the people on the site can do something; that the people do not have to wait until the mailman comes to us and their letter goes to the housing authority. But even if I am not here, it certainly will go to the housing authority immediately. It does not have to wait for the Minister to make a decision as to where people are going to be housed.

If my friend from Windsor has any cases

like that, and he cannot get satisfaction out of the housing authority, or the municipality, all I am saying is, send it to me and I will get him some action. That is all I can do. I cannot do any more unless I know about the circumstances. I cannot make any provision for them.

Mr. Thompson: Mr. Chairman, I appreciate these remarks, but I am just a little concerned. I am thinking of my hon. friend from Woodbine. He stated this case, which is not just one of an individual. It is a case typical of all over this nation. He has mentioned the million low cost or public housing needs that are across the nation. You, sir, as I mentioned before, had a brief which was prepared by James A. Murray, the professor of architecture at the University of Toronto, and he has pointed out the real needs of public housing.

It has been suggested that the need for public housing—and this has not been broken down into whether it is three- or four-bedroom housing, or what it is—but it has been suggested that the need in Toronto alone is 30,000 to 40,000. I would like to ask the hon. Minister, do you agree with that figure? Is this the goal that you have in mind? Do you feel that there is a need now in Toronto for 30,000 to 40,000 units?

I say this, because with respect to the hon. Prime Minister, the hon. member for Windsor-Walkerville brought up an individual case. We all could have done this. We have in the past. We have brought up cases from our own ridings of people desperately needing some kind of low rental housing. But what we are interested in is a policy and action.

I am concerned whether the government really knows of this desperate social need. I say this because I want to re-emphasize for the record, that as far as I understand it, after a year, from last August, when the Ontario housing corporation was started, as of right now; in Metropolitan Toronto where people have been presenting briefs to you, suggesting that we need something like 30,000 to 40,000 units; as of now, since August of 1964, your corporation has not actually bought any low rental housing units in Metropolitan Toronto. You have not bought one existing new house and had a family move into it.

Hon. Mr. Randall: May I just suggest, I am sure the hon. leader of the Opposition is aware of what you can get in reports. I know Professor Murray, and he has been very kind to us with information. Our housing branch has been associated with him

for the last two years. This report that he has given us, much was implemented when we formed the housing corporation, as you will know if you read the rest of the report.

One of the things that we were somewhat doubtful about—I do not say we were critical I just say there was a question mark—is that Professor Murray's figures were not based on an actual field study. They were taken from DBS figures. I think you, yourself, the other day mentioned that figures do not always tell the facts. You can take average percentages, and averages do not mean very much.

I am sure that even private builders have got accommodation across this province today that they would be willing almost to give away. They cannot get them rented. In some towns there is lots of accommodation, but the people are not there, the people are here.

I would not like to say at the moment whether his figures are right or wrong. I just say this, that book has become a bible in the housing field, and we are very familiar with it and we have certainly taken a look at any recommendations. But again I think before we would go on and commit ourselves for anything more than what we have done, we would like to know more about the basis for the facts that he presents in the book. As I say, I think it is a good start. It is a good pilot, and it gives us a chance to do some other research.

Mr. Thompson: Have you done other research? Surely, as you are moving into this through the Ontario housing corporation, you must want to satisfy your own mind as to what are the needs. You suggest that perhaps the statistics from DBS do not give a sufficient background with respect to the actual needs. How are you substantiating for your own mind what the needs are?

Hon. Mr. Randall: You ask if we are doing any further research on housing. Yes. Professor Dakin of the University of Toronto is carrying out a study now on housing need across Ontario. He has been commissioned by the Ontario housing corporation to do this, and I think he will be using some of the facts that Professor Murray had. This is where I say we have been double-checking on the facts that Professor Murray has in his book, and I think when Professor Dakin gets through, we will have more information on which to base our decisions.

Mr. Thompson: I do not want to continue this too long, but I recall at the last debate

where we raised the question of the queues waiting for low-cost housing. At that point—I think I am correct in my recollection—you said sometimes we will get these queues of people, but when you analyze them, some of them do not either warrant or need public housing, and that we could be all wrong in our figures. That was last year. Since that time, could you give us any estimate—let us just take Metro Toronto—that you have established in your mind, of the need for public housing, the number of people who need public housing in 1965 in Metro Toronto?

Hon. Mr. Randall: The central registry of Metro does the survey. We contribute to the cost. We do not have those figures, but Metro would have them. The central registry would have them.

Mr. Bryden: Mr. Chairman, I would like to direct the attention of the hon. Minister to the sixth or seventh sub-item down the line under item number one, that is the item headed Grants. It is carried over from last year in much the same terms and approximately the same amount of money. The purpose is described as being to assist non-profit limited dividend housing companies and other groups constructing non-profit low-rental housing accommodation for the physically handicapped and families of low incomes. Could the hon. Minister give us a breakdown of this item? How much of it is to go to limited dividend housing companies, and how much to other groups and, if so, what groups?

Hon. Mr. Randall: This amount of money, the full amount, is divided into two parts. Part of it goes to MacDonal Manor in Ottawa, and part to the Thistletown senior citizens project out here, and that was set up when these projects were underway.

Mr. Bryden: Is the Ottawa one for elderly citizens? How much, and on what basis, are you subsidizing these projects?

Hon. Mr. Randall: It was \$850 per unit for MacDonal Manor and it is \$1,000 a unit for Thistletown.

Mr. Bryden: Did you say that was the entire item for those two projects?

Hon. Mr. Randall: Yes.

Mr. Bryden: What is the figure just above that, subsidies?

Hon. Mr. Randall: They have had some already. This is a balance coming to them—

Mr. Bryden: But it is two limited dividend housing programmes for elderly citizens?

Hon. Mr. Randall: Yes.

Mr. Bryden: What are the net subsidies for, just above the grants?

Hon. Mr. Randall: That is the net subsidies for this year less any profits under the operations that have come in through the housing corporation.

Mr. Bryden: This is in actual subsidized low rental projects, your share of the costs of it?

Hon. Mr. Randall: The provincial share of what is left.

Mr. Bryden: Yes. Are there any new ones that you are allowing for here, or are these just existing projects to which you have been committed in the past?

Hon. Mr. Randall: There is an allowance here for new ones this year.

Mr. Bryden: How much?

Hon. Mr. Randall: There is no breakdown for the figure. I will get it for you, I do not have it here tonight.

Mr. R. F. Nixon (Brant): Mr. Chairman, in following the course of this debate I get the distinct impression that when we are discussing housing; the government has a very cold and statistical view; it presents a problem that they consider can be alleviated by planning on their part and which we consider, viewing the facts that are available to us, has not been properly alleviated.

I was most interested to hear the hon. Minister say that he himself came from the St. James Town area. I can only assume that in the few years since he was a boy there has been a serious depreciation of the area.

I have had an opportunity to visit some of those homes and talk with the people who are living in the houses that have been under discussion tonight. I have had a chance to see the squalor in which they are living and to feel very distinctly the hopelessness that is surrounding their lives because of the lack of even an opportunity to look forward to some better housing. It is far too late for me to describe this in detail. I know that some of you have taken this tour of the un-stately homes of Toronto; but I was definitely impressed by the fact that the people were anxious to discuss with me the cost of rodent control, the fact that they could not

afford to pay their gas bills and so had gone out and bought a very small electric heater for a three-bedroom home in which this particular family had three young children, an electric heater that they carried from room to room.

I saw myself the bare wires of the electrical system with which many of these homes were equipped. I saw the iron bedsteads within a few feet of this wiring in which three or four young children would be sleeping in what can only be described as a pile of rags. I saw the internal plumbing conveniences which had not been properly operating for some weeks, although it was apparent that this did not come home to those people in the house for some days after it had stopped operation. I have been in bedrooms where there were no windows at all—at least the glass had been broken out and it had been boarded up so that it was completely dark, without even an electric light.

This is not, I suppose, the immediate problem that we are here to discuss tonight. There are municipal bylaws and inspectors, but somehow these people are living in these homes. I have seen a group of three or four dirty, ill-clad children in ill health, all with the kind of noses that the hon. member for Woodbine could describe more ably than I. You used the word "snotty" a few moments ago.

Mr. Bryden: Not about those people.

Mr. Nixon: No, but I was saying that you were quite capable of describing them. They were huddled around a stove that in my view was inadequately vented. The house was full of smoke and they said: "Well, it is always like this; we've got to keep warm, you know."

I would think perhaps some of these descriptions might better be brought to the attention of the hon. Minister of Public Welfare (Mr. Cecile) at a later date. But we are talking about people when we are talking about housing, and we are talking in many cases of people with no education or little education. They do not know where to turn for help. I was in the company of some people working in church groups who have dedicated their lives to helping these people, and believe me their own health was suffering because of their involvement in the seemingly endless problems, apparently unsolvable problems. Many of them spoke about the new Minister and the new organization which he says is very well prepared and is ready to go into action as soon as requested.

It has been mentioned here several times tonight and the hon. Minister has emphasized that you cannot force housing on a municipality, you have to wait until it is requested. But I think there are a good many hon. members here who feel that the hon. Minister is not showing the initiative and drive that is characteristic of some of his other endeavours and that the time may come when he is going to ask this House for permission to go into a municipality and instruct them very definitely as to what their responsibilities are in respect to housing.

I am certainly not in a position to set myself up as an expert in the rather complex mechanism that administers public housing and rent-controlled housing that might be made available in this province, but one thing that has not as yet been discussed is the fact that there are slums in areas across this province that are just as bad as the ones that I have seen on Darling Avenue and in the cul de sacs immediately to the west of the great publishing palace of the *Telegram*; places that would really shake you if you were to go in and look at them yourself and talk to the people who are forced to live in these circumstances of squalor.

If you go into many rural areas you will find small little hamlets, usually at a cross-road well back from the main road where the local municipality is not living up to its responsibility in providing more adequate housing. For one thing, I would like to know how many of these rural and semi-rural municipalities have come to the housing authority and asked for the help that is theirs by right.

I know that the hon. Minister has had these symposia in Toronto and Sault Ste. Marie, those are the two places he named. But in my view many of these rural municipalities do not know anything about public housing. They do not know what is available to them. They are concerned with keeping the roads up, building the bridges; and not with building housing for the people who are living in these conditions in so many areas.

I had an opportunity to bring this to the attention of some people in my own area and one of them happened to be a country doctor. He said: If you want to see the worst living conditions you don't go to these hamlets that I have been describing, but you go to the homes that have been provided by a good many of our farmers for their hired help.

Now, the hon. Minister of Agriculture has probably seen some of these places. He announced a few days ago an admirable project which will enable some of these

farmers to help provide housing for the migrant itinerant labourers who are needed in some of the areas of the province of Ontario. But this does nothing for the problem of housing that you find in every rural municipality, on probably three farms out of 10, where somehow the local people have not realized what their responsibility is in providing for the labouring people in the agricultural community. This is a tremendous problem. Just because the houses are not jammed together in a very small area does not mean that people are not living under conditions that are indescribably bad, far worse than the farmer would provide for his livestock. Here indeed is a problem that we must look into.

It seems to me that these rural municipalities should be urged much more directly than they have. They must be given much more leadership than they have if we are going to provide the housing that surely Ontario can provide for these citizens.

There is a feeling among many people who are not living in substandard housing that there is something the matter with these people because they are living in these hovels. When I was down on Darling Avenue I was talking to the people, to a housewife there and talking to her children, and her husband came in, who had been working, I understand for 15 consecutive hours in a packing plant in this city. When I asked him about certain regulations that should apply to this sort of thing, he told me that he actually works far less than 40 hours a week, because his job just requires him to come in for long periods, and then he would be home with nothing to do. But he brings home \$50 a week. If they were to heat their home with gas, it would cost \$45 a month, their rent is more than \$60 a month and they are in complete despair.

So the problem is more than statistical, it is more than the meetings that the hon. Minister may have in some back room with Phil Givens to work out their mutual problems. I do not know anything about that; all I know is that it does seem to be a rather adolescent way to approach it. There is the feeling that there is a certain jealousy among those officials who have this responsibility and I am sure that the hon. Minister is in a position to work out these problems.

Now, I have two other specific questions but I would like at this time, if the hon. Minister would be able to answer, to ask the question: How many rural municipalities have applied to the housing authority for some assistance?

Hon. Mr. Randall: Well, first of all let me say that I think that most of the municipalities in this province have been advised that the programme is available and I would say a very great many attended the conferences.

Now, Mr. Nicholson said, and I agree with him, that there is a term of education that has to go on among municipal officials and I think you recognize that. They have to be made aware of their responsibilities in order to let us know where we can help them. I do not know what size towns the hon. member is referring to, but here are some of the towns that we have had applications from: Black River, Chelmsford, Geraldton, Glencoe, Port Dover, Harriston, Dryden, Fort Frances, Port Elgin, Strathroy, Lucknow, Garson, Long Lac, Calver township, Mitchell, Durham and Cardinal. These are just a few of the small rural towns—

Mr. Nixon: If I may interrupt just for a moment. The places I would be referring to would not be incorporated. They would come under the municipal government of the township.

Hon. J. W. Spooner (Minister of Municipal Affairs): Well, Black River, the first one named is a township, so is Calvert.

Mr. Nixon: So there are two right there. Well, I would be very interested in receiving a list of those places to see if there are any in the rural areas with which I am very familiar like, I am sure, a good many of the hon. members opposite.

Hon. Mr. Randall: We will see that the hon. member gets a list.

Mr. Nixon: Now, secondly—and this is something that appeared in the press a few days ago—the fact that in the Red Lake area, some years ago now—and perhaps there are other hon. Ministers who might recall the circumstances of this—the Indian population, or at least a large number of families there, were dispossessed of their homes, many of them extremely substandard. Homes were actually burned, I understand, and very small sums of money were paid to the Indians in compensation. I was wondering if there is any explanation at this date, three years later, that the hon. Minister might have as to why the housing facilities were taken from the Indians under these circumstances?

Hon. Mr. Randall: We have built new houses up there in Red Lake.

Mr. Nixon: The housing authority?

Hon. Mr. Randall: No, this is prior to the forming of the housing authority. It is through the housing branch. I read in the press, as the hon. member did, of the situation up at Red Lake. I had a complete report on my desk. I have not had a chance to study it in view of these last three days in the House. I got it, I think, only two days ago. It is a matter that we want to have a look at but it is not in our jurisdiction at the present time. Now what we can do—what created the circumstances I do not know—but we are going to have a look at the report that I have.

Mr. Nixon: In this connection, many of the Indian reservations have housing that is very definitely substandard. And the hon. Minister has probably heard some of his own colleagues say that the Indians are comfortable in wigwams, but unfortunately they have probably lost the knack of looking after their own housing in this way and we know that in trying to improve themselves there are many Indians living in poor housing; in fact, hovels. I would like to know how the regulations of the housing authority apply on the various reservations of Ontario and to what extent you are assisting in the development of housing for Indians?

Hon. Mr. Randall: It is my understanding that all the reservations are a federal responsibility. But let me also suggest at this time, as the hon. member heard a few days ago, we have a very high level committee looking at the entire Indian problem and certainly one of the major problems of the Indians is adequate housing.

Mr. Nixon: Is the hon. Minister a member of that committee?

Hon. Mr. Randall: I am not a member. Mr. Suters, my housing man is, and three or four other top-level men in various departments, Health, Welfare and Municipal Affairs, and Lands and Forests. This makes up this group. Much has been done on this to co-ordinate our efforts with the federal people. I think the hon. member realizes that the Indian problem is a major one, not only in this province but it is a major one in other provinces. I think it is about time that we had a look at the Indian problem on a basis such as we set up in this province so that if we are going to do something about housing, we have to do something about health; if we are going to do something about health, we have to do something about jobs, and about training these people. And this is one of the things the committee has in its mind:

what we can do about adequate housing and properly serviced land in these areas.

Mr. Nixon: Well, dealing with that specifically, it might well be that without requiring the Indians to organize as municipalities, the reservations could be recognized in this way so that if an Indian council did want to take part in this assistance, they could request it and it would be made available.

The last thing I would like to bring to the hon. Minister's attention is the fact that The Department of University Affairs announced a few weeks ago that they were going to pay universities a sum amounting to \$1,400 per student to assist in the erection of university residences. You know that in Toronto and other university towns there is a system of co-operative residences that are built off the campus, of course, and are really well managed and provide an alternative to the very expensive accommodation on the universities themselves. The federal jurisdiction has recognized these co-operative residences as coming under The Federal Housing Act and will actually extend up to 90 per cent of the funds required to build them. A private bill was put before this Legislature some time ago requesting that these co-operative residences be freed from the responsibility of paying municipal taxation.

The government in its wisdom refused to accept this proposition and in fact these co-operative residences get no assistance from the province of Ontario. However, there is a good possibility here for the housing authority to step in and give some real relief to the problem of providing accommodation at the universities by assisting these co-operative residence companies, if they could be properly called that, with the raising of the remaining ten per cent. I do not know how the Act would apply to this but it seems to me that here is a case where a special type of housing would come well within the jurisdiction of the hon. Minister's responsibility and I wonder if he has looked into this and if he would be prepared to give some indication that he could extend this assistance.

Hon. Mr. Randall: I think that the question is timely. The matter has been discussed in Ottawa at some length and they can borrow money from CMHC—

Mr. Nixon: That is settled.

Hon. Mr. Randall: That is right. The ten per cent has been brought to our attention. We are discussing it with The Department of University Affairs and I am quite sure that

we are going to find some means of settling the problem, if there is a problem over the ten per cent.

Mr. Nixon: I get the impression that whenever a problem goes out of one department and travels over into another, there is a great deal of reticence in this Cabinet to have somebody take the lead. I wonder if the hon. Minister would be ready to say that he would take the lead in urging the hon. Minister of University Affairs (Mr. Davis) to go on with this thing, or is he, in fact, waiting for a recommendation from the other hon. Ministers?

Hon. Mr. Randall: I would say that from what I know of the situation at the moment, we will have to discuss it with The Department of University Affairs, because they are getting grants from that department and if there is money there for this purpose, certainly we would not want to be lending money from the Ontario housing corporation, which was not set up for it. But yes, I will take the matter into consideration and discuss it with my colleague, the hon. Minister of University Affairs and see what can be done to settle the ten per cent problem because this is what is stopping the accommodation from being built.

Mr. Nixon: The hon. Minister says that these co-operative residences are now receiving some money from The Department of University Affairs.

Hon. Mr. Randall: No, I did not say that. I said that I do not know whether they are receiving any money or not—

Mr. Nixon: I can tell the hon. Minister that they are not.

Hon. Mr. Randall: We do not want to be in the position where they receive money from us, and from The Department of University Affairs. I think we have to co-ordinate our activities between the two departments. If it is going to come from this department, it certainly cannot come from The Department of University Affairs, or vice versa. This is a situation we will have to take a look at. I am not too familiar with it at the moment; it has not been brought to my attention in detail, but since the hon. member brought the matter up, we will take a look at it.

Mr. Nixon: Certainly there is a tendency in a matter like this that does not deal with thousands of people and multimillions of dollars to put it at the end of the list until some of the other problems are dealt with,

but this is a very important one dealing with the educational problems of the province, and I urge the hon. Minister to take the initiative in this and to provide the funds that are required. Actually five per cent of the total funds is what would be needed; they would raise the other five.

Mr. Newman: Mr. Chairman, earlier in the evening I brought up the subject of the rental situation in the city of Windsor. May I inform the hon. Minister that the mayor of the community receives four to five calls every day from desperate families looking for accommodation. That is how serious it is in our own community today.

Earlier I had mentioned the possibility of either a rent control plan on a temporary basis, or maybe a rent subsidy plan. The hon. Minister did not reply to that question.

Hon. Mr. Randall: From the knowledge I have of that situation at the moment, I would not make that recommendation without careful study. I think that is also a federal matter, as I think the hon. member can appreciate. I would think that it could be considered, and if it is essential, certainly consideration will be given to that. I would not suggest that we should give it immediate consideration tonight.

Mr. Newman: Mr. Chairman, I do not mean that it should be given immediate consideration, but I think that it is worthy of consideration while the situation is so critical.

Would the hon. Minister tell me what the policy of the department is concerning the sale of homes in the various subdivisions that have been established in various communities?

In my own community of Bridgeview—I do not recall the number of homes that have been built in the area, but I do understand that some of the residents in there would like to purchase them.

Hon. Mr. Randall: The homes that the hon. member is referring to are federally and provincially owned and we have no authority to sell those homes. There has to be an agreement between federal and provincial authorities if the homes are going to be sold, but we ourselves cannot take action to dispose of any homes.

Mr. Newman: May I suggest to the hon. Minister that he talk with the federal authorities so that those homes could be put on the local tax rolls instead?

The last item that I would like to bring up, Mr. Chairman, concerns a report that had been undertaken in the city of Detroit

on urban renewal, and this is significant because this report—and it is a very lengthy one—has the following comment—I will be as brief as possible—the report, by the way, cost \$105,000. It is approximately 800 pages, but a comment in there reads:

The report indicates that it is not economically possible to produce decent housing at rents the people in the \$5,000 a year bracket can afford. It also indicates that a solution to be hoped for is in a programme of rent subsidies.

And the cost of living in Detroit is lower than it is in my own community.

Mr. Gisborn: Mr. Chairman, I have some comments and some questions to raise if the hon. Minister intends to sit late into the evening—

Interjections by hon. members.

Mr. Gisborn: The hon. Minister will recall that I raised a question regarding the problem of the Roxborough Park project in Hamilton with his department last summer. I recall that I first raised this question in the House with the former Minister, Mr. Macaulay. The Roxborough Park project, as the hon. Minister is aware, is a full recovery project in the east end of Hamilton whereby the families whose income exceed six times their rent, starting with a base of \$5,112 and going up to \$5,760, they are given notice to vacate.

When I raised the question with the former Minister, he agreed with me that this was not a very satisfactory situation, and that he would be interested in changing the formula to allow the people to stay in those houses and not be faced with the threat of eviction following a slight increase in their income at any particular time.

I also received strong support from the mayor of the city of Hamilton and the aldermen in the particular area, and subsequently we arranged to meet with the hon. Minister and his department to discuss the situation. We did meet last summer and had a thorough discussion of the situation, and we were able to bring about at that time a moratorium on the approximately 75 to 80 notices to vacate that were existing at that time.

The result of that meeting was that the alternative offered by the housing branch to the city council—to the board of control in this instance—was that they could revert to the geared-to-income programme whereby their rent would be scaled on their income, and when they reached a certain level, they would then pay a penalty rent of 30 per cent or else get out. The board of control refused

to accept this proposition and the situation was left as it was. They refused to accept it because on a survey they found that approximately 80 per cent of the tenants would be faced with an increase in rent.

Personally, I think that the formula should have been installed in that project because now we are again faced with the same cycle and the same problems, only this year it is much worse because of the fact that there are fewer homes obtainable and people have less money.

Subsequent to the moratorium on the notices to vacate last year when the alternative was turned down by the board of control, the people were back in the same position and they started to receive their notices to vacate in February of this year. Some of the notices were orders to vacate in March and on through the spring.

This raised quite an outcry from the tenants because of the dislocation of their children from school, and pressure was put on me and, of course, on the aldermen and subsequently the city council, and I understand that they were able to get something done in that regard. They withheld the evictions until the children were out of school, but the problem now is the fact that they still have to get out, and I understand that there are something like 175 to 200 that now have their notices and there is a backlog of some 400 families ready to go in.

I want to reiterate what I said before, and that is that this is no kind of solution to the lack of housing in the city of Hamilton. I have watched the papers and I have had experience of going to homes where people are evicted and working with the welfare people in attempts to get them other accommodation. It is almost useless. The kind of homes that the welfare people are putting people into are not fit, as has been said here tonight, to put animals in.

I would like to bring to the attention of the hon. Minister some of the problems affecting some of those people who received notice to move. It has been said here tonight that if real problems are brought to his attention, likely something would be done about them. As I said, there are some 175 to 200 notices extant for people to vacate, and I have here 22 samples that were sent into the committee. These are letters sent in by the tenants themselves setting out their problem and what they face.

No. 1 shows a yearly income of \$5,800 with overtime and holiday pay. The wife worked to pay Crescent Finance Company. Still owes Crescent Finance Company \$100.

Has not worked overtime so far this year. Wife not working. No money for down payment on a house, cannot find a house to rent. They have three bedrooms, three children—daughter 14 years, son 12, son 7. 1963 income, \$4,142. The income that he received in 1964 was \$5,800. Of course, the overtime—their maximum was \$5,112—put them \$688 over their maximum and this justified their notice to vacate.

You will notice that in many of the examples I relate to you, sir, the income in the years prior to 1964, on which year the income was calculated to justify the notice to vacate, was much lower than in 1964. If you notice, it did not average much over \$4,800 on an average basis of three years.

No. 2: Income \$5,931, overtime \$372. Forced to work overtime because one man was fired. Four children; two boys, two girls; three bedrooms; rent \$73 a month; cannot find a home to rent; cannot get a down payment for a house. Income \$5,931; maximum \$5,256; over the maximum \$675.

Example No. 3: Yearly income \$5,050; wife worked and earned \$538, which made the total of \$5,588. Four children; rent \$74; three bedrooms. Looked for a house to rent; could not find a home to rent within their means. The 1963 income was \$4,700. They were \$260 over their maximum.

All of these examples are about the same. Some are worse than others.

There is one here with a yearly income of \$5,559. It says:

In previous years my average income ranged from \$3,629 to \$5,166 with an average of \$4,239. I have three children, and need three bedrooms. After about seven weeks looking for a house to rent and tried to buy one, had to buy one at a low deposit with two mortgages and over a 35-year period I pay \$133 monthly.

His 1963 income was \$5,166. This person moved because the frustration was too much for him to stand. But as he says, he ended up—and I do not know how he did end up—with an NHA loan and a second mortgage on it. Somebody pulled some strings, but he ended up with a 35-year mortgage at \$133 a month.

The next sample was the yearly income. The yearly income I am giving at the first of the notes is the income. These are excerpts from the exact letters which I have:

Income \$5,679, have five children, three bedrooms, cannot find a house to rent with five children. Have a few debts and medical expenses. Do not have any money

for down payment on a house. Rent \$74 month. Work overtime.

His income was \$5,679, the maximum was \$5,328, indicating he was \$351 over. His 1962 income, \$4,800; and his 1963 income was \$4,800.

This case is of a three-bedroom house: Two boys, one girl. Income 1961, \$3,376. In 1962, \$3,917. In 1963, \$5,036, with \$400 overtime for an average of \$4,109. In 1964, \$5,583, \$1,036 was overtime. Children aged four years, three years, 14 months, 17 months in the house. Three-year-old boy almost blind, girl in hospital. No overtime in 1965.

In this particular case they sent their letter to the authority explaining these problems; that the child had just begun to be able to find his way around the house and around the small fence they had put around the yard and they asked that their case be reconsidered and they were refused.

Mr. Thompson: I wonder if the hon. member would mind me interrupting for a moment? I have noticed myself and I am sure there are other hon. members in the House who are finding it rather difficult to catch the age and some of the details of the various cases that the hon. member is presenting. I am thinking strictly of the time it is, and I wondered if the hon. Prime Minister could tell us how long he plans to continue this night session?

Hon. Mr. Roberts: Mr. Chairman, it has been a very interesting debate and has flowed along. We have had very many interesting comments from various hon. members. I felt I did not want to interrupt the flow. If the hon. member would finish his remarks perhaps then we could see whether this will be the end of the debate. If not, we will see what time it is when we finish this.

Mr. MacDonald: Mr. Chairman, I just want to ask: I have made some observations before and I think this is utter nonsense, utter and complete nonsense.

Mr. Bryden: The hon. Prime Minister gets in a pique—

An hon. member: What you are saying is—

Mr. MacDonald: What do you mean—the proposition of carrying it on? Is anybody suggesting that any of the debate we have had today was not relevant? With a housing policy in which we have had 20 years of complete failure on the part of this government, is it not relevant that we should be debating it?

Mr. Edwards: That is nonsense!

Mr. MacDonald: This is the case, we have a crisis! Look, Mr. Chairman, I would suggest that this man who is perhaps not in a position to take part in the debate should remain silent at the present stage.

Mr. Chairman: Order!

Mr. Edwards: May I speak to order?

Mr. MacDonald: No, I do not want to speak to you. You just sit while I have the floor.

Mr. Edwards: Okay, you never came up and spoke in my riding in the first place.

Mr. MacDonald: Mr. Chairman, I repeat, I do not think the hon. member is in a position to participate in the debate. Have I the floor, Mr. Chairman?

Mr. Chairman: Order!

Mr. MacDonald: Mr. Chairman, as a general proposition, the suggestion that the House should be sitting beyond 10.30 or 11.00 o'clock at any time, I suggest to this House, is nonsense.

Mr. Edwards: Well, you want to sit eight months of the year!

Mr. MacDonald: Mr. Chairman, would somebody shut him up, please; or carry him out, or pipe him out, or float him out?

Interjections by hon. members.

Mr. MacDonald: Okay now! If we have to expose the kind of situation that you have to contend with sometimes here, then we shall have to do so.

An hon. member: You are tired!

Mr. MacDonald: Sure, we are all tired; and I just want to say to the hon. member and to the hon. Prime Minister that the proposition that we should be sitting at 12.20 dealing with an important issue like housing is nonsense. Whether or not there is anything more to come, the hon. member got up and said he had extended remarks to make and the hon. Prime Minister said go ahead—at midnight, after midnight.

Now nothing more need be said. If the hon. Prime Minister wants to bull it through, now that we have gotten to this stage—we got our raise, Easter is over—we are going to start to put the pressure on and bull it through. Well, we will get it across to the

province the way the business of the House is handled.

Hon. Mr. Robarts: Mr. Chairman, this is a debate we have had many times before and I do not think the question is really that it is now 12.20. The question is what has happened prior to this. We have heard the record of two years ago read into the record of this year.

Mr. MacDonald: Why not, we have listened for 20 years to get action from this government.

Hon. Mr. Robarts: How many times do we have to have it put on the record?

Mr. MacDonald: Only until we get some action from the government.

Hon. Mr. Robarts: I simply say, as I said before, we have had a debate here tonight, parts of it I must say as far as I am concerned have not been enormously stimulating; on the other hand we have had a debate that has gone back and forth. I have watched the hon. member for York South and I wondered when he was really going to stand up and make his comments.

Mr. MacDonald: I should have made them earlier.

Hon. Mr. Robarts: But if we are going to go on like this I am prepared to stay into July. I do not say that I necessarily want to, but I am prepared to. We have had a debate here that has gone on and on. We have had matters discussed here that really are perhaps of general concern because we are a governing body, but which are really completely irrelevant as far as the matters of this department are concerned.

However, we sit patiently and we listen and if there is more to come, we shall give as much time as is necessary. Now I have no idea how long the hon. member for Wentworth East—I know him personally by name, even if I cannot remember his riding—but I do not know how long his remarks are to be. Frankly, I must say that I have had the sensation from this side of the floor, that there was a deliberate filibuster going on and I was prepared to sit here and outlast it. If this is what we are to have in this House, I am prepared to remain here as long as it is necessary to do the business of this House and to fight it out, if this is the way you choose to do it.

Mr. MacDonald: Well, Mr. Chairman, I rise speaking on behalf of my party—

Hon. Mr. Robarts: Now wait; speak on a point of order, or be in order and we will all attempt to do the same.

Mr. MacDonald: All right, Mr. Chairman, I rise on a point of order. If the hon. Prime Minister can give the slightest documentation so far as this group is concerned of any filibustering, I challenge him to do it. He simply cannot give any indication of filibustering.

Hon. Mr. Robarts: Well, Mr. Chairman, I did not mention any group. I think any analysis—

Mr. Thompson: Well, I think there are only two groups in the House, Mr. Chairman, and on a point of order I rise. He suggests, in reply to the hon. leader of the New Democratic Party—he said, “I did not mention any particular group,” but you did mention filibustering, and let us set this straight. Tell us which group is filibustering.

Hon. Mr. Robarts: Well, Mr. Chairman, I have detected speeches for the sake of speeches, rather than speeches for the sake of content and if this is what we are going to deal with in this House, I, as leader of the House, and as leader of the government, am prepared to do it, and I will stay here patiently, and listen as long as there is anything to be said. If this is the way it is going to be, I am prepared to stay here and listen.

Mr. Thompson: Mr. Chairman, it seemed to me that you have made the point. You said it is not the time after 12, but it is what went on before, that is significant. This means that you did not like what went on before.

Mr. MacDonald: Exactly.

Mr. Thompson: And because of this, whether it was the contents or the calibre or whatever it was, you then had your form of trying to wear people down, by saying, “I do not like what went on before, therefore we will keep them going on through the night.” If this is the way you want to lead the government of this province, I suggest to you that what has been read right now by the hon. member for Wentworth East is a tale of hardship and a tale with which everyone of us should be concerned. I suggest with respect that you, Mr. Prime Minister that most of your members were lolling back half asleep, showing a shocking indifference to this case which was being presented—

Interjections by hon. members.

Mr. Thompson: Certainly, I was not here for some of the points but I came back in again and was surprised to see that you would permit this kind of thing to continue—

Hon. Mr. Robarts: Mr. Chairman, on a point of order, this has nothing to do with—

Mr. Thompson: We have a housing problem year after year—

Hon. Mr. Robarts: I did not interrupt the hon. member. It was not I who interrupted him.

Mr. Thompson: There is no point of order. We have had a housing problem and year after year, I think that you would accept, sir, that we have listened to all kinds of excuses that amount to an admission on the part of this hon. Minister why things have not been done in the past. He will try to do it, and I am afraid—

Mr. Chairman: Order, order.

Mr. MacDonald: Mr. Chairman, I rise on a point of personal privilege. This House—

Hon. Mr. Robarts: There is no personal privilege.

Mr. MacDonald: Just a minute, it is on a point of personal privilege. This House has called through its appropriate agencies, a select committee meeting to consider a report of the select committee on consumer credit at 9 o'clock tomorrow morning. Now, Mr. Chairman, for the benefit of the hon. Prime Minister, I am here by that time in the morning. I am not going to that meeting and I am going to make certain that it is re-scheduled, because I, as the only representative of the party on that committee am not going to go through a report after two years of work—but I do not think that any member who has been following the House throughout the session should have to go out of here at 12.30 and come back at 9 o'clock for an important consideration of a report after two years. This is the kind of nonsense that the hon. Prime Minister is getting himself into.

Mr. Chairman: Would the member for Wentworth East continue with his address?

Mr. Gisborn: Yes. Mr. Chairman, as I said, I will not read into the record all of the cases of the problems of the individual tenants. They will be heard about as the days go by. There are some counsellors in Hamilton who are concerned with it and they are going to make another effort in an

approach to the council to see if we can get some sensible approach to the problem in the Roxborough Park survey.

Subsequent to my raising this problem originally, the labour council in co-operation with the Ontario federation of labour have studied the housing problems in the province and, doing their part in Hamilton, they approached the city council. Consequently, the city council requested a survey by the housing branch of The Department of Economics and Development. Out of that report that came down last fall—I think it was around August some time—the recommendations showed there was a need for 800 more homes in Hamilton.

I was somewhat disappointed, as I expressed previously, that the survey was not done in a manner that would bring out the real need. It was more or less a survey taken on advertisement and solicitation of select groups, such as the applicants who already had made application for Roxborough Park, and on newspaper advertisements. But I would read into the record, to bring to the attention of the House and those interested, some of the findings of those officials when they were making this survey:

Officials checking recent applications describe some of the cases. One involved a family of four living in a \$65-a-month duplex in the central area. For the rent the home is good value but the landlord does not want families with three children. The mother is expecting the third child soon. A government spokesman said that the case was average. Other examples pointed out more emphatically to a need for improved accommodations.

A mother supporting three children with city welfare money pays \$60 a month for a flat over a downtown store. To reach this apartment you go down a long 18-inch-wide alley between two brick buildings, "with somebody's laundry flapping in your face," a referred-to researcher said. You climb a very narrow, steep, slippery metal fire escape, cross a sagging rooftop over a dock-like affair to keep your feet out of the water lying on the roof, reach a dugout, the back porch. When the door opens, the tenant's head appears on the level of your knees and you climb down to enter.

A family of four, the fifth expected soon, pays \$80 a month rent for one of two flats in an aged house. The family shares a bathroom with downstairs tenants. Wiring prevents both families from using their stoves at the same time.

Another family with seven children once

bought a house but lost it when the \$200-a-month income could not cover living expenses and a mortgage payment.

A family of 13 rents a dilapidated house which has no bathtub.

Parents of five children sleep in the living room because their apartment has only two bedrooms. They cannot afford more space.

A couple with four children—the baby has been bitten by rats—had to move out of their run-down north end home. A new owner plans to renovate.

The government survey into Hamilton public housing needs was primarily aimed at families but the programme will provide accommodation for elderly persons too.

Now I do not have to continue with the report and explain what they found in regard to the need for the elderly. But I would say this: The Ontario housing corporation's policy in Hamilton consists of playing musical chairs with families. In the Roxborough Park project, families with six or more children, occupying a four bedroom house, whose annual income is between \$5,112 and \$5,760, will have to move out to make room for new tenants in the lower income brackets. On the surface, this looks like a fair arrangement, but large families have great difficulties finding inexpensive accommodation, and in many cases will simply switch with the new tenants who have taken their place at Roxborough Park and move into the inadequate housing vacated by them. In fact, we are creating new problems for the families.

I tried my best to follow up on some of the extraordinary cases last year—those who were evicted—to see what happened to them. I followed four, and the conditions that they found themselves in a few months after leaving the Roxborough Park indicates to me that the policy is wrong. They have ended up in much worse conditions, both in accommodation and in financial situation.

Rather than continue this game of musical chairs, we should accept the fact that the need is for more low rental housing. Be it public housing with rents geared to income, or public limited dividend housing—full recovery—programme for families on low incomes—until this is done some other arrangements must be made immediately for people in Roxborough Park.

It is obvious that most of them will not have enough money to make a down payment on a house, and commercial rents are simply too high. The immediate solution may be to establish a formula whereby the maximum

allowable income can be averaged over a five-year period, rather than force people to move out as soon as they reach the maximum.

To cite cases, in one case in particular the tenant was admitted last year around August and had his notice to vacate in February. How this came about, I do not know, but it was a sad state of affairs, because in this particular case he came from an apartment and had bought a refrigerator and living appliances that you do not have in apartments. He had them on time and he just could not afford to go out and face the rental market.

We have heard tonight about the housing programme by newspaper headlines; a couple of months ago, huge headlines in the Hamilton *Spectator* announced the first low rental public housing opens this month. This was the headline. It looked very nice and I am sure a lot of people thought it was nice. It was an exciting event, until one read the story. This was an announcement that two large houses had been renovated ready for occupancy by the end of March, and two more by the end of April. In other words, in a 12-month period, the Hamilton housing corporation brought forth four housing units for Hamilton. The *Spectator* story goes on to read:

They are the first of an estimated 800 public housing units planned by the Ontario housing corporation in the next few years. If it took one year to produce four houses, it will take about 200 years to produce 800 houses and the figure of 800—

Hon. Mr. Robarts: Mr. Chairman, may I ask the hon. members were these houses that you mention produced by the Hamilton housing authority?

Mr. Gisborn: I am not sure. No, I would not think so.

Hon. Mr. Robarts: Well, who did produce them? Where did they come from?

Mr. Gisborn: To continue:

Hamilton's first geared-to-income low-rental public housing units will be ready to receive families this month. Ronald Nixon, Hamilton housing authority administrator, said two renovations on large houses on Catherine Street in the north end urban renewal zone will be completed by the end of March. Two more Catherine Street homes will be ready in April. They are the first of an estimated 800 new public housing units planned by the Ontario housing corporation in the next few years.

As I say, if it takes that long to produce four houses, it will take about 200 years to get the 800 houses.

Mr. Peck: You said that before.

Mr. Gisborn: Well, you need to hear it quite often because you are not listening very well. The figure of 800 represents today's needs, and heaven only knows how many units will be needed in 200 years, or how long it will take to have them ready. The figures could be astronomical.

Finally, last August, the *Spectator* carried a story that city council had decided to request the help of senior levels of government with the building of 200 family units and 100 senior citizen units. I have heard no more of this project at the present time.

Hon. Mr. Robarts: May I ask who suggested that programme? Who was it suggested by?

Mr. Gisborn: City council, Hamilton, requested, the housing committee of the city council made the recommendation to council and the council adopted it. That request should be in to the housing authority at this point.

Hon. Mr. Robarts: It is all within the municipal government in Hamilton?

Mr. Bryden: It is all within the total framework of housing policy, in which you are involved.

Mr. Gisborn: Mr. Chairman, when the Ontario housing corporation was established last year, it raised great hopes in Hamilton, and I know that I met with the executive of the labour council and they felt that the efforts of the federation and their council was getting things moving. They felt that something would be done in the public housing field. Instead there have been surveys, and a little nibble here and a little nibble there, but nothing substantial; few if any houses.

The families are in desperate need for low rental accommodation and are sick and tired of housing by headlines. They want and need action now. I think it has been said that it seems that when we talk about low rental houses, about the only thing we think about is the cost and who is going to initiate it, and who is going to take the responsibility for getting the project going. It has been said here tonight that we have to start thinking about the people that are involved. I know that some will say that the full recovery programme in Hamilton was developed to provide decent housing for people with low incomes.

They talk about low incomes in the \$4,000 bracket. I have said to many that this project served a great purpose when it was first developed, when the first units were developed in 1951, because it was developed to take people out of the worst slum conditions that I have ever witnessed. I was campaigning for an aldermanic position in 1951, and many of you will remember we had what was called the trade schools in the Hamilton area, and after the war they billeted the returned servicemen in there with their families. It got to the point that we had to get the civic medical people in and have the place condemned. Only then, when they condemned these quarters, did they build the first units in the Roxborough Park survey, and they served a great purpose then. But things have changed now, and this shuttle in and out is not a good situation. People just cannot afford to go out and pay a rent of \$100, \$125, \$135, \$145 for accommodation. They just cannot find decent places; but most of them just have not got the means.

They are admitted into the project and the first three years they are in there—as I have said, I gave the examples—their income is low, in the \$4,000-\$4,500-\$4,800 bracket and it takes them some time, with an income of \$5,100 to \$5,700 to start to get back on their feet.

But this does not happen. As soon as it is estimated that they reach the limit, they get their notice to vacate; and, of course, no one can deny the kind of frustration and worry this brings on.

Any sickness in the family certainly generates problems. The example I gave of the little woman with the blind girl. She has almost had a nervous breakdown; her doctor told her that she would have to relax or he would have to put her in the hospital as well.

This is the situation. I rose to make my contribution to the need for housing. It is just as bad in the Hamilton area as it is any place else. I do not know why the city council in Hamilton—I always thought they

were rather progressive, they are certainly progressive enough to be considering a multi-million dollar uptown development centre; they are considering a multi-million dollar industrial expressway. All these things are needed, but why do they not take the initiative and really look at the housing problem?

Certainly if they do not do it soon in a lot of the centres, my opinion is that it will cost them much more money; because in Hamilton, I understand, there is very little land available. Most of the available land is now in the hands of developers and speculators. When the city is forced to go into public housing to obtain the land they are going to have to pay exorbitant prices for it.

Again, I do not think there are enough people on council who really want to apply themselves to the problem and take the initiative that is necessary. I join with others in saying that we cannot leave it to the municipalities. This government has got to give leadership and develop some method of putting pressure on them in some way or other.

Hon. Mr. Robarts: Mr. Chairman, before the hon. Minister makes his remarks, I think the committee might rise and report progress and I so move.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of supply begs to report that it has come to certain resolutions and asks for leave to sit again.

Report agreed to.

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, I move the adjournment of the House.

Motion agreed to.

The House adjourned at 12.45 o'clock, a.m.



ONTARIO

Legislature of Ontario

Debates

OFFICIAL REPORT—DAILY EDITION

Third Session of the Twenty-Seventh Legislature

Friday, April 30, 1965

Speaker: Honourable Donald H. Morrow

Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

FRIDAY, APRIL 30, 1965

The House met at 10.30 o'clock, a.m.

Prayers.

Mr. Speaker: We are pleased to have as visitors to the Legislature today in the east gallery, students from Central secondary school, Hamilton.

Petitions.

Presenting reports by committees.

Motions.

Introduction of bills.

THE CHILD WELFARE ACT, 1965

Hon. L. P. Cecile (Minister of Public Welfare) moves first reading of bill intituled, *The Child Welfare Act, 1965*.

Motion agreed to; first reading of the bill.

Hon. L. P. Cecile (Minister of Public Welfare): You will recognize that this new Child Welfare Act which is being introduced, contains significant amendments in the provision of services to children. I would indicate the major changes outlined in this legislation.

In the first instance, guardianship of children who are now permanent wards of the societies will become the responsibility of the Crown. This new status of wards provides an opportunity to standardize methods of service across the province in favour of children taken into care.

The second feature is that the province, with the municipalities, accepts responsibility for protection given to children in their own homes. In other words, the emphasis will be on total services and financing, which will be available to societies, not only for the protection of actual neglected children, but also for the prevention of potential neglect.

As we know, the children's aid societies of Ontario are operated under private auspices. In the past, some societies obtained a portion of their funds from private sources, such as community fund-raising campaigns, and united appeals. This legislation removes the

necessity of obtaining private donations, since there is total coverage of costs between the province and the municipalities.

I think the next item in order of importance is that the province has agreed to accept full financial responsibility for the children of unmarried parents. We have also recognized the problem of the so-called "battered babies," in that the Act requires such incidents to be reported either to the local society or to the Crown attorney. We propose to absolve the informants from legal liability when they report such a situation.

This Act also simplifies the question of the child's residence, to avoid the rather costly investigations which were necessary to determine in what municipality the mother or child had legal domicile. The new Act would simply state that the child is the responsibility of the municipality where he is found to be neglected. Greater stress will also be placed on measures to provide group care homes in place of foster homes for children who have this special need.

As you will infer from the foregoing statements, the province will assume a greater share of the total financing of the services of children's aid societies.

The basic method of sharing expenditures is changed. Formerly there was a separation between the protection and wardship costs, and a per diem rate was calculated for each ward. Now, the total budget of the society is accepted as the basic cost. The amount of the annual budget will be negotiated by the children's aid society and the participating municipalities, through the committee of the county council or the city or separated town. In the northern districts where no county organization exists, a district board will be formed for the purpose of treating child welfare matters collectively by the municipalities.

An independent board of review will serve to arbitrate any matters which concern the societies, the municipalities, or the government.

I have said that the entire cost of cases where the child is born out of wedlock will be a charge upon the province. Of the

balance of costs for both guardianship and protection, 40 per cent will be paid by the province and 60 per cent will be met by the municipalities; that is, the counties, cities, separated towns, and district boards.

The payments from the province will be paid on a monthly basis and they will go directly to the societies. In the past, it has been the practice to reimburse the municipalities for child welfare costs and the reimbursement has been made some time after the actual expenditure. When this new Act comes into effect, probably as of January 1, 1966, we would hope to have all arrears of subsidy cleared up. For this reason, we shall, in the coming months, pay to the municipalities, the subsidy due in the current year, as well as that which applies to last year.

This means that the province will be making child welfare subsidy available for nearly all of 1964 and 1965 in this present year—in other words, two years in one. When the accounts are brought up to date, we can then subsidize the societies on a current basis, which will be of advantage to them in avoiding operating deficits.

An expanded child welfare branch will function with the commencement of this Act, and will operate in co-operation with the children's aid societies of the province. The child welfare branch, which is mainly concerned with this Act, now has an excellent nucleus which will be available to support the services for which they are responsible. In view of the many improvements outlined, you will readily recognize that the standards of care and service will be strengthened, with better financing and administrative arrangements.

The members of the Legislature, will know, I am sure, the background of this legislation. An advisory committee on child welfare, headed by Mr. Charles J. Foster and including 12 other persons, representing various interests in children's services, reviewed the province-wide situation and presented a report. We are indebted to the chairman and his committee for this lengthy survey and the recommendations that served as a basis for this new Act.

I should say that the actual preparation of the bill was carried out by a committee headed by Professor Charles E. Hendry, director of the Toronto school of social work, together with the executive secretary of the association of the children's aid societies, the deputy Minister, the director of child welfare, the local director of a society, and the associate legislative counsel. This was the group who drafted the legislation.

Mr. Speaker, Ontario has maintained in the past excellent child welfare legislation. This new Act provides greater scope in all services to children with the major responsibilities now assumed by the government. I would ask, even before these new measures are instituted, where on this continent will you find a better child welfare programme than is maintained by the societies of this province?

This legislation contains far-reaching proposals of significance to children and to those charged with their care and protection. We have designed the Act to make certain that as far as possible, all hazards and obstacles are removed from the way of excellent protective, preventive and adoption services.

Though we have had striking success in the recent adoption campaigns, in future even greater effort will be directed to this aspect. I might note in passing, that according to our last survey there is a shortage of adoption homes for both Catholic and non-Catholic boys and girls. The surplus of children available over the number of applications for adoption is about equal in both categories. Thus, no children are being denied permanent homes, due to the religious factor alone.

I am confident that all who have an informed interest in the child welfare field, will welcome the provisions of this proposed legislation.

THE PUBLIC HEALTH ACT

Hon. M. B. Dymond (Minister of Health) moves first reading of bill intituled, An Act to amend The Public Health Act.

Motion agreed to; first reading of the bill.

Hon. M. B. Dymond (Minister of Health): Mr. Speaker, these are relatively simple amendments. The first is to require the registration of manufacturers, renovators and secondhand dealers in upholstered furniture and stuffed articles. It will also change some of the methods that we have been using, and which have been very cumbersome, demanding that large tags be placed upon all such articles.

The second amendment is to relieve the municipalities of the necessity of securing departmental approval on a purely local matter of installing sanitary fixtures in connection with water systems, where the owner of the premises is unable or unwilling to pay expense of the same at once.

The next section is a new provision to prohibit the use of drugs for which standards have not been prescribed in The Food and

Drug Acts of Canada or the British Pharmacopoeia or any other recognized work, so as to prohibit and control the use of secret remedies in the treatment of cancer and other ailments. Hospitals, universities and medical practitioners are relieved from this prohibition.

Mr. J. B. Trotter (Parkdale): Mr. Speaker, before the orders of the day, I have a question for the hon. Minister of Health, of which he has had notice. My question is as follows:

Will the government encourage and endorse applications by municipalities in Ontario for grants from the federal government's commemoration of centennial of Confederation fund for the building and extension of hospitals?

Hon. Mr. Dymond: Mr. Speaker, I am sorry I am not in a position to answer the hon. member's question fully since the assessment and endorsement of applications by municipalities in Ontario from federal government's commemoration of centennial of Confederation fund projects comes within the purview of The Department of Municipal Affairs.

I would say that I have not yet heard of any application for support of a hospital project under these grants and I do not know if they would be acceptable projects. I think the question there could be more properly answered by the hon. Minister of Municipal Affairs (Mr. Spooner). I am quite certain if hospitals were eligible for additional assistance under this scheme, I can assure the hon. member, that every encouragement will be given to such projects.

Mr. Trotter: Mr. Speaker, just on a point of information. As of last April 27 it was stated in the House of Commons that they would approve such applications if the provincial government approved. In other words, the federal government will not make a grant to municipalities unless your government approves. Because it was a question of hospitals, the question is directed to you.

Hon. Mr. Dymond: Mr. Speaker, in commenting upon this additional statement the hon. member has made, I can say that as I interpret the regulations under The Centennial Project Act I feel myself that hospitals would be eligible, but I know of no project having been put forward.

I can assure the hon. member that no project has been discouraged, I can say that definitely; but whether any project has ever been put forward or not, I do not know.

Whether they have gone to The Department of Municipal Affairs or not, I would not be in a position to tell without consulting my hon. colleague on this. I have not had an opportunity to do that since I got the hon. member's question, but I intend to do so.

Mr. R. J. Boyer (Muskoka): Mr. Speaker, I rise on a point of order to correct certain statements.

In the committee of supply on April 27 an hon. member made it appear that an employee of Ontario Hydro, while engaged as postmaster in a Hydro community committed certain unlawful and improper acts, that he admitted these alleged offences and that in spite of them he was moved out as postmaster and placed in charge of the store. The place was Fraserdale in the district of Cochrane and the employee named was John J. Lavigne.

I now have information on the subject and am pleased to say that the charges made are completely at variance with fact. Mr. Lavigne never was postmaster. The only postmaster who has served in this capacity for many years is a senior and respected employee of Ontario Hydro, Mr. Glen Swanson. Mr. Lavigne was a former grocer who, in 1956, was engaged by Hydro as storekeeper and served in that capacity until June, 1963, when, for administrative reasons alone, another storekeeper was appointed. Mr. Lavigne, however, continued to serve and is still serving at the same store as an assistant.

On the basis of unsubstantiated statements made by a former employee with a fancied grievance, it has been said that Mr. Lavigne had confessed to having simulated a safe-breaking for purposes of covering up the tracks in terms of his own activity, trying to make it look like an outside job. There has been nothing whatever which would link Mr. Lavigne with having simulated such an offence, nor that he made any confession to any person concerning the alleged simulation.

The charge has also been levelled, again based on a statement made by the man with the fancied grievance, that the person under attack had been pocketing the proceeds of a double standard of retail prices. The same sort of round-about hearsay has it that the man charged with being responsible for these things had admitted them. There is no double standard of retail prices, and audits of store activities have not shown irregularities. No special audit has been undertaken because of any reported defalcation.

The allegation that Mr. Lavigne had pocketed the proceeds has no substance in

fact. No responsible person has found any basis for this remarkable charge. There is no justification for the statement that the named employee had admitted to pocketing proceeds. He did no such thing, neither did any serving member of Ontario Hydro claim that he did.

In this particular connection it is a matter of record that the name of Mr. A. A. Pepper, who is the security officer of northeastern region of Ontario Hydro, was referred to no less than nine times on April 27 with reference to the various allegations which have been raised. Mr. Pepper, who is a highly competent, respected and honourable security officer, categorically denies that he made any of the statements which have been attributed to him. More precisely, he denies having made any statement concerning early retirement or that Lavigne had admitted to him that he had been pocketing the proceeds, just as he denies that there is any evidence of a simulated robbery or that Mr. Lavigne had made any admissions to him in this regard.

In short, an honourable man has been made the target of irresponsible and unfounded accusations.

Mr. Speaker, I hope the record has been set straight, for it is a disturbing thing when trustworthy personnel are made the object of irresponsible statements in so public a way.

Mr. Speaker: Orders of the day.

Clerk of the House: The first order: Resuming the adjourned debate on the amendment to the motion that Mr. Speaker do now leave the chair, and that the House resolve itself into the committee on ways and means.

Mr. Speaker: The member for St. David.

ON THE BUDGET

Mr. H. J. Price (St. David): Mr. Speaker, I congratulate you on your appointment to the ancient and honourable position of Speaker of the House. The duties of Mr. Speaker are sometimes onerous, but you are conducting them with skill and efficiency.

I see the hon. member for Hastings West (Mr. Sandercock), the Deputy Speaker, is with us this morning and I understand that he has had many years experience with the gavel. I encourage him to use it here when the need arises. He, too, performs his duties fairly and impartially.

At this time I would like to offer congratu-

lations to the mover and seconder of the address in reply to the speech from the Throne. The speeches by the hon. member for Russell (Mr. A. B. R. Lawrence) and the hon. member for Nickel Belt (Mr. Demers) were, I thought, both well prepared and well delivered.

This is the first chance I have had to congratulate the new members of the House, the hon. member for Riverdale (Mr. Renwick) and the hon. member for Windsor-Sandwich (Mr. Thrasher). I am sure they will enjoy their work in this Legislature and I welcome them and wish them every success in the future.

We acknowledge the election of the hon. member for Dovercourt (Mr. Thompson) to his new role as leader of his party. Mr. Speaker, may I be pardoned for saying he is now the "big wig." I am sure this will prove to be a most interesting position for him and we are all watching him from both sides of the House with great interest. He has made an excellent contribution to the work of the Legislature in the past and I have no doubt he will make an even greater contribution in the years ahead.

I am privileged to represent a seat in the House. It is with much pleasure that I bring you greetings this morning from St. David's riding.

I think twice in previous years the budget was brought down in this House on St. David's Day. In recent years it has been the practice to bring the budget down two or three weeks earlier, and this seems now to be pretty well established as the procedure.

The Budget debate provides all hon. members an opportunity of speaking in the House and I am glad to be able to offer a few remarks at this time.

Mr. Speaker, I believe the hon. Provincial Treasurer (Mr. Allan) used the appropriate adjective when he introduced the "sunshine" Budget. I know other terms have been ascribed to it by hon. members, and some of the Opposition members perhaps did not agree with the hon. Provincial Treasurer, but gentlemen, it is a "sunshine" Budget.

Mr. Speaker, I applaud the hon. Provincial Treasurer on introducing the largest budget in Ontario's history, amounting to about \$1.5 billion. This is \$164,300,000, or about 13 per cent larger than last year's record budget. We salute the government on not having to introduce new taxes or increase existing ones during the current fiscal year.

In 1965-1966 the government will continue our economic growth and development.

at a high level. The \$1.4 billion rise in the 1964 Ontario gross provincial product of \$18.5 billion surpassed expectation. In the course of the year 89,000 new jobs were created, bringing our total employment figures to an all-time high.

But, Mr. Speaker, you say what about unemployment? Well, again Ontario figures for unemployment, with a ratio of 3.3 per cent, were 2.2 per cent better than that prevailing in the rest of Canada.

Many industries in our manufacturing sector achieved new records of production. Most primary industries continued the upward swing in output. New export opportunities were opened to our manufacturers with help from the provincial government. Throughout the year Ontario's economic activity, wages and profits showed steady gains.

Mr. Speaker, educational demands continue to cost large sums of money. In the words of our hon. Provincial Treasurer, "Education costs have been a matter of concern to our government for many years." In the current fiscal year the total outlay for educational costs is \$444.9 million. This amount exceeds the estimated revenues derived from liquor sales, succession duty, motor licences, race tracks, hospital tax, logging tax, securities transfer tax and sales tax.

Our grants to universities amount to \$63.3 million, which is a substantial percentage of the total budget for education. Education costs now amount to about 35 cents of each dollar of revenue.

During 1965-1966 the expenditures of The Department of Health will amount to \$161.7 million. The Ontario hospital insurance commission will receive \$15.6 million or about nine per cent of the health budget. The largest single item is for our mental hospitals, amounting to \$74.9 million, up \$4.8 million over 1964-1965. The government has seen fit to provide an appropriation of \$50 million to subsidize the cost of the Ontario hospital plan not met by premium subscription, with which I heartily agree.

The Department of Health continues to expand our hospital facilities with many projects scheduled for completion in 1965. I hope the hon. Minister of Health (Mr. Dymond) will give serious consideration to the growing demand for more chronic and convalescent facilities needed so badly in the province.

The Department of Lands and Forests continue to expand our outstanding parks system and, I think, Mr. Speaker, the hon. members

will agree that we have one of the finest systems anywhere in North America.

In the immediate years ahead, in my view, the provincial debt requires careful attention. While the new Budget provides an amount of \$105.2 million to cover interest charges on our public debt, the net capital debt at March 31, 1965, is estimated at \$1,423 million, representing an increase in the net capital debt in one year of \$78.4 million.

Nearly 10 years have passed since I first took my seat in the House, so perhaps it is not inappropriate that I should make a few remarks on some thoughts which have occurred to me over the years.

I had occasion recently to be looking over the names of the members of the Legislature, chiselled in marble on the walls downstairs in this building. It was a shock to discover so many are no longer with us.

The path leading to a seat in this House is not always an easy one. Many of us come by different routes. Frequently this follows a term of service in municipal government which is valuable training, but certainly is not an essential qualification.

Mr. Speaker, upon first coming here I imagine other naive members like myself inquired the location of their private office. I soon discovered the tiny quarters on the second floor at the west end of this building used for this purpose. I must say, Mr. Speaker, that the present facilities make it possible to attend to our duties in greater comfort and efficiency, than at any time since I have been a member of this House, and I think we should congratulate those who are responsible.

Turning to another matter, I believe the time has come for us to consider building a provincial cultural and sports centre. In this way facilities could be provided for the headquarters of the Ontario council for the arts. Such a centre could be the focal point for provincial competitions in such fields as drama, music, art, ballet and various athletic events. At such a centre, sports facilities could be constructed to Olympic specifications; something akin to an Olympic village could be provided to house the people who would be attending events at the centre all year round.

It seems to me that this is the only way in which we can train our young people to compete successfully with athletes of other countries for world honours. Such a centre would also provide a great tourist attraction. A project of this kind would require several thousand acres of land in order to house all

the necessary facilities. Ideal locations are still available and the time to act is now.

We are presently expanding our leadership camps, and a select committee is studying problems confronting our youth. I hope this government will give top priority to the problems of our young people in coming years.

Perhaps at this time, a few words of advice to some of the new members might not be out of place. I believe it was the hon. member for Sudbury (Mr. Sopha) who recently offered some counsel to the new hon. members. It was to the effect that it is better for one's colleagues to speculate why one does not speak rather than why one does. This is good advice. It usually takes a new member a while to feel at home in the House. I know there are some who have been trapped into saying things they later regretted. So perhaps this advice offered by the hon. member in the Opposition might well be heeded.

Fortuitously, Mr. Speaker, arrangements have been made for the hon. Minister of Health to use the press lounge as a dispensary should an epidemic of foot-in-mouth disease break out in the Legislature.

Some additional advice I would like to offer to the new hon. members is not to blame your own party for all the shortcomings of democracy. It is always wiser to direct some of your criticism towards the members opposite.

Sooner or later, Mr. Speaker, all hon. members face the trial of their maiden speech. They do so with some trepidation. I can say, having been in the House for some years, that most members enjoyed considerable success on this occasion. It is accurately reported that Edmund Burke and Disraeli considered their maiden speeches to have been failures, but this view was not shared by members of the Commons who heard them.

Upon taking his seat for the first time, a member is likely to be awed by the ability of some of the veteran members of the House. This, I find, as others have before me, wanes with the passing of the years.

When I first came to the House, we lacked many of the advantages we enjoy today. Having sat first at the extreme right I know that that particular seat has many advantages, particularly when you want to come and go quietly without observation. Something else I recall when I first came to the House, which was a shock to me and a source of private embarrassment, was that the spectators in the gallery, could not hear what was being said,

and it was only a member who happened to have a very good voice who could be heard at all. Of course, this has all changed with the coming of our PA system, which is so necessary in this House because of the poor acoustics.

Mr. Speaker, in closing I would like to tell you that my constituents are well pleased with the new provincial flag—so am I.

It will be to our everlasting credit that we did not turn our backs on our heritage; that we did not close the door on our history. Who would stand idly by and oversee the glories of our past destroyed? I am convinced we acted wisely. Surely any other course would be abhorrent to Conservative tradition.

Mr. W. G. Noden (Rainy River): Mr. Speaker, again it is a pleasure to congratulate you upon the excellent manner in which the conduct of this House is carried on, and also to offer my sincerest congratulations to the Chairman, the hon. member for Hastings West (Mr. Sandercock), who always has that understanding smile. Though he informs me from time to time when he goes on his annual hunting parties, he finds the deer are running faster. We will forgive him for this, because we can understand that fault.

At this time I intend to speak on one aspect of the Budget. Mr. Speaker, the hon. Provincial Treasurer (Mr. Allan) is to be commended on bringing to the members of this chamber, a clear and concise picture of the economy of Ontario, and in his words, and I quote:

It represents a well balanced plan, designed to meet the essential requirements of a dynamic economy.

Also:

It is the longest period of expansion since World War II. This can also be a great credit to the present government of this province under the capable leadership of the hon. Mr. Robarts. I am sure we have no fears for the future prosperity of our day, for the people of Ontario and their everyday requirements.

Mr. Speaker, another statement by the hon. Provincial Treasurer, has given me further thought and I quote:

The need for increased provincial expenditure must be balanced by the need to maintain taxation and debt management policies consistent with the sound and balanced economic growth which our expenditures are designed to promote.

How do we maintain this kind of a policy of a healthy economic growth for Ontario? In

my opinion, it can only come about by proper uses of our natural resources, and the people with an understanding of this importance. I will try to give you some of my observations relating to our forest resources in north-western Ontario.

The hon. Minister of Lands and Forests (Mr. Roberts) announced the formation of a forestry study unit to examine existing forest resources of the province of Ontario to assure continued progress in utilization with a view to their fullest development. The advisory committee have agreed to act in an advisory capacity to the forestry study unit. The unit will study forestry practices in Ontario and recommend such measures as may be necessary to continue sound programmes of silviculture, conservation and forest management and suggest how we may get the highest possible sustained yield from our forest resources.

My concern, how do we go about guaranteeing sustained yield of the trees of Ontario? In line with a policy initiated by The Department of Lands and Forests, the department has written to the large pulp and paper companies asking for their co-operation in bringing about increased activity in a regeneration programme. Most of the companies have indicated a willingness to co-operate. Under date of February 3, 1965, in the *Globe and Mail*, an article appeared stating, and I quote: "A tree shortage in B.C. Future lumber industry tops B.C. industrial production list, but will there be enough trees to go around?"

This same situation could apply to Ontario. It has been my privilege to fly by conventional aircraft between the Lakehead cities and Fort Frances, some 200 air miles, as well as by helicopter, and to observe the endless forests. In one's own mind the thought arises: There are trees to be cut for all time. That is not so. After walking over areas that have been cut, you wonder how long our forest resources can last. Remember, trees are cut only in areas where it is most economical to operate. In time, other areas will be cut, based on economics of the times, of that day. I am not a silviculturist, but what I submit is my own practical observation.

I have listened to figures given in this Legislature on the tree-planting programme as being short of the goal required to maintain sustained yield to provide the industry in the days to come. I do not intend to refute the statements but to give some average figures of the present rate of forest regeneration work by The Department of Lands and Forests in the three districts of the western region—northwestern Ontario.

The total seedlings planted for the year 1963-64 was 2,533,600. Then there are the other programmes, such as scarification, seeding and natural growth. To give a clearer picture, I will use figures for the Fort Frances forest district. The average acres logged annually amount to 12,000 for the year 1963-64. Acres planted, 4,082. The remainder will reproduce satisfactorily by present standards, by natural means. Planting of seedlings and seeds is not the final answer. This method can serve only as long as plant food is available for the species tree. Nature must provide this. For example, where an area is burned over, fireweed, etc. is the first growth, then alders, etc. Afterwards, poplar, jackpine, and finally Norway and white pine, each providing food material for the other.

Mr. Speaker, the idea that The Department of Lands and Forests or industry should seed or plant seedlings to replace each tree cut is not necessarily correct, as I have mentioned. It is a well-known fact, or it is presumed, that a good fire over a certain area will create a stand of timber in future years such as man is unable to do with all his knowledge of silviculture. Trees are similar to the human being, requiring the proper kinds of foods to grow. The planting of seedlings or seeds cannot survive unless the proper nourishment is in the ground and could be a once-over programme, like the commercial salesman who covers the territory on a high-pressure programme, only good for the one trip, because the buying public did not take too favourably to the results of the product.

There is, however, a backlog that requires treatment by planting, seeding, scarification, etc. It is a backlog which creates the greatest concern and the only manner this can be dealt with is by the voting of extra funds by the members of this Legislature, or the forest industry in co-operation with the government, to work out some kind of a continuing development programme. The present method of forest taxation and regeneration is controlled by many factors.

Regeneration of the next stand of timber is our key problem. We need to control regeneration for our best advantage within the limits set by nature. We will be helped if we get a clear idea of the effects of taxation upon our efforts. The following discussion applies mainly to Crown forests. In Canada, taxation of Crown forests takes the three forms of ground rent plus fire tax, dues on timber cut, and income taxes. The first form of tax is as stable as can be expected of a human institution. Ground rent

is called a payment to retain cutting rights, but it is obviously an annual interest payment on the expectation value of future timber crops. Ground rent is conservative, because it is a small part of total payments, and many companies hold extensive unused cutting rights by this means.

The second form of tax, dues on timber cut, is related directly to the quantity of timber cut. Dues payments vary more than ground rent but capriciously. Rates of dues remain fixed for some time but change more frequently than ground rent.

The third form of tax, income taxes, assures that the state at large shares in good times when they occur. When business is poor the tax is less, whereas ground rent is unchanged and dues are less only as less wood is cut. Income taxes accrue mainly from the increased values imparted by manufacturing processes but also partly from cutting rights.

The three forms of taxes are an integrated system. Each tax touches its field only in part so that a balanced burden can be obtained over a wide range of circumstances. In a broad way the first two pay the expenses of The Department of Lands and Forests and the third is a general sharing of gains.

The question of how to charge regeneration costs meets some difficulty. The more advanced methods of logging are aimed at regeneration but it is hard to separate regeneration costs from extraction costs. Some costs such as those of planting, seeding and scarifying are easily segregated, but additions to these, separated from extraction costs, are plainly arbitrary.

It has been said, Mr. Speaker, that stumpage dues should be increased to take care of this cost. Maybe so. But we also must realize that the forest industry has become very competitive and, in order to maintain employment and a healthy industry, all factors must be taken into consideration. Only in this way can the sustained growth of our forests keep pace with the demands of the industry which provides employment and economic growth for the province of Ontario.

Mr. Speaker, I would like to speak on another subject that came to my attention last session and I want to express some views and observations on the mining industry of Ontario. It has always been my view that there is not too much wrong with the mining industry; that the industry can very well take care of itself, in the best interest of the economics of mining.

Mr. Speaker, during the last session of the Legislature, some very disparaging state-

ments were made by the hon. member for York South (Mr. MacDonald). I am sorry that he is not in his seat this morning to listen to some of the facts that would perhaps correct his thinking. The hon. member visited the community of Atikokan which is in the riding of the Rainy River district serving the Steep Rock mining area. In *Hansard* under the debates of this House of February 28, 1964, the hon. member for York South said: "—it is one of the saddest places in Ontario."

And again: "It is drifting into a ghost-town position."

And the third statement: "—is dwindling into a ghost-town."

I would ask, what right has any individual to downgrade any community that he might visit in Ontario? Today the mines at Atikokan are moving forward on a sound plan of development, facing up to the constant change in mining procedures. I bring to your attention some pertinent facts relating to the well-being of this community and the problems as they apply to Steep Rock Iron Mines Limited, being the original mining development in the area.

1. Tonnage of iron ore shipped since operation began: 28,527,000.

2. Wages and salaries paid—and I want to point this out—\$69,215,000.

3. Paid to Canadian National Railways for rail freight on iron ore: \$41,762,000.

4. Dividends paid: 1962, \$1,611,774—20 cents a share; 1963, \$1,611,774—20 cents a share; 1964, \$2,014,718—25 cents a share. No dividends were paid for the 17 years between 1945 and 1961. All the earnings were ploughed back into development and repayment of debt.

5. Total investment in the enterprise at November 30, 1964: \$100,978,500.

6. There are approximately 1,500 dwellings in Atikokan—and I apply this to the hon. Minister of Economics and Development (Mr. Randall) in his remarks yesterday and some of the criticism in building homes. There are 54 vacancies in Don Park; a few vacancies in Dunbar Heights; elsewhere there are only a few buildings empty. This means that 96.5 per cent of all dwellings are occupied. We expect vacancies to be at the vanishing point by spring, and I would say it was coming to that now.

We have another mine, Caland Ore, subsidiary to Inland Steel of Chicago, who are presently building a \$15 million pelletizing plant to be in operation in the latter part of 1965. For the year 1964, shipments of iron

ore from the Steep Rock area—this is the whole area—amounted to approximately 3.5 million tons representing—just get this—42 per cent of all iron ore mined in Ontario.

The two mining companies located at Atikokan shipped 326 boat loads during 1964 totalling 3,312,822 tons. For the Steep Rock Iron Mines Limited, the freight paid to the railways and steamship companies was \$4,761,000. This represents 28 per cent of the gross value of the product being paid out to the transportation companies.

Mr. Speaker, these are significant facts as it relates to the economy of Atikokan and applies to many other mining communities in Ontario. In my opinion, I do not think that there is too much wrong with that community; I do not think that the statements that were made were justified, based on the average mining community in Canada today.

As a member of the select committee on mining, studying the stimulation of prospecting and development of the mining industry of Ontario, I have listened to many statements being made about the mining industry: Stop the export of unprocessed ores; increase the mining tax, and so on. As an individual who has read, considered and observed the growing up of the mining industry—yes, and some of the vanishing mining developments—there is a history to the development of the mining industry which I would like to apply historically to iron ore in Ontario, yet it has to be related to Canada as a whole.

No iron ore from domestic sources was produced in Canada from 1924 to 1939, yet Canada today is now the world's leading iron ore exporter. The whole structure of the iron ore market has also changed. In the early post-war years the demand was for direct shipping of natural ores, without prior treatment. Rapid technological changes in ore processing and steel-making have brought a dramatic shift. The main market now is for "beneficiated" ores, in which the iron content is increased. Great strides have also been made in "tailoring" the ore—most frequently by pelletizing and sintering—in order to meet the specific needs of the steel producer. The high level of capital outlay required for these facilities demands not only large tonnage projects but also the assurance of stable market conditions. This has resulted in the tendency of the steel producers to maintain control over iron ore production, either through ownership of the mine or long-term contract arrangements.

The Canadian iron ore industry depends heavily on export markets. Between 85 and 90 per cent of production is currently being

exported. Furthermore, although Canadian steel companies now consume over eight million tons of iron ore a year, more than 60 per cent of their requirements are imported. The situation is explained by the fact that Canadian steel companies invested in, or otherwise became associated with, iron ore mining companies in the United States prior to the establishment of the Canadian industry.

The present developments in Canada will enable the Canadian steel industry to obtain an increasing part of their requirements from domestic resources. This trend is expected to continue, so that by the end of the present decade, Canadian mines will likely be supplying the entire domestic market. Nevertheless, it is evident that in the foreseeable future, iron ore producers will be dependent on the United States market for the major part of their sales, and this is quite understandable because in the process of making steel you cannot use just one ore from one body, you have to have different ores in different parts of the country in order to produce the different grades of steel.

Mr. Speaker, again, there are signs of increasing competition in export markets. In Europe, African and South American competition has become very strong and Australia is meeting some of Japan's needs. In the United States, as the rich iron ore range of the Mesabi area became exhausted—and in my time I remember that there were shipments of some 90 million tons per year and it is down to about 55 million at the present time—new developments were delayed by heavy taxes on iron mining. Recent tax concessions in the United States are expected to lead to exploration and development of huge reserves of low-grade taconite deposits. To stay fully competitive, the Canadian industry will have to take full advantage of technological advances, both in extraction methods and in processing the ore to meet consumer requirements. The above situation has already gone into effect on the Mesabi iron range in Minnesota, where one of the largest manufacturers of automobiles is erecting a pelletizing plant.

I was most interested in a statement by the president of the Canadian metal mining association, which I intend to quote: Discussing taxes, he said that Canada has been favourably known as a politically stable country with policies that encourage mining enterprise. He said this situation must continue because mining finance is international in character.

"We, who are so dependent on our export trade, must remain competitive in mining

as well as in other respects," he said. "It would be a sorry day for all of us—and for Canada—if any attempt were made to reduce the industry's effectiveness."

He said that government tax provisions for mining firms, particularly depletion allowances and the three-year tax exemption for new mines, have been of the greatest importance in enabling the Canadian industry to grow to its present stature.

"Without these incentives, exploration and proportionately, mineral discoveries, would be greatly reduced. Further, it would become impossible to finance production of more marginal deposits."

Once again I bring to your attention the importance of the mining industry to the economy of Ontario and Canada. Employment, directly and indirectly provides employment for approximately ten per cent of Canada's labour force. Export trade and earner of foreign exchange accounts for 40 per cent of the dollar value of all Canadian exports. This is an important feature in the economy of Canada today.

The mineral industry accounts for 40 per cent of all revenue freight on Canadian railways and 50 per cent of the freight on inland waterways. So you can see from that, the importance that the mining industry has on the economy of Ontario and Canada.

It is important for us to keep in mind, mineral deposits are an expendable natural resource. This creates problems for communities which have become established and are dependent only on the existing ore bodies. Today the other known iron ore bodies in northwestern Ontario are at Lake St. Joseph, Red Lake, Nakina, south of Fort William, Bending Lake, Emo and others. These ore bodies are still to be developed and will supply iron ore for the next generation, and then some, without disturbing, and in this case without having to disturb, any known ore bodies that might be in our provincial parks.

Mr. Speaker, I want to commend the hon. Minister of Mines (Mr. Wardrope) for publishing the *1964 Review of New Discoveries and Developments in Ontario Mining*. This is a very informative booklet, which should be read by every member of the Legislature, to acquaint him with the importance of the mining industry as it relates to the continuing economy of this "Grand Old Province."

Mr. Speaker, I have one other item I would like to mention at this time which is very close to my past and to the welfare of northwestern Ontario. And I would like to bring to the attention of the hon. members

of this House, an important event which took place on June 28 of this year—the official opening and completion of Highway 11, the section between Fort Frances, Atikokan and the Rainy River district.

Hon. members are aware, looking at the new northern Ontario road map compiled under the direction of the hon. Minister of Highways (Mr. MacNaughton), Highway 11 begins at the water front on Yonge Street in Toronto and terminates in the town of Rainy River where it crosses the international boundary, skirting the south shore of the Lake-of-the-Woods and then into the province of Manitoba. This completed highway will provide the second transcontinental road link between northern Ontario or, should we say, the transprovincial highway, by way of Barrie, Bracebridge, North Bay, Cochrane, Kapuskasing, Nipigon, the Lakehead cities, Atikokan, Fort Frances and Rainy River, some 1,200 miles long.

At this time, on behalf of the people of the Rainy River district, I extend to all hon. members of the Legislature a warm and sincere invitation to be with us at the official opening upon the completion of Highway 11 across the province of Ontario.

Mr. Speaker, it so happens that completion of the final road link takes place in the most westerly part of the province. This should not detract from its importance because of the added attractions we have to offer the travelling public.

Let me bring to the attention of the House some interesting things to see. After leaving the Lakehead cities with their intriguing waterfront of grain elevators, ore docks and Mount McKay, you continue on Highway 11 through forests, passing lakes and rivers. This highway parallels the main water route between eastern and western Canada, called the Voyageurs' Route, travelled first by the explorers beginning around 1630, then the *coureurs de bois*, the fur trading companies, and the main travelled route, which was used to transport troops to quell the Riel Rebellion.

After this, the three railways came into being; now two transcontinental highways are provided. The first stop is Quetico provincial park, second largest park in Ontario—some 1,760 square miles—a wilderness area for our people to enjoy.

Quetico conference and training centre, located on beautiful Eva Lake, operates on a plan similar to that of the Banff school of fine arts at Banff. Then onto the open pit iron ore mines at Atikokan. Here you can look down 500 feet into the pits where the

rust coloured iron ore is being removed. Yes, gold in its final analysis.

From here you travel west through forests, past lakes, crossing the Seine River, coming to the community of Mine Centre, where the gold fever held sway, before the Klondike rush of 1898. The next scenic stop will be as you cross the Bear's Passage bridge between Swell Bay and Red Gut Bay of Rainy Lake; then a short distance on where the Windy Point bridge crosses to the entrance to Islet Bay.

Then you come to the major building undertaking, making possible the completion of Highway 11 across Ontario, the causeway over Rainy Lake, originally called Lac le Pluie, a distance of three and a half miles over water by bridge structures, rock fill and the crossing of islands, considered to be the longest engineering programme undertaking in a Commonwealth nation, at the beginning of construction.

At this point, you can look over beautiful Rainy Lake, as far as the eye can see, a sight to behold and not to be forgotten. The cutting of the ribbon will take place on the causeway across Rainy Lake.

Modern Fort Frances, with its pulp and paper mill—the next stop—is the judicial centre of the Rainy River district, and one of the oldest fur trading places between eastern and western Canada. Following Highway 11 west, we travel through the largest agriculture area in northern Ontario, following the scenic Rainy River. There are other interesting facts relating to this part of the northwestern area. Hon. members should come and see it for themselves.

Mr. Speaker, just so that we do not overlook another important fact—the credit for building highways across northern Ontario should go to the Progressive-Conservative government of this province. No other government has done so much to open up northern Ontario for development by the building of highways and financial assistance to the municipalities for municipal roads.

Thank you.

Hon. G. E. Gomme (Minister without Portfolio): Mr. Speaker, first of all I want to thank you for this opportunity of being able to say a few words to the House.

In the preparation of numerous articles appearing in the press recently on rural poverty in Canada, it is unfortunate that the authors spent so much time reviewing statistics and national averages without giving sufficient information on the attitudes of rural people towards this change, particularly when

it involves uprooting their homes and moving to a completely new environment.

I would like to read part of an editorial from my own home town paper, the *Almonte Gazette*, of February 25, 1965:

There were the same kind of pictures shown of roofless log barns that were depicted in Miss Moon's story. No one denies that there are abandoned farms in this county just as there are in many other counties, but in some cases the pictures create a false impression. For instance, many of these barns with the roofs falling in and the walls sagging haven't been used in years.

The farm probably was purchased by the man living next to it and the buildings were not torn down. The owner may have wanted this land for pasture, or maybe there was a good wood lot on it in addition to the pasture which he lacked on his own.

However, of this we may not be quite sure; we recognized one of the TV pictures as having been taken not too far from here. We compared notes next day with others who were watching this newscast and they agreed. If we are right, this farm with a couple of log barns on it, roofless and depressing looking is owned by a man who is in the cattle business. There was a time when it was a good farm, as farms were considered 25 years ago, but those who inherited it felt that they could make more money in other ways. The weathered looking logs in the roofless building are the kind that people from the cities are looking for these days to build fancy homes in the country.

The cattle trader, who owns the place, has been offered plenty for the log walls but for some reason he will not sell, so no one can say that he is in dire straits, even in a depressed area.

A recent study conducted by a skilled staff in south-central Ontario shows that 70 per cent of the low income people interviewed with gross incomes under \$2,500 per year, were quite satisfied with their way of life and had no desire to move elsewhere. It is dangerous however to rationalize too much on this basis, particularly if there are young families with children living in these situation where there is often little incentive or education.

In the category of low income farmers are many semi-retired people who are farming only to make sufficient cash income to meet their basic needs. In some of our rural areas, low rural income cannot be traced to

agriculture as much as to displaced woods workers. This does not make the problem any less serious but indicates that this problem cannot likely be solved by agricultural adjustment methods as suggested by many of the articles in the press.

Our increasing industrial and business growth in this province has created a strong demand for many skilled trades and business administrators. Expansion of the technical and vocational programmes in Ontario is designed to enable both urban and rural people to obtain training in the fields where there are expanding employment needs. You will note that Ontario is making more concrete progress in the field of retraining programmes than any other province. As you no doubt know, a full-dressed federal-provincial conference on ARDA was held in Montreal at the end of last November and agreement was reached on the terms of the general ARDA agreement that will, if ratified by all the governments concerned, govern the operations of ARDA until 1970. This new agreement embodies several important changes from the first general agreement that has been in effect since 1962.

What is poverty? Poverty is a difficult and confusing concept carrying dangerous social and psychological overtones that makes its analysis very complex. A number of sociologists, economists and other scholars have written about poverty and there is still much disagreement among them as to the basic nature and causes of poverty. First of all, poverty is relative. Poverty is relative to prevailing standards of living at a given time or in a given place. A family that we consider poor today might have been rich through the Depression. A family that is considered prosperous in rural Newfoundland, might be considered poor in New York city. Poverty is relative to the levels of income, of expectation and of service.

For example, an appliance which might be considered a necessity in one part of Canada, might be thought a simple luxury in another. In short, the concept and the definition of poverty are entirely relative to the society under consideration. This means that it is probably impossible to formulate a single definition of poverty that will apply throughout all Ontario, or even throughout all of rural Ontario, because there are considerable regional differences in the ways of life and the standards of living. But we might be able to agree on certain absolute minimum standards of existence that could be expected by any Canadian in the year 1965, no matter where he may live. In effect, this is what we have already done in certain spheres in most

of our welfare legislation, such as old age pensions, unemployment insurance and family allowances. But this legislation was not designed to eliminate poverty in Canada, and of course it has not done so.

Secondly, as well as being relative to time and place, poverty is also to some degree subjective. By this I mean that families who are poor by contemporary community standards may not consider themselves poor, or may not admit that they are poor. On the other hand, people who are far removed from minimum levels of existence may consider that they are poor because they compare themselves to friends or neighbours with still higher standards of living. To put it in sociological terms, their expectations are higher than their current levels of achievement or status; whereas in the previous case, the family's expectations coincided with their status. There is another factor which makes it difficult to arrive at the generally accepted definition of poverty.

Thirdly, poverty is not simply an economic concept. While we all think of poverty as being basically a question of money, other factors are also involved. A family may have more than the minimum level of income considered acceptable and yet still be living in a condition that might be described as poverty; if, for example, the family's health, hygiene and eating habits were poor; if they lived in a dwelling without electricity or indoor plumbing, or if they had no cultural life either from the lack of education, lack of interest or the lack of opportunity.

So you can see that the concept of poverty is not an easy one to define, or to isolate, yet we feel that we should not permit people to live in dire poverty; that we have a social responsibility to give them the opportunity to share the good life. Here, of course, we are making a value judgment. We are assuming that poor people want the kind of life that more prosperous people want. This assumption has been challenged but nevertheless I believe that it would be the consensus of most Canadians that no citizen of our country should be deprived, owing to the factors that he cannot control, of the opportunity to enjoy the advantages of modern civilization.

If we admit this proposition, we might agree on a general definition of poverty along the following lines: Poverty is a condition in which people are for any reason prevented from enjoying certain minimum advantages or benefits afforded by the level of civilization in Canada today. The most elementary of these advantages or benefits are food, clothing and shelter. We have gone on from there as our resources increased and our ideals

progressed to include education, health, old age security, unemployment insurance and universal pensions.

The precise degree of the responsibility of society and the state for the welfare of its citizens will ever be the subject of political review and debate, and depends also what a given society can afford. But the principle is now generally accepted.

If we agree that every Canadian has a right to enjoy certain minimum advantages of our modern civilization we must ask what reasons might prevent him from enjoying them. I think that the reasons can fall into two general categories. First is the question of access. A man might be prevented from enjoying a minimum standard of living either because he cannot afford it or simply because the things were not available where he lives.

In the first case, he is denied access to the minimum benefits of life in 20th century Canada, because of inadequate financial resources. They cost money, and he has not got enough.

In the second case, he is denied access to these advantages, because they are not physically available in his area. This is true most often of such services as electricity, schools, teachers, doctors, hospitals and even in extreme cases, inadequate variety of food.

The question of physical availability is related to the question of money, however, because presumably people with enough money can move to places where these services are available, but they may not be prepared to give up their whole way of life on a farm, or in a small village, for example, and move to a city just to be near schools and hospitals. This brings up the second category of reasons why people do not take advantage of modern standards of living and that is the question of motivation. Although modern benefits may be both financially and physically accessible to them, many Canadians still do not take advantage of them, even where very little effort would be required on their part. This is a very tricky aspect of the problem of poverty and both the area of social responsibility and the solutions are much less clear. It is in this connection that the sociologists speak of a culture or a sub-culture of poverty, of entirely different sets of values, of a closed society, resisting traditional programmes.

How, for example, do you persuade a man to look after his teeth, if he does not want to? For myself, I believe the answer to most questions like that resides in education, provided it is the proper kind. But how do you persuade a man to become educated if he

does not want to? We have compulsory schooling up to the mid-teens in Ontario. We force young people at least to go through the motions of becoming educated. Should this practice be extended? Is there a better way of doing it? These and similar questions require a great deal more public debate and discussion and we must do far more research into the psychology and the statistics of rural poverty. ARDA has already embarked on this programme.

Ontario ARDA has been criticized to the effect that its programmes are oriented too much towards resource development and not towards improving the living standards of our people. There are only two effective methods of improving living standards. One is by resource development and the other is through educational and training programmes. Evidence of the importance of education, recognized by the government of Ontario, is reflected in the estimates of The Department of Education and University Affairs. ARDA, however, must be interested in resource development, because in most situations this is the principal means of increasing income in rural Ontario. You may point out that many provinces are using federal ARDA to assist them in carrying out resource programmes which have been, and are now, continuing provincial programmes in this province for many years, such as water conservation, land drainage, reforestation and agriculture research and extension. It is the total programme of the government that the Legislature should be concerned with. The Ontario ARDA directorate, which has been established by statute and provides for senior representation from each of the departments of government that have major interests in rural development, recognizes the need for a total approach to this problem.

In attempting to solve the dual problems of physical and financial accessibility, two approaches are possible in each case. In the first, either the benefit and services in question can be provided where the people are, or the people can go where the services are and the benefit already available. In the second case, services and benefits can be provided free or at nominal costs, or people's incomes can be increased until they can afford the present cost. The first approach in each case, involves major political decisions and expenditures in the field of social policy. Chiefly, a provincial responsibility. In both cases, ARDA emphasizes the second approach, increasing human mobility and developing new opportunities for income and employment. Thus ARDA does not develop

new social policies, but rather facilitates adjustments made necessary by existing social policies. This is the most economical and productive way possible.

Let me return, not to the point I mentioned earlier about the minimum benefits that our society should put within the reach of every Canadian. I do not want to attempt to define these because I have said there are many regional variations in emphasis. Naturally the fields of nutrition, health, medical care and hospitalization, education, technical and vocational training, housing, social security and pensions must be considered and probably others as well.

What I want to do today is to present to you some figures on living conditions in rural areas, already compiled by ARDA. Based on the 1961 census survey of occupied dwellings, five household characteristics have been selected as most nearly representing the national level of living conditions. The absence of any of these items from a household suggests some degree of inconvenience and hardship to the occupants. The five living conveniences selected as standards were: First, hot and cold water. Second, furnace. Three, mechanical refrigerator. Four, flush toilet. Five, passenger automobile. Unfortunately the census does not record how many of these conveniences are found in a given dwelling, but only how many dwellings have a given convenience. So we cannot tell how many rural dwellings have none of the conveniences I mentioned. The following table shows, however, the percentage of rural dwellings that are equipped with each convenience in turn.

In Ontario, I will give the percentages compared to the national average.

Hot and cold running water: National, 50.2 per cent; Ontario, 62.8 per cent.

Furnace, that is central heating: National, 43.1; Ontario, 52.1.

Mechanical refrigerator: National average, 78.8; Ontario, 91.3.

Flush toilet: National average, 54 per cent; Ontario, 64.5.

Passenger automobile: National, 70.1; Ontario, 82.2.

Now I would like to read part of an editorial written in the *Rural Co-operator* of Tuesday, February 23, 1965, written by Charles Huffman, who is the president of that organization.

While effective leadership is one of our greatest needs, we as federation people must not overlook the necessity for creating the proper attitude towards rural

development. We must generate enthusiasm for, and belief in, the possibilities of rural development and we must destroy the apathy and complacency and defeatism that is all too prevalent in many rural communities.

If Canadians could only see the degradation and despair of the hordes of people in the rural areas in many countries of the world, we would be shaken by our complacency and realize that we in rural Canada have something worth fighting for. If we are content to let other agencies such as government step in and do everything for us, we then become mere wards of the state and will have lost our most precious possession, our freedom and our right to make our own decisions.

Some hon. members: Hear, hear.

Hon. Mr. Gomme: The editorial continues:

We must continually remind those in authority over us that we demand their recognition of, and respect for, the principles of democratic government, which is government of the people by the people and for the people. Government of the people without respect for the other two clauses is tyranny, not democracy.

So much has been said about ARDA. In some of the townships of my county we have cut and exported most of the lumber but because of the new process of using hardwood, we can still cut pulpwood. To show the co-operation between departments of this government, The Department of Mines had done some mapping in Darling township and had established that good deposits of marble were available. As a result of this Omega Marble, Tile and Terrazzo Limited, Angel Stone Limited and Vermont Marble, carried out extensive explorations in 1962 and the first two companies began quarrying.

Ontario had, previous to this, imported approximately \$1.5 million of marble from Italy, Morocco, Burma and Georgia, but now this local material has a perfect test, and as architects become accustomed to it, much more will be used. This is at present a small but growing industry and workers have uncovered blue, white, green and pink marble. They believe this blue marble is the only blue marble in world. The Omega company cuts and polishes the rough marble in its Toronto plant which is the most up to date, and if any hon. members are interested they may see some of this material in some of the buildings in this city.

I appreciate the work of The Department of Mines and the help that it has been but

I must urge the department to help us further as we may come up with more material in this area which, a short time ago, was nothing but bush, swamp, rock and trees. I am glad The Department of Public Works has now allowed this marble to be used in Ontario public buildings and I urge The Department of Economics and Development to help us advertise so that we may be able to export this. Building rocks and rare metals are of little importance unless markets exist in which to sell the end product.

Because I have lived in the Smiths Falls area for many years and have represented this area for the past seven years, I think I know something about this part of the province, its life, its people, its economics, its aims and objectives, its hopes and aspirations. I think I know a good deal more about my area than do most hon. members of this House, just as I expect each knows more about his particular area than I do. It was therefore, Mr. Speaker, rather surprising to hear what the hon. member for Scarborough West (Mr. S. Lewis) had to say about the Smiths Falls hospital school; about the programme and policy of this government and The Department of Health. Indeed, it may be unwittingly or by inference, about the staff of this great institution.

First let me say, sir, it ill befits the pot to call the kettle black. The hon. member for Scarborough West should be the last in this House to criticize anyone for throwing up a screen of words. He should recall the story told by the hon. member for Waterloo South (Mr. Reuter) which suggested he had swallowed a dictionary.

But, Mr. Speaker, let me return to the Smiths Falls hospital school. I have watched this institution develop since its first building and, indeed, my knowledge and interest go back long before that time; it goes back to the time when the Henry government acquired the land and even the stock of material on the site to begin building a hospital school. Then came the election of 1935 and the dark days for Smiths Falls and the mentally retarded, for the Liberal government stopped the work, sold the materials and abandoned all the plans that had been made for the mentally retarded. Not until Ontario again had a Conservative government was any further work undertaken on their behalf.

As soon as possible, following World War II, Ontario began building the present Smiths Falls hospital school.

Interjections by hon. members.

Hon. Mr. Gomme: Of course it was big; that was the usual and accepted pattern of the times. Only 13 years ago, and even six years ago, when the present hon. Minister of Health (Mr. Dymond) took over this department—I recall him saying that his advisers told him that 1,000-bed institutions for the mentally retarded were quite acceptable. Now the trend is to smaller facilities and this may be very good and we should be ready and willing to accept it. That this is the attitude of The Department of Health is evident from the fact that they are not building any more large institutions, and, in fact, have demonstrated this policy because the first small hospital school is now almost ready for occupancy.

The hon. member for Scarborough West has made a great outcry about the overcrowding at Smiths Falls and apparently has lost sight of the fact that very active, useful, worthwhile programmes are constantly being carried on there. I am not going to repeat what the hon. Minister said about these programmes; all that is on the record, but I do want to speak of what I have seen. Of course, I differ from the hon. member for Scarborough West in at least one respect; I am not an expert in everything, while he apparently is. I cannot argue about the effectiveness of the programme, but being gifted with good eyes and some commonsense, I can see and understand that great progress has been made and is being made with many of the patients, even in the face of the handicap of crowding which the hon. Minister admitted.

How many hon. members have seen the Cubs, Scouts, Guides and Brownies in action? Those who have ever been involved in these programmes with normal youngsters will know how difficult even they can be. How much more difficult, trying and time-consuming then, the programme must be with the retarded, and with those who are retarded and physically handicapped as well. Many of the patients at Smiths Falls are in this category.

I have watched the summertime programme of activities of games, of recreation on the spacious grounds of the hospital and the swimming programme at the town pool. Many of our local people have been amazed at what is being done with and for these children.

Mr. Speaker, down home I never hear our people scream about the hospital as some of the hon. members in this House do. The people, like myself, depend on their practical commonsense and realize that this work with and for the retarded is difficult and it is not

expected that it will result in miracles. They realize, too, that the great majority of patients are far better managed and cared for than could possibly be done even in their own homes. Yes, Mr. Speaker, one parent was talking to me about this overcrowding shortly after his child had been admitted. I suggested we could relieve it by sending the most recently admitted back home, and do you know his reply? "Oh, my God, do not do that. We could never stand it."

And again the hon. Minister said recently on TV that almost daily he receives requests for admissions which say, in essence, We know you are crowded, but cannot you take one more.

One of the newspapers suggested that the attitude of the hon. Minister, by his own words, was not the best for the patient. Well, sir, my commonsense bids me wonder if it is better to risk harm or upset among the normal members of the family than to admit the retarded child to the hospital school. I do not know the right answer and sometimes I wonder if the real experts—not the self-appointed ones—know the right answers either.

Then I look at the situation in other provinces and in the states to the south of us. I find that Ontario provides for its retarded more than half of all such services in the whole nation and achieves a more generous ratio than any other jurisdiction. As for crowding, I looked at the record for New York state, probably the wealthiest in this continent, and I found their smallest hospital school is 750 beds and their institutions last year were overcrowded by 32 per cent.

I get calls and letters from the people I represent seeking help in having their tragic children admitted and I agree with the hon. Minister that there is nothing wrong or evil in this. I was elected to represent my people, all of them, and it is a privilege and, I think, a duty to help them in any way I can. Always I have been reminded that two doctors' certificates are the first essential. Sometimes I have been able to help some family have their child admitted and never once have I heard from such families anything but high praise for the department and gratitude for the help given.

I would like to suggest, Mr. Speaker, and I do this only with the most kindly motives, that the very unfair criticism voiced by the hon. member for Scarborough West does both harm to the patient and their family. He stated no doctor has stayed at Smiths Falls for more than one-and-a-half years; of course he wants to blame this on

the government. I wonder if he has ever thought criticism such as he voiced might well be far more responsible for this, than any policies of the department. I have heard good doctors and nurses say they would never work in a situation where they would be subject to such vicious and often unjustified criticism. Perhaps the hon. member should think of this.

Then I wonder if he ever thinks of the effect of his words on those parents who cannot visit and see their children as often as some others can. Does he not think his words may create, in their minds, grave questions and doubts and even fears for the safety and welfare of their children? Surely there are other ways the hon. member could use to rise to power than by exploiting human tragedy and misfortune, as he apparently is dedicated to doing.

I suggest to all hon. members, Mr. Speaker, that we leave the operation of special places like hospitals, reformatories and training schools, to those expert in such things and apply ourselves to the business of governing this province. I think too that hon. members should know that all the letters written about the hospital schools are not critical. I have had more letters of appreciation than I have had of any other kind.

The most recent is fairly typical. Since it is a personal letter, I cannot disclose the name of the writer, but here it is:

Both of us would like to thank you for your assistance in having our son admitted to the hospital school in Smiths Falls. We took him to the hospital on Thursday last and we both were very impressed with the way in which he was admitted and with the interest shown in him by the staff.

In discussing the admittance with the administration officer I learned a great deal about the hospital and was once again quite impressed with its magnitude and the manner in which it is run.

It is unfortunate that people have to become involved directly to discover what a service our government is continually providing for us. Naturally we were both apprehensive at leaving our son with strangers but this feeling soon disappeared when we had seen the ward in which he was to be placed and had spoken to the nurses in attendance.

I know it is not popular to talk of hospitals as industries but in a small semi-rural community such as Smiths Falls, the hospital school, while rendering a great service, is at the same time a very important part of the economy. It is the largest single employer

of labour, having a staff in excess of 1,000 at all times. There are no shutdowns, no layoffs. The work goes on 24 hours of every day of every year and the annual payroll is \$4,100,000. This has a great impact on my part of Ontario. This indeed, is very important to us.

Mr. M. Gaunt (Huron-Bruce): Mr. Speaker, in rising to take part in this debate, I do not want to repeat what has already been said and so I would say to you that I simply concur with all felicitations that have been extended to you in the dispatch of your duties.

Mr. Speaker, I want to embark upon an area which has caused me a great deal of concern over the past few months. I have been closely connected with this fraudulent situation and the people who have been taken by it. I have been in touch with my friend, the hon. Attorney General (Mr. Wishart) and he, in turn, has studied it very closely. I am sorry to see that he is not here this morning. No doubt he has other commitments, but perhaps he can read my speech in *Hansard*.

As a result of representations which I made to him and to other people, we had the anti-racket squad come into my area and investigate these particular charges and this particular situation to see if court action could be taken in such cases. As it turned out, court action has not been taken. Apparently these people to whom I make reference are operating just inside the boundaries of the law and court action was therefore not taken.

However, it is my firm belief that we have reached the time in this province when we must protect the public against what I might term the semi-underworld of fraudulent door-to-door selling practices. I say semi-underworld advisedly because there are, I know, thoroughly respectable and responsible salesmen going from door to door selling very good and worthwhile products. Certainly the honest and responsible salesman who takes the good products to the homes of the consumers and demonstrates them in their homes and in the comfort of the potential buyer's surroundings is to be desired and this is good.

However, I am not concerned with that. I am concerned with the other element in the field which, unchecked by our laws, continues to take ruinous advantage of the consumer and at the same time damages the reputations of respectable businesses and businessmen engaged in door-to-door selling. The kind of selling I am concerned with deals not with the normal exaggerations and minor inconsistencies, it deals with the complete mis-

representation of the product and the conditions under which it is sold. It concerns the fraudulent or near-fraudulent operations of companies involved in selling aluminum siding, pep pills, magazines, cookware, water softeners, and a number of other things, vacuum cleaners included, and so on. Let me interject at this point that not all salesmen of such products, as I have mentioned, operate in a high-pressure and what I might term ruthless manner; certainly there are a good number of them that do not, but a large number of them, on the other hand, do. We have only to look at the *Globe and Mail* of April 5, 1965, in which an article appeared, entitled "Charge Four Metro Men Over Aluminum Siding." The article says, in part:

Four Metro men are to appear in Kitchener magistrate's court on Thursday on charges of conspiracy to defraud the public. Led by Inspector James Erskine, police raided the offices of Reliable Home Improvements Company, and Central Aluminum Ltd., on Friday. Inspector Erskine said that police have been investigating sales of aluminum siding throughout Ontario for several months.

Another one, once again in the *Globe and Mail* of March 30, "Widow Lent \$3,900, Fraud Trial Here":

An 82-year-old woman testified yesterday that she lent a total of \$3,900 after buying an aluminum door and two aluminum windows and awnings for \$359.50 from a man and a woman who called at her door.

The article goes on to explain the circumstances under which she bought it, and so on. And then another one, still in the *Globe and Mail*, April 6, 1965: "Lent \$1,500, Got only \$50 back—Indian, 84, tells Milton hearing."

An 84-year-old Indian chief bought \$1,340 worth of aluminum windows and awnings for a frame house that had no electricity, no running water and was heated by a wood burning stove, Connie Port was told yesterday.

And so they go on and on, and undoubtedly there are a number of articles of a similar nature that have appeared in the newspapers over the past few months.

Such evidence, Mr. Speaker, is a grim reminder of what has been going on for a number of years and what is becoming, in my opinion, even more prevalent in the last two or three years. We have salesmen going throughout this province who are nothing but high-pressure purveyors of over-priced and

shoddy merchandise. They memorize their sales pitches as movie stars memorize their lines, and they come into one's home and the potential buyer becomes a part of this whole affair by unconsciously mouthing words which have already been written for him.

Let me cite you a representative case of such a sales pitch and I beg the indulgence of the House while I refer to Pierre Berton's book, *The Hard Sell*. This particular case will not take very long, and I read it simply because it is representative of what has been going on and is continuing to go on throughout the province.

One evening in the Fall of 1959, Mrs. Donald Bant, a good-looking former model, newly arrived from England, received a telephone call at her home in Scarborough, a middle class suburb of Toronto. "Isn't this a beautiful evening, Mrs. Bant," said the cheerful voice, and Mrs. Bant had no idea he was reading from a script and that she was being sold a story. "I called you this evening to ask your help for a couple of questions," the man on the phone said, "but first I had better tell you whom I am with. This is the research division of International Health Products. We are the people who are introducing the fabulous new Health Maid electric servant, an entirely new concept in modern living. This revolutionary, new, all-purpose kitchen machine is not yet available to the public, Mrs. Bant. We are conducting this research programme as part of our educational programme in order to show some of the wonders of tomorrow and how the average Canadian family can have better nutrition and health from their food."

If Mrs. Bant had not been a newcomer to these shores, she would, in all likelihood, have hung up the phone at this point, instead she found herself nodding in agreement when the voice went on to say: "You are interested in better nutrition and health for your family, if it is possible to get it, aren't you, Mrs. Bant? Most people who think, are. Since you are interested in nutrition and health, Mrs. Bant, I would like to arrange an appointment to see this wonderful work- and time-saver and have you qualify for a chance to win one of these fabulous electric servants. In return, Mrs. Bant, all we ask is that after seeing this amazing machine you will fill out a simple questionnaire giving your honest opinions about it, and that is not asking too much, is it?"

So we see the circumstances being created for the sale. Mrs. Bant had been

ill for some time, her husband was out of work, both were heavily committed to payments for household goods. She told the man that she could not afford to buy anything; he reassured her he was not selling anything, he was merely asking for opinions.

"This preview that you will be seeing is solely for research purposes, Mrs. Bant," he said. "We are not selling anything. Health is something you cannot sell but must be earned, so we are only interested in those people who have a desire to do something for themselves."

Mrs. Bant said she did not have much time.

"Well, Mrs. Bant," said the man on the phone, "we only have two things in life to spend—time and money—and if both of these things are not spent wisely, we can neither have health nor anything else for long. Isn't that true?"

He did not wait for Mrs. Bant to say whether it was true or not but plunged on: "For that reason, Mrs. Bant, it is really in your interests to take a few moments of your valuable time to see what we have. We will not try to sell you anything, I promise."

Mrs. Bant succumbed and presently a man named Mr. MacGregor arrived at the door. Mr. MacGregor said that he was deeply and sincerely interested in the health of the nation. He had a letter from his company whose office was identified as the Eglinton Health Centre, he read from the letter which bemoaned the fact that here we are living in the land of plenty with literally thousands of people suffering from malnutrition—the open door through which many other crippling diseases enter to destroy our health and rob us of our happiness.

He talked knowingly about recent surveys which proved that the majority of school children were not properly nourished, because they ate meagre breakfasts. All this, he said, could not be prevented by a few simple adjustments in eating habits. Mr. MacGregor stressed the importance of milk in the diet, explaining that it was the greatest nutritional source of calcium and protein, something most children were not getting in sufficient quantity. He was gathering opinions, he said, on a new form of powdered milk. He brought a package of the milk powder into the house and also a machine, which he said was necessary to mix the milk.

Mrs. Bant again explained that she could

not afford to buy anything but Mr. MacGregor kept on insisting that he was not selling anything. He explained that the milk he was demonstrating was ten times better than milk available in the stores because of the process used to mix it.

And I am sure the hon. Minister of Agriculture (Mr. Stewart) would be interested in that.

He demonstrated the marvellous machine which liquefied, blended, ground, whipped, mixed and pulverized, not only milk powder but also vegetables, fruit, salad dressing, sauces, nuts, meats, cheese, cream, egg whites, baby food and dried peas. It was the world's most sensible kitchen aid, said the knowledgeable Mr. MacGregor.

Mrs. Bant said she could not afford to buy it. Mr. MacGregor again explained firmly that the machine was not for sale. He would like her to fill out a questionnaire, that was all, just a questionnaire. Mr. MacGregor turned to the subject of milk as an important nutritional aid and its cost to an average family. With two children, he said, Mrs. Bant must be paying \$16 a month for milk; if she was not spending that much, he said, then her children were not getting enough calories. And Mr. MacGregor who was not selling anything reeled off some figures to prove his point.

"Why," said Mr. MacGregor, "you are spending \$2,000 a decade on milk and all you have to show for it is a lot of empty milk bottles. If I were to hold in my left hand all the empty milk bottles you wash in a month, and in my right hand, I hope, the same amount of milk plus this wonderful machine, which hand would you think was of the greater value?"

Mrs. Bant was bewildered. She found herself saying "right hand." And hearing that, Mr. MacGregor said he wanted to ask her a very special question.

"If I could do something very special for you, would you do something very special for me in return?" It is a hard question to say "no" to. Mrs. Bant found herself nodding.

"It is obvious from your answer that you appreciate the importance of your family's health and realize it is something that must have proper care if you are to maintain it. Right? Frankly, there are just not enough people who appreciate this fact, but in introducing new health products, when we do find a family such as yours, we have something to offer them.

Now, if we are able to offer you one of these wonderful units as part of this programme without disturbing your weekly budget a penny, would you be interested?"

Mrs. Bant said that she supposed she would be. Mr. MacGregor then explained that because of her interest in her family's health, his company was prepared to supply her with powdered milk. She would pay no more for it than she was paying for ordinary milk for her family. Furthermore, the company would let her have the machine free if she promised to use it. Mrs. Bant's conscience had been stirred by all the talk of poor nutrition and the way the salesman put it, she did not see how she could lose. She said she would like to have time to think it over but Mr. MacGregor said, "Oh, that is impossible, the offer is only good for one evening."

Mrs. Bant asked, what would happen if her children did not like the milk. Mr. MacGregor replied that the company would take the machine back immediately. He had a form for her to sign. He said it was merely a routine matter but their lawyers insisted that they use it. Mrs. Bant, who thought she was getting a real bargain signed.

She signed up for 15 pounds of powdered skim milk and promised to make 19 payments of \$16 each together with a down payment of another \$16. In other words, she committed herself to a debt of \$320. The form she signed was a promissory note.

The next day Mrs. Bant discovered that one of her children, who had a weak stomach, could not take the milk preparation. She also discovered powdered milk, when bought at a grocery store would cost her about \$6 a month. She phoned International Health Products and tried to reach the salesman. He was not in. She left a message for him to call. He did not call. When after considerable difficulty she finally reached him, he told her she must make her child drink the milk.

She called the manager of International Health Products and asked him to take the milk and the machine back. She said she was willing to forego the down payment but wanted neither the milk nor the machine. The manager told her that she had signed a promissory note and was liable for more than \$300. She could pay or go to court, he said. He advised her to get a loan somewhere.

Mrs. Bant said that in England, ethical companies took things back if the person

was not satisfied. "Well, you are not in England now" said the manager, "things are done differently in Canada. Over here you don't believe anything unless it is written down and signed." She had signed the note, he explained, and she would have to pay it.

Mrs. Bant's husband took the machine back personally. The company representative refused to accept it. It was, he insisted, a secondhand machine now. He refused to give Mrs. Bant a receipt for it and so Mr. Bant took the machine home again.

When Mrs. Bant persisted in phoning again and again the company changed its tactics. It offered to sell her half the amount of milk contracted for, reduce her payments to \$13.50 a month. Then it offered to suspend all powder shipments if she would make payments of \$11 a month for the machine. But she must pay for the machine, the manager said, or she would be taken to court.

There was no further talk about the nutritional importance of the milk. And it dawned on Mrs. Bant that it was the machine and not the milk the salesman was really peddling. At \$11 a month she was being charged about \$220 for a combination blender, mixer and grinder, similar to those which retailed in department stores for less than \$80.

Mrs. Bant made a final telephone call to International Health Products and was connected with a Mr. Keene. I listened to the conversation on an extension and it was a tough one. Mr. Keene told Mrs. Bant flatly that any arrangements the salesman makes will not stand up; that a man's word is something that is not accepted over here in Canada. And Mrs. Bant had signed a promissory note which in actual fact has nothing to do with the merchandise, it was a loan, and that she was leaving herself wide open to court action which would result in a garnishee of her wages. He said the court would order her to turn one-third of what she earned over to International Health Products and that "if you are out of work we will just watch you until you get a job. There are organizations which will track you down."

The story, of course, has no end. That is just one of them, and as I say, it is a fairly representative sample of what goes on. Certainly the book, *The Status Seekers*, written by Vance Packard, depicts much the same story throughout. Indeed, Mr. Speaker, the case is well established that these people are operating for the most part just inside, the

framework of the law. And it is very difficult to get a judgment against them in court.

If I may refer to my personal experiences for just a moment, I have had close to 14 cases involving aluminum siding in which the salesman is a very high-pressure man; he sells a buyer on the fact that this aluminum will be put on his home and his home is picked as a show place. The show place home is the only one, he is told, within a radius of 20 miles and if a neighbour drives by his home, sees the siding on this home and decides to buy some, then the original buyer will get \$100 per sale knocked off his original price. This is the basis upon which these deals are made.

As a matter of fact, the deal is made to look so attractive that in the end the buyer feels that he can get the siding for almost nothing, and in some cases I have had people who told me they felt they could make money on the deal. To close out the transaction the salesman points out that in order to make everything proper, of course, the buyer will have to sign a little slip of paper. It is merely routine, there is nothing to it, it is just a formality that is required in order to keep the records straight.

The fact of the matter is that the sales contract is, in effect, a conditional sales contract, and in this conditional sales contract is included a promissory note which states that anything that has been said by the salesman is not binding in any way, shape or form on the company. In addition, this promissory note which I referred to earlier, is a note which usually sets out payments of principal and interest which in most cases extends over a period of 36 months.

To start with, the buyer has to pay at least twice as much as he should for the material. If the buyer were to go down to a local store which handled the same material, he would find that the price of that material was roughly half that the door-to-door salesman had offered it to him for. Secondly, the rate of interest is usually approximately 18 to 20 per cent, in some cases higher. As a result, the contract which was originally supposed to cost the buyer, well, let us say, \$2,800, \$2,900, \$3,000 ends up costing him anywhere from \$4,000 to \$4,600.

This conditional sales contract is assignable; it can be taken by the original company with whom the buyer had done business and assigned to a finance company. I believe in legal terms that is what is called a "holder in due course." And in most cases this happens.

The aluminum siding company gets the promissory note and immediately goes over

to the finance company and is paid the original amount of the contract and that is the end of the deal, as far as the original company is concerned in dealing with the buyer. The onus is then on the finance company to collect that money; the responsibility is on them and it is, in effect, resting with the third party at this point. The contract then becomes a partial mortgage made against the buyer's property. A situation is therefore created where the salesman can tell the buyer absolutely anything as long as he can make the sale—and they do tell them anything, just to make the sale, because it says right in the contract: "Anything the salesman says will not be binding on the company." So, how can you lose?

As I mentioned, attached to every sales contract is a promissory note. The promissory note is a negotiable piece of paper which may be sold, as I said, to a third party, and in some cases even to a fourth and a fifth party. The result, of course, is that the buyer is obliged under the law, to pay for the goods and the services that he may, in the meantime, have decided he does not want. If he does not want them because of one reason or another, maybe because of the cost, maybe because he feels that he has been taken in on the deal, maybe because he feels that the material is defective or fraudulent, for one reason or the other, if he decides he does not want it, in the interim, then he cannot do anything about it because it states right on the contract that if the buyer decides overnight he does not want it, he has to pay 50 per cent of the contract price. In other words, what I am saying is that if a buyer bought and signed a contract for \$2,800 and that same night he talked it over with his wife and decided that he did not want the material, he would have to pay \$1,400 and not have a thing to show for it.

The fact that the buyer is told that every sale made from his show home will reduce his initial price by \$100, is certainly nothing more than a farce. The fact that this contract is assigned to the finance company without the buyer being told about it, to me is certainly misrepresentation to say the least. It must be considered that if the buyer had read the contract carefully, he would have realized this. I would be the first to admit it. If they had read the contract, most people certainly would have realized what they were getting into. But the fact of the matter is that in most cases the buyer does not read the contract because he is told it is a very routine thing, it does not really matter, it is just a matter of routine to make things proper and legal.

If I may refer for just a moment, Mr. Speaker, to Great Britain and their experience in this particular line, the fact that they had recognized even away back as far as 1938 that something should be done about this particular problem—something should be done in the way of consumer protection about this particular problem—is rather interesting and I think that we should take a lesson from them and perhaps study what they have done in this particular field over the years. They have had a great deal of experience with this kind of thing. They have coped with the problem by bringing in what is called The Hire-Purchase Act of, first of all, 1938. It was amended in 1954 and then it was amended again in 1964. I am convinced that in this province as well as in Great Britain, legislation is needed to supplement the efforts of municipalities to control door-to-door selling, through licensing.

This is to me, in reference to the British legislation, very successful and is eminently practical—legislation, which as I say, came into effect originally in 1938, amended in 1954 and then in 1964. The phrase "hire-purchase" is the British equivalent of the practice so well known here as the conditional sales contract. As I have pointed out, a conditional sales contract has a useful and responsible place in everyday business. It is the main instrument whereby we use our credit to buy goods and services that we cannot afford at that particular time and, as I say, it is a very useful instrument when it is in the right hands. But in the cases of unscrupulous operators, and businessmen, it can become a vicious instrument whereby it so often happens that the majesty of the law is twisted to the purpose of what amounts to extortion.

The Hire-Purchase Act in Great Britain does not eliminate the conditional sales contract as such, nor would it eliminate the use of promissory notes. But it does do what I consider to be two very valuable things. Let me outline the main provisions of the British Act, emphasize the two points which I consider to be the most important.

In the new British Act, the protection against unscrupulous door-to-door salesmen is what is called a "cooling off" period of up to four days, during which time the consumer has the right to cancel the conditional sales contract or agreement that he signed at his or her home. The customer must be given one copy of the agreement when it is signed and another copy must be sent to him by mail. Both copies must contain, in red, notices prescribed by regulations, explaining the right of cancellation and when to exercise it, giving

the name and address to which a notice of cancellation can be sent. The notice of cancellation must be sent in before the end of the third day after the day on which the customer receives the second copy of the agreement. After the customer cancels the agreement, any deposit or any down payment that he has made up until that point, must be returned to him.

This right of cancellation, to my mind, is the most important provision in this Act. It allows time for second thought. Without exception, the people with whom I have dealt over the past few months have called up the company that very night, and said "I do not want anything to do with this. I really do not think I should have signed up for this. I have changed my mind," and the company has said, "I am sorry, you have signed the contract, we are going to have to go ahead with it, if you do not want the siding you have to pay 50 per cent of the face value of the contract, so take your choice." Of course, in most cases, the buyer goes ahead and says, "Well it is better to have the siding and pay an exorbitant price for it than to have to pay 50 per cent of the contract price and have nothing to show for it," and so he goes ahead.

Mr. L. M. Reilly (Eglinton): Were these all the same company?

Mr. Gaunt: No, they were not.

Mr. Reilly: They all requested 50 per cent?

Mr. Gaunt: That is right, yes they did.

To my mind, this particular piece of legislation protects the consumer against the psychological deceit practised by the high pressure salesman and conversely, it does not have any effect on transactions where the purchaser really wants to buy, and the vendor sells the goods fairly and honestly.

Now, the other provision of the Act is one which will, I am sure, commend itself to every hon. member of the House. We all know of the multitude of cases, maybe some of us have been taken in ourselves, where the purchaser has taken the salesman's word for it; the salesman has said that these goods are guaranteed, he has said that they come up to a certain standard as far as quality is concerned and a number of other things, all things for which we tend to take the salesman's word and tend to believe him; and often we find that it just is not so and we have been led down the garden path.

However, in Britain the British Act solved this little problem, simply by stipulating that any commitment made either orally or in

writing by a door-to-door salesman is absolutely binding on the company he is working for, notwithstanding what he has said when he was in the house and was talking with you or with your wife or with both of you. So, what the salesman says in your home is absolutely binding on the company. And you may say to me, "Well, that is all well and good but how can you enforce a piece of legislation such as this?" I would agree that there would be a problem here to enforce the kind of thing I have mentioned, however, let me point out that it would be the salesman's word against the purchaser's word and the kind of salesman we are talking about I am sure would not be against perjuring himself. This is a problem. There is no question about it and I am sure they have recognized it in England.

Nonetheless, in most cases, the salesman talks to the husband and I would say in most cases, the wife, and so there are two of them there to hear the story and two of them there to verify the story in court if this particular affair were to go that far.

Even if it would be difficult to enforce the provision I am sure it would go a long way to prevent the kind of misrepresentation which is all too common in door-to-door selling. It would be a form of deterrent, in any case.

I read the British legislation and I have read the basis in Westminster when the bill was presented and I am glad to see that at this point my friend the hon. Attorney General is in the House because he has talked with me about this and we are both very interested in it. As far as I am concerned the debates in Westminster that took place at that time were models of clarity and good sense. Both had the effect of increasing the citizen's liberty, to my mind, in an age when that liberty seems to be suffering from increasing erosion.

It might be interesting for a moment to read from the parliamentary debates of the British House of Commons when the Secretary of State for Industry, Trade and Regional Development and the president of the Board of Trade, Mr. Edward Heath, said in relation to the hire-purchase bill on second reading—and I am going to read the portions from his remarks at that time, that relate to what I have been saying. Mr. Heath says—and I quote from the debate of February 18, 1964:

Mr. Heath: The next change to mention, simple though it is, will help to avoid hardship in those cases in which a man or woman commits himself, or herself, to a hire-purchase agreement without realizing what he or she is doing.

The Molong committee was very concerned about this and suggested that the hire signature to the agreement should have to be in a special place, a box clearly marked, with clear words to warn him that if he signs he was offering to commit himself to a hire-purchase transaction. This we have provided for him. It was also strongly urged in another place that the consumer would understand his commitment better if it were plainly set out.

I will confess that the government had doubts about this which is why it was not embodied in the bill in the first place. We felt that the risk of creating consumer safeguards was that they became so complex that they would confuse the consumer and thus defeated their own purpose. Under the existing provisions of the 1938 Act the consumer already receives a copy of the hire-purchase credit sales agreement after it has been completed. The case for another statutory copy is fairly evenly divided. That was our conclusion on weighing up the argument.

Interjection by Mr. Dan Jones (Burnley): How could another copy lead to confusion?

Mr. Heath: We felt that it would lead to confusion in circumstances in which it would often be given but we felt that the argument was evenly balanced that it would be right to provide that each should receive a copy of what he signs immediately even if it is only an offer. This is now embodied in the bill.

Another new safeguard which in principle is simple is that the consumer shall have the opportunity to reflect and change his mind if he so desires if he signs the agreement at any place other than trade premises and I think that is a very important statement: If he signs the agreement at any other place other than trade premises. This means any place except premises where goods of this sort are normally sold or offices of finance houses.

The House will appreciate that this new safeguard is aimed at the door-to-door salesman who puts pressure, perhaps undue pressure on customers in their own homes and induces them to sign binding agreements.

I simply make reference to this and urge my hon. friend to look over the legislation. We have the law reports here in which mention is made of the hire-purchase agreements and certainly these are given quite a lengthy dissertation in the public general Acts and measures of 1957 so I would urge that my

hon. friend look them over and study them to see if he does not concur with what they have been trying to do.

I am sure that hon. members of the House would agree that such legislation is absolutely necessary and could be remarkably simple to my mind. I think it should be done very simply and it would be simple in its application. I cannot think of any reason why comparable legislation such as I have mentioned cannot be introduced in this province. Certainly the reasons for enacting such legislation are both many and obvious.

As a result, Mr. Speaker, I urge the present government to examine closely The Hire-Purchase Act of Great Britain and move toward similar legislation in this province. If they do so, they will certainly have the gratitude of the people of Ontario, I am sure.

In summation of this particular point I am urging the government to enact legislation comparable to The Hire-Purchase Act of Great Britain as amended in 1964 to deal specifically with two areas: First of all, the right of cancellation, and I have explained the details surrounding this and the fact that a copy of the cancellation notice must be sent before the end of the third day after the day on which the customer receives the second copy of the agreement, and the other point—the fact that the salesman's word is binding on the company, notwithstanding what is in the sales contract.

Now, without exception, as I mentioned before, the people with whom I have dealt with over the past few months have said to me that when they have had second thoughts—when the salesman has left and they have a chance to think it over in the quietness of their own home—they have come to the conclusion that they do not want any part of the deal they have made, and in most cases they have phoned up and said that they are sorry and do not want this particular material. As I mentioned before the company simply says that if they do not want it they will have to pay 50 per cent of the contract price in any case so they might as well take it. So, of course, as I said before, they do take it and go along with it and have to pay about twice as much for the product as if they had gone down and bought it in the local store.

The whole approach with a lot of these door-to-door salesmen is to sell the story and not the merchandise. I think this becomes clearer all the time. Such legislation would not be as encompassing as the hire-purchase legislation in Great Britain because there are many other provisions in the hire-purchase agreement in Great Britain that I have not

mentioned. However, I feel that this would be a start and certainly a big step in the right direction in thwarting these door-to-door salesmen and thwarting the people who actually misrepresent the company and the product and get these people into what I would consider most unfortunate circumstances.

The one thing that is not affected is the deal which is made by a corporate body. A corporate body is not affected by this particular piece of legislation. However, what we propose would only apply to door-to-door salesmen and, I stress this again, would only apply if the door-to-door salesman sold the goods in the buyer's own home or premises. It would not apply if the buyer went downtown and bought something in Simpson's. Then it does not apply at all. It only applies to the man who comes into the premises of the buyer and tries to sell merchandise of one sort or another.

Once again I urge the hon. Attorney General to read the debates and the revised Acts of 1964 where he might obtain guid-

ance in drawing up an Act of a similar nature which would do the things that I have suggested.

Mr. Speaker, I have come to the conclusion of one portion of my remarks and I am wondering, due to the fact that it is 1 o'clock, if I should carry on.

Mr. Gaunt moves adjournment of the debate.

Motion agreed to.

Hon. H. L. Rowntree (Minister of Labour): Mr. Speaker, on Monday we will proceed with the estimates. There will be night sittings on Tuesday and Thursday nights and the order of estimates will be, after The Department of Economics and Development, The Department of Highways and thereafter The Department of the Attorney General.

Hon. Mr. Rowntree moves the adjournment of the House.

Motion agreed to.

The House adjourned at 1 o'clock, p.m.



ONTARIO

Legislature of Ontario

Debates

OFFICIAL REPORT—DAILY EDITION

Third Session of the Twenty-Seventh Legislature

Monday, May 3, 1965

Speaker: Honourable Donald H. Morrow
Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

MONDAY, MAY 3, 1965

The House met at 3 o'clock, p.m.

Prayers.

Mr. Speaker: We are always pleased to have visitors to the Legislature and today we welcome as guests, in the east gallery, the Junior Civics club from Chatham secondary schools; and in the west gallery, Richmond Hill public school and M. L. McConaghy school.

Petitions.

Presenting reports by committees.

Motions.

Introduction of bills.

Mr. R. F. Nixon (Brant): Mr. Speaker, before the orders of the day I have three questions that I would like to address to the hon. Minister of Energy and Resources Management (Mr. Simonett).

Is the hon. Minister aware of the threat to the control of water levels in the Grand River due to the reported weakness developing in the privately owned dam at Caledonia?

Has the government a programme whereby special assistance could be provided to the Grand Valley conservation authority in acquiring this dam; and is there a possibility of enlisting federal support in the project similar to the case of the dam at Dunnville?

Hon. J. R. Simonett (Minister of Energy and Resources Management): Mr. Speaker, the answer to the first question is yes. From our cursory inspection, the dam did not appear to be in any immediate danger. The conservation authority branch is planning on making a more thorough investigation as soon as conditions permit.

The answer to the second question is yes. Under present policy, provincial assistance is available to the Grand Valley conservation authority for acquiring dams.

The answer to the third question is no. This is a privately owned dam, whereas the Dunnville dam was owned and operated by the federal government.

Mr. Nixon: Mr. Speaker, if the hon. Minister would permit me, could he tell the House when their previous inspection was made?

Hon. Mr. Simonett: Mr. Speaker, I am sorry I cannot answer that. I have a report—I think it came to my desk about 30 days ago—but I do not know whether it was made this spring or last fall.

Mr. Speaker: Orders of the day.

Hon. J. Yaremko (Provincial Secretary) begs leave to present to the House the following reports:

1. Sixty-fourth annual report of the Ontario Northland transportation commission, for the year ended December 31, 1964.

2. Eighth report of Ontario parks integration board, for the period ending December 31, 1964.

THE HIGHWAY TRAFFIC ACT

Hon. I. Haskett (Minister of Transport) moves second reading of Bill No. 115, An Act to amend The Highway Traffic Act.

Mr. V. M. Singer (Downsview): It is not in our book.

Clerk of the House: It has been in since last Friday.

Mr. Singer: It is not in this book.

Mr. A. E. Thompson (Leader of the Opposition): It is not in mine.

Mr. Singer: It is not in my hon. leader's book.

Hon. J. P. Robarts (Prime Minister): We are really seeking to get this bill in front of the committee meeting tomorrow. It is made up of a series of sections. There is no basic principle running through the whole bill. The committee on highway matters is meeting tomorrow and we want to refer the bill there today so the committee may deal with it.

Mr. Thompson: Mr. Speaker, we will agree if, when it comes back from committee, there will be an opportunity to debate it then in principle.

Motion agreed to; second reading of the bill.

Clerk of the House: The sixteenth order, House in committee of supply; Mr. W. E. Sandercock in the chair.

ESTIMATES, DEPARTMENT OF ECONOMICS AND DEVELOPMENT

(continued)

On vote 407:

Mr. B. Newman (Windsor-Walkerville): Mr. Chairman, may I ask the hon. Minister if he took care of the three situations that I presented to him last day? The one that is of particular interest to me was the Tom Griffin case.

Hon. S. J. Randall (Minister of Economics and Development): Yes, I have that here. You gave us three cases, the first was Mrs. Jean Couvillon.

Mr. Newman: There is one in which I am primarily interested.

Hon. Mr. Randall: I will have that also. We have no application from her at all. We are having it checked out by the housing authority to find how we can help her.

Second one was Tom Griffin, and the Windsor housing authority does not have any application from this family either, so we are following that one up.

Mr. Newman: Mr. Minister, he does not live in the city of Windsor. He lives in one of the suburbs.

Hon. Mr. Randall: I appreciate that. We are trying to see if we can help him.

Mr. Newman: May I inform the hon. Minister then that the man, I think, has already been evicted. I have been in touch with the St. Vincent de Paul society in an attempt to have the children taken care of, while his wife, who is expecting—

Hon. Mr. Randall: He will be evicted today, I understand, May 3, and we have got it marked urgent, so they are on it right now.

Mr. Newman: May I then ask the hon. Minister to amend The Housing Act to

permit, in senior citizens' housing, individuals that have unusual circumstances? For example, in my own community there is a married lady who is totally blind and has a seeing eye dog. This is the first time in the history of my community that an individual has had the advantage of a seeing eye dog, and because of the dog she finds it practically impossible to get housing accommodation. Were she allowed to go into one of these senior citizens projects—the motel style of accommodation—this would accommodate her very well. I know that the provisions preclude her admittance in there, but I think an exception could be made under a condition such as this.

Hon. Mr. Randall: Would you let me have the name and address and we will take it into consideration?

Mr. Newman: May I advise the hon. Minister that this has been brought to the attention of the authorities back home for quite a while, but I will present it to you.

Mr. K. Bryden (Woodbine): Mr. Chairman, on Thursday, I think it was, when we were discussing this vote previously, I asked the hon. Minister a question with regard to the item of \$470,000 described as net subsidies. There were a number of questions I asked which the hon. Minister answered, but there was one for which he did not have the information at the time—that was whether any of that figure is for projects in contemplation, as distinct from ones to which the corporation had already been committed in the past. I was wondering if the hon. Minister has that information now.

Hon. Mr. Randall: Yes, I have. The gross subsidy was a total of \$600,000, and the subsidy existing from the original federal-provincial housing arrangement was \$240,000, and the new subsidy for the 1964-65 year was \$360,000, making a total of \$600,000. From this were recoveries from other operations, such as the sale of land no longer useable, and administration fees paid to us by Central Mortgage and Housing Corporation of \$130,000, and that brought the net subsidy to \$470,000. Does that answer your question?

Mr. Bryden: I think so, yes.

Vote 407 agreed to.

On vote 408:

Mr. Bryden: Mr. Chairman, I do not have last year's estimate book in front of me, but as I recall it, the comparable figure for

advances for housing projects was something like \$6 million. I wonder if the hon. Minister could advise as to how much of that \$6 million was actually spent.

Hon. Mr. Randall: In the year 1964-65, there will be \$2,429,000 spent.

Mr. Bryden: Out of the \$6 million?

Hon. Mr. Randall: That is right.

Mr. Bryden: Well, Mr. Chairman, what basis have we for believing that \$9.75 million is going to be required this year?

Hon. Mr. Randall: We have already committed ourselves for \$4 million plus \$3.5 million. We know that is going to be spent. We have already contracted and committed for that, for the 10,000 housing units I was talking about.

Mr. Bryden: That is going to be the amount of the hon. Minister's advances?

Hon. Mr. Randall: That is the amount out of the \$90 million that we have already committed ourselves to spend.

Mr. Bryden: And that represents ten per cent of the investment in those—

Hon. Mr. Randall: Of the \$90 million, which is ten per cent from us and 90 per cent from the federal government.

Mr. Bryden: Does the hon. Minister expect that these units will be completed during the course of the current fiscal year?

Hon. Mr. Randall: On the basis of our commitments—we are on schedule now—we hope that we are going to continue the schedule. If we do, we will use up those funds.

Mr. Bryden: Then there is another \$2 million as a sort of a margin; is that the purpose of it as far as the hon. Minister is concerned—in case there are other projects he would want to participate in?

Hon. Mr. Randall: Yes, it is for that, and also for other purposes that that \$2 million will be used up.

Vote 408 agreed to.

Mr. Chairman: This concludes the estimates of The Department of Economics and Development.

Some hon. members: Hear, hear!

ESTIMATES, DEPARTMENT OF HIGHWAYS

Hon. C. S. MacNaughton (Minister of Highways): Mr. Chairman, I suppose it is fitting for me to say, after the experience of last Thursday night, we thought that we could count on a few minutes more time than we were really allowed.

I should like to say to you, sir, and to the House, that the reaching of a new plateau in the integration of the overall road network of Ontario was one of the most significant achievements of The Department of Highways for the province as a whole in the 1964-65 fiscal year. The substantial progress made in this respect, notably in the field of more advanced planning study techniques—about which I shall speak in some detail later—was a further development of the total roads concept which guides the department in its planning procedures and construction programmes.

As some of you will no doubt recall, I spelled out this concept in presenting last year's estimates to the House and have repeated it on many occasions. To put the concept in capsule form, it is that all road mileage in Ontario, wherever it may be—and regardless of the jurisdiction responsible for it—forms part of the whole.

As would be expected in view of the department's record budget for the year just ended, a new high was made in terms of the amount of construction carried out as King's highway projects. Because each hon. member was given early in January a copy of a ten-page report on some of the highlights of work done by the department in 1964, I am—with a few valid and necessary exceptions—going to forego a review of this type, impressive as the tabulation is. Instead, I propose to give a few statistics which, by themselves, readily establish the great volume of work either completed or in progress during the past year. Before the end of the 1964 calendar year some 460 miles of paving and more than 60 structures were completed on King's highways. In addition, asphalt paving of another 224 miles and 46 additional miles of concrete paving on King's highways was in progress. Work was also under way on no less than 94 structures.

That, I submit, is truly a formidable volume of highway improvement for any jurisdiction, anywhere.

On the Trans-Canada highway route, for example, the work in progress at various points amounted to more than 185 miles. Over and above construction at this pace, the King's highway system grew by some 135

miles through the assumption of sections of road as either a King's highway or secondary highway.

Because of its importance to the economy of the province as a whole and because it serves directly a very considerable proportion of the total population of Ontario, I am going to speak specifically about the Macdonald-Cartier freeway for a moment.

It goes without saying, of course, that it would be impossible to satisfy some critics, no matter how much was accomplished in any one year. However, most people would agree, I believe, that the more than 90 miles of additional lanes placed in service on the Macdonald-Cartier freeway in 1964, plus the opening of a new eight-mile section—with all four lanes in service—ending near the Quebec border, is not too bad for one construction season!

It is interesting to note that the 100-miles-plus of new pavement opened to traffic on the Macdonald-Cartier freeway were divided almost exactly between eastern and western Ontario. By virtue of the excellent progress made, there remained, as of early December, less than 20 miles of the freeway in western Ontario with only two lanes, namely, from east of the interchange for Kent centre—which serves as the eastern access for Chatham—easterly to the Kent-Elgin county line. Over the whole of this distance, moreover, grading was completed and most of the granular base laid, before the winter weather forced a halt. As a result it will be possible to make an early start in 1965 on paving these few remaining miles.

All this did not come about by chance, mere good luck, or exceptionally favourable weather. Rather, it was made a possibility only because of the acceleration of the programme—first in 1963 and then a further acceleration in 1964—to add the extra lanes from one end of the Macdonald-Cartier freeway to the other as rapidly as possible, having in mind, of course, the total highway improvement requirements all over the province. As a result of this acceleration, the expenditure for projects on this freeway in the 1964-65 fiscal year—excluding work done on the Toronto by-pass—rose to \$14.8 million, as against a planned expenditure of \$7 million originally scheduled. Only through this doubling of money spent was the department enabled to open so much more new mileage. To come down to figures, some 65 miles of additional lanes were placed in service because of this double-barrelled stepping up. Again, let me point out, the benefits of the speed-up were equitably distributed in western and eastern Ontario.

Thanks to the acceleration of work on the Macdonald-Cartier freeway, the department is in a much more favourable position when it comes to the paving of additional two-lane mileage in 1965, so that some mileage to be placed in service this year will be opened much earlier than would have been possible if the original schedule had been followed.

Some hon. members, I am sure, will be reassured to learn that the pronounced stepping-up in 1963 and 1964 in the tempo to complete additional lanes, and open entirely new sections of the Macdonald-Cartier freeway, did not suffer because of the separate project to reconstruct and widen the most critical sections of the Toronto bypass. This is one of the largest and most intricate undertakings we have in progress, and I am happy to report that construction is right on schedule and, in the case of some contracts, ahead of schedule.

People who are away from the scene of this massive assault for any length of time are amazed at what has been accomplished in their absence.

Building a 12-lane freeway is in itself a formidable engineering feat, but building such a highway on the site of an existing four-lane facility which is already heavily overloaded, and keeping four lanes open for traffic at all times, is a unique accomplishment, probably without precedent in the history of highway construction. The reconstruction is going on without causing undue inconvenience to users of the road.

We have completed the paving of 12 lanes between Hogg's Hollow and Avenue Road, and by this fall we will have completed the paving of 12 lanes between Hogg's Hollow and Highway 400. This six-mile section of 12-lane highway will then be opened for traffic.

One of the biggest jobs in the project is the Spadina interchange. Seventeen bridges are completed and nine are under construction and will be completed this spring. The entire interchange will be completed in 1966.

This year we will let contracts for the extension of the widening programme from Yonge Street to Bayview Avenue, from Bayview Avenue to Leslie Street and from Leslie Street to the Don Valley expressway—on the easterly section of the bypass—and from Wendell Avenue to Weston Road, and Weston Road to west of Islington Avenue, on the westerly section.

In the first year of the Macdonald-Cartier freeway reconstruction and widening, the cost was \$8,501,909. In the last fiscal year the total cost was \$16,963,393 and in the fiscal

year 1965-66, the estimated cost of construction is \$21,511,340.

Another reconstruction and widening programme in the Metro Toronto area which will be launched in the near future is the widening of Highway 27 between the Macdonald-Cartier freeway and the Queen Elizabeth way. This is virtually a part of the Toronto bypass system which must be expanded to handle existing traffic and the increased traffic of the future. Highway 27 will be widened to six lanes, three in either direction and the existing service roads will become one-way two-lane roads.

There will be new interchanges at No. 5 Highway, the Queensway, the QEW and Evans Avenue, and new interchanges will have to be built on the QEW at Kipling and Islington Avenues. The interchange at the Queen Elizabeth way will provide direct high-speed movement between Highway 27 and the QEW, thus eliminating what is probably the worst bottleneck in our highway system. Tenders for the start of this work will be let in the 1966-67 fiscal year.

With the needs for expanded road facilities growing ever greater all over the province, and for all types of roads—both those under the jurisdiction of the department, and those for which the municipalities are responsible—the necessity for a more comprehensive approach to road planning, at every level of government, is becoming more and more obvious. In order to cope with this problem in the most effective way possible, the fullest co-operation of the municipalities—working more closely with The Department of Highways than ever before—is imperative.

In that connection, I mentioned specifically in my opening remarks the substantial progress the department has made in the field of more advanced planning study techniques, and indicated that I would refer to this matter later on, which I now propose to do.

The trail which The Department of Highways has blazed in Canada—and, in some respects, on the North American continent—in the sphere of “needs studies” is by now widely recognized by a large number of people, and the number continues to grow impressively. I shall here only mention the two initial ones, namely, *A Plan for Ontario Highways*, dating back to 1957, closely followed by the publishing of the findings of the companion study, *Ontario's Roads and Streets*.

Those two studies were the forerunner of a new type of study which the department has had underway for almost three years now, namely, area planning studies. For

this purpose, the province has been divided into 19 areas which, in total, cover every part of Ontario through which a King's or secondary highway passes.

The first of these, known as the Niagara peninsula planning study, has recently been completed and presented to the local authorities concerned; eight other similar studies are in progress. The second study, identified as the London area study and covering some 3,700 square miles, is now close to completion.

It is indicative of the progressive procedures adopted by the department that, to the best of our knowledge, no other highway jurisdiction anywhere in North America has as yet carried out studies which compare in scope with these area planning studies. That is to say, where as many different factors are being taken into account, where the approach to the problem is as broad, the examination equally as exhaustive and the data compiled so massive, yet detailed in analysis.

In fact, had it not been for the advent of the electronic computer—in the application of which, by the way, this department has led the way—and the adaptation of the study techniques so that the data thus gathered could be efficiently processed and analyzed by electronic computation by the department, such a type of study would have been impossible only a few short years ago. Long before the data could be analyzed by conventional methods, the picture would have changed so drastically that the findings would be of little, if any, value.

A most significant difference between these radical area planning studies and the two needs studies to which I have referred is that in the earlier studies, the attention was focused on examining and making an inventory of the existing facilities—both their condition and capacity—and the demands being placed upon these roads and streets, whereas in the new type of approach the emphasis is on finding out where people are heading, why and by what route.

The most satisfactory way to get such answers is to make “origin-destination surveys” and, in each area study as many as 100,000 people are interviewed, both on the road and in their homes, the Niagara peninsula study—the pilot study—being the only one in which home interviewing was not done. While the department has been carrying out origin-destination surveys for many years now, these area planning studies are the first in which such surveys have been done on an area basis, and here again is a most

important new dimension for the new type of study.

In addition to the origin-destination surveys, traffic counts, road inventories, land use, speed and functional planning studies make their contribution to the overall examination. It is significant that all types of road are considered, the only exceptions being roads in the larger urban centres, where we rely on the municipalities themselves to collect the data required in carrying out their own urban transportation studies. Centres of population have the greatest influence on travel patterns, and I am pleased to say that we have worked closely with the municipalities to obtain the best possible information and, at the same time, to co-ordinate their road plans and needs with the proposed future road network resulting from each area study.

Essentially, the critical factor is the origin-destination surveys which form the basis for estimating the actual travel demands of the motoring public. Each area study shows, in broad terms, the best location for King's highways, and determines the respective functions of other roads in the area. As well, it establishes a priority and staging schedule, with estimated costs.

Through the area planning studies The Department of Highways has placed a magnifying glass on the overall road requirements of the region embraced in each study in a way which has never been done before, as far as we are aware. The research preceding the inauguration of this unique type of road system examination, and the invaluable knowledge already gained in conducting the pioneer ones, signals a most significant extension of this department's well-established and clearly defined objective of integrating all road mileage in the province, so that each component will provide the maximum level of service and make the greatest possible contribution to the growth and prosperity of both that particular region and Ontario as a whole.

While on the subject of planning for present and future road requirements on an area basis—as opposed to regarding a particular project as a single entity in itself—it is pertinent to comment on one of the forthcoming urban controlled-access expressway projects. I refer to the Lakehead expressway for Port Arthur-Fort William and the immediate vicinity, toward which the department is contributing 75 per cent of the cost for property acquisition, construction and maintenance. I mention this one—from among several similar urban controlled-access ex-

pressways which will shortly become a reality, with the department contributing on equally generous terms—because it illustrates so well the breadth of the department's approach to the problems besetting many urban municipalities with heavy traffic volumes.

The total mileage embraced in the overall Lakehead expressway plan is no less than 32 miles! Much of this is beyond the limits of either city, and these sections will be constructed as King's highway projects. Now, this particular expressway plan is extremely indicative to me of just how far the department has advanced in implementing a "total roads concept." Here is a case where we examined the road requirements of a given area, involving two cities and the adjoining townships, and then came up with an overall plan calling for 32 miles of controlled-access construction which was mutually acceptable to the parties concerned, at least to the extent that all parties to any agreement may be expected to agree fully in all respects. That type of achievement, I say, Mr. Chairman, represents remarkable progress in joint planning on the part of the department and the municipalities.

Lest anyone assume that the present vanguard position of The Department of Highways in the realm of planning has been attained only in comparatively recent times, I would draw to the attention of the hon. members that as late as last month a senior official of the United States bureau of roads noted that, some 25 years ago, the Queen Elizabeth way was, at that time, the only highway in existence in North America having limited access in rural areas. Accordingly, a quarter of a century ago, the bureau used it as a model or guide in establishing standards for rural controlled-access highways.

In assessing the needs for all types of road in totality in this province at any given time—that is, both the need to expand existing ones and the construction of wholly new facilities—The Department of Highways takes into account a great many considerations. If some of these are not actually unique to Ontario alone, they at least present themselves in a most forceful way.

There is, on the one hand, the special case of what the planners refer to as metropolitan areas. The fact that more than 25 per cent of all motor vehicles in Ontario are registered in Metropolitan Toronto—some 583,000 out of a total of more than 2,260,000, in round figures, at the end of 1963—tells its own story. However, there are many more concentrations of population adjacent to other cities which create most urgent demands for new road construction. Some which come

to mind are: Ottawa, Sudbury, Hamilton, Kitchener-Waterloo, London and Windsor.

On the other hand, there are the rural areas, with their legitimate requirements for road improvement. In today's competitive conditions, the farmer, equally, needs good roads for the economical transport of goods—both those he produces and those he consumes. Indeed, it has been proven that the rural and urban segments of our population complement each other, from which it follows that one is dependent upon the other for prosperity. To put it another way, we could ask the question, What makes more for a prosperous rural economy than a buoyant urban area adjacent to it? Good roads to link the two in such an ideal relationship are an absolute necessity.

For the sake of brevity, I shall interject here only two of the ways in which the department has taken a most aggressive position in order to ensure that special supplementary help will be given where needed in the case of rural roads. Outstanding, of course, has been the direct aid under the development road programme—on a 100-cents-on-the-dollar basis—for the reconstruction of designated county and township roads—the only exemptions being any necessary property purchases and fencing. To date the department has paid outright for the reconstruction of more than 4,720 miles of road since the inception of the programme. In addition, work is in progress or scheduled to begin this year on some 502 miles of road, and, as well, 206 miles have been designated for pre-engineering, for which the department also pays.

The second example of aid for rural roads which I wish to cite was the announcement early in 1963 of higher rates of subsidy for townships in cases of demonstrated need. Some 200 townships have benefited from the more generous levels of assistance resulting—the amount of such additional aid being determined on the basis of a formula evolved expressly for the purpose by the department's municipal roads division. As I made clear at the time, we are prepared to consider the subsidy rate of any township on request and—if our investigation shows a change to be warranted—to adjust the rate.

In the total planning problem the sparsely settled parts of this far-flung province must also be taken into consideration in any well-integrated master plan. In this regard we find the department again pursuing a comprehensive programme to add new roads and to improve existing ones along several different lines. In the case of existing roads,

significant improvements have been made—and will continue to be—under the development road programme. Several highways in some of the more remote regions have been added to the King's highway system in recent years as tertiary roads—known as the 800 series. Considerably more mileage has been placed in service as sections of a secondary highway, in which the roads-to-resources programme has figured prominently in northern and northwestern Ontario.

Still another measure of new aid for road construction in some of the less heavily populated areas of Ontario was extended in 1964 through the enactment of The Local Roads Boards Act which enables the formation—where desired—of a local roads board in place of a statute labour board. Because I have already commented in the House on this more advanced method of providing assistance at a higher level of contribution—specifically, a two-for-one basis, and even higher, in certain cases—for road work carried out by a local roads board, compared with the dollar-matching basis applicable to statute labour boards, I do not propose to go into detail here on this subject. However, I am pleased to report that to date some 32 meetings have been held in various parts of the province with a view to forming the new type of board, that five have already been established, and that 23 petitions to authorize the formation of additional ones are now being reviewed.

Now, Mr. Chairman, I would like to discuss briefly the county needs study. It was because of the demonstrated concern of The Department of Highways that all roads in the total road network of the province should make their maximum individual contribution that we called upon each county council in the summer of 1963 to carry out a needs study, to be subsidized by the department at the rate of 50 per cent, including consultants retained for the purpose. As stated at that time, the purpose was to bring up to date the inventory and other data compiled in an earlier study by the department—the report of which was published in 1959 as *Ontario's Roads and Streets*—which had included an appraisal of the county road systems generally and their relationship to the overall road requirements of the province.

Since that time, many of the county road systems have changed noticeably, due to higher standards of construction necessary to handle greatly increased traffic in some instances, changing traffic patterns, the effects of annexation and other causes.

In extending every assistance to the counties for the carrying out by them of these

needs studies, the department recommended certain criteria to be used as guides in determining what constitutes a desirable county road system. The criteria, I might say, were based upon the recommendations of my county engineers advisory committee. Reduced to non-technical terms and factors, the criteria provide meaningful direction for the establishing of county road systems which will perform these functions:

1. Connect towns and villages to each other and to the King's highway system.
2. Provide in each instance a county system which both meets and will serve to foster economic development and, as well, handles suitably traffic demands within a county.
3. Provide county road service in suburban areas where this is warranted by traffic volumes, including, where necessary, connections to King's highways.

Generally speaking, the essential purpose of the criteria is to guide all concerned in the development of an adequate network of county roads and/or King's highways in terms of actual traffic demands, but without regard to population density in any given area.

The current and much more highly detailed inventory and other data which has been so carefully compiled in the county needs study will enable us to establish what additional assistance the counties now require over and above the amount they can raise through a reasonable mill levy; the difference between this and what is required for a satisfactory county road system will determine the extent of additional financial aid which should be provided by The Department of Highways over and above by-law expenditure.

Such supplementary aid will be extended through the development road programme. The county needs study will be, obviously, invaluable to the department in making the most equitable distribution of the funds available for direct aid, or development road, purposes. In other words, we will be able to determine—on the basis of the facts thus gathered—precisely what is required in terms of funds for the legitimate needs of the county road authorities. However, Mr. Chairman, it seems no more than sensible to say here that we will not always be able to provide for all the wants!

It is pertinent, I think, to note here that adjustments in the rate of subsidy to certain townships in cases of demonstrated need, pursuant to the new subsidy formula announced in 1963—a supplementary type of aid which I have previously covered—together with the implementation of the county needs study, will result in still greater emphasis on development road assistance to the counties.

Indicative of the ever-increasing scale on which supplementary assistance is being extended to counties and townships in the form of direct aid under the development road programme is the record figure of \$17 million which has been budgeted for this purpose in the table of expenditures for the forthcoming year which I shall present in a moment. This most substantial sum represents an increase of almost \$2 million over the amount budgeted last year which, again, represented a new high.

During the past few minutes I have dealt with some of the varied aspects of the total planning problem which confronts the department. There are, as I have said, the pressing needs of the urban municipalities and, in a more particular way, the metropolitan areas, equally, rural needs must be given proper attention and, as well—in still a different category—those of the more sparsely settled parts of the province.

Beyond these challenges, however, is an entirely separate one which makes the matter of planning enormously more complex. It is the unusual circumstance that in Ontario motorists make use of the King's highways, that is our primary highways, to an extent not even approached in any other province.

In 1963, the latest year for which figures from all the provinces were available for the necessary calculations, total travel on our King's highways alone—not counting secondary highways or tertiary roads—was more than 8,080 million vehicle miles, which represents 16 per cent—and I repeat, 16 per cent—of all the mileage travelled on all highways, roads and streets in Canada that year. This somewhat astonishing concentration of the total mileage travelled in Canada on the slightly less than 9,800 miles of King's highways in service in 1963 can be convincingly translated in another way: The province of Quebec was the only one where the total mileage travelled on all roads—all roads in the province of Quebec—was greater than the total on our King's highways alone! In several cases the total for the King's highways was more than twice the provincial total!

For the record, the 8,080 million vehicle miles travelled on King's highways alone in 1963 represented slightly more than 40 per cent of the total mileage travelled in Ontario in that year, a percentage that has not changed much for some years now.

In this connection I think it is interesting to note that the almost 9,800 miles of King's highways—that is, our top category mileage in the provincial system—in service in 1963 accounted for just under one quarter of the

total primary or highest class of highway in each province for the whole of Canada, being far ahead in this respect. In terms of paved mileage, the King's highways were and are in an equally favourable position, the paved mileage on our King's highways by themselves being equivalent to more than 29 per cent of the total paved mileage on all primary highways in Canada under the jurisdiction of provincial highway departments in 1963. The only province, again, which comes close to approaching these figures is Quebec where, according to the statistics made available to us for this purpose, their percentage was just over 19 per cent of the total.

In still another regard, the matter of the number of miles of multi-lane, divided highway with full control of access, the King's highways are in a class by themselves. As of the end of 1964 there were some 395 miles of this standard in service in Ontario as King's highway mileage, this figure being more than two-thirds of the total such mileage forming part of the provincial highway systems in the whole of Canada, which was approximately 590 miles. So I repeat, if I may, out of a total of 590 miles in Canada, 395 miles of this standard are in the province of Ontario.

The dimensions of the problem facing the department in trying to reconcile in the annual budget each year a programme which will take into consideration the various types of needs I have outlined and still make sufficient provision for absolutely essential expansion of the primary routes within the King's highway system should, I believe, be apparent to anyone who will realistically weigh the evidence I have given. The budget I am about to present has been prepared on that basis, after a most thorough examination of all the factors.

The following table will provide a comparison of the estimates for the forthcoming fiscal year with the one now ending; and, Mr. Chairman, as I present these figures briefly, the first figure mentioned will be the figure for 1965-66, and the second figure for the year completed on March 31, 1964-65.

So for King's highways, capital, we find in the first category \$158,797,000 versus \$141,532,000 and the percentage increase over the previous year's budget is 12.2 per cent; King's highways, maintenance, \$51,280,000 compared to \$46,781,000, an increase of 9.6 per cent; municipal assistance, \$121,350,000 as against \$112,450,000, increased 7.9 per cent; main office items, \$4,746,000 compared with \$4,443,000, which is a 6.8 per cent increase.

Gross expenditure is \$336,173,000 as against \$305,206,000, an increase of 10.1 per cent; less refunds from the government of Canada and other sources of \$6,780,000 compared with \$5,800,000, which is a 16.9 per cent increase; gives net expenditure of \$329,393,000 as against \$299,406,000, an increase of 10 per cent.

A few highlights, if I may now, of the 1965-66 capital programme.

The substantial increase in the amount budgeted for capital construction on King's highways and secondary highways, tertiary roads and other work to be paid out of King's highway funds, is indicative of the way the department has taken into account the total road requirements of the province in preparing its estimates. Because of the great number of improvements provided for in the \$158,797,000 for which we are asking approval, I shall refer to only a few of them specifically.

Work will be continued on a number of major projects in northern and northwestern Ontario. Among these are: Highway 17 east and west of Mattawa, the new Timmins-Sudbury highway—for which new work having a value of close to \$3 million will be awarded in 1965; the further extension of Highway 101 from Highway 129, south of Chapleau, westerly to Wawa—on which a contract for the last 18.5 mile gap on this 80-mile link will be awarded this year; as well, paving contracts will be let from Wawa easterly to secondary Highway 547 and also from Highway 129 easterly for some 15 miles; Highway 105, known also as the Red Lake Road, south of Ear Falls; and the completion of the new 85-mile section of Highway 11 from Atikokan westerly to Fort Frances, scheduled for opening in June of this year.

In southern Ontario the maximum volume of work—having in mind highway requirements over the province as a whole—will be carried forward on the Macdonald-Cartier freeway to complete as quickly as possible the additional lanes on the few remaining two-lane sections. As I have previously stated, the work is well advanced in this connection in western Ontario and we expect to open the nine miles of eastbound, or south lanes, from the Elgin-Kent county line westerly to Highway 21 and the 11 miles from there to Kent Centre sometime this summer, July if possible. Once that is achieved there will be four lanes or more all the way from Windsor to east of Gananoque.

In eastern Ontario our target completion

date for the opening of additional lanes over the 11 miles from Highway 16, north of Johnstown, to the interchange for Iroquois is early November.

Other work on this key provincial throughway will include the wholly new alignment between Gananoque and Brockville—all of which mileage will be opened as four lanes as the various sections are completed—and the continuation of the widening of the most critical sections of the Toronto bypass, to which I have previously referred.

Construction on additional mileage of Highway 403 through Hamilton will continue and, further west on another section of this same freeway, paving of the Brantford bypass will be started. On another new freeway, No. 406—which will link Welland with the Queen Elizabeth way at St. Catharines in the first stage—the initial section, within the city of St. Catharines, will be opened before the end of the year.

Other major projects are the Quinte skyway spanning the Bay of Quinte, near Deseronto, and the extension of the programme to widen Highway 11 to four lanes between Orillia and Gravenhurst.

Work on the Trans-Canada highway will include the last section remaining to be completed on the Ottawa Queensway, Highway 7 near Bells Corners—immediately west of Ottawa—and on Highway 17, both north of Sault Ste. Marie and east of Ignace.

One of the largest undertakings on which a start will be made this year is a tunnel under the Welland canal at Thorold. Another multi-million dollar project is the Kitchener-Waterloo expressway system, on which the department is ready to move just as soon as the other parties concerned reach final agreement. Once this is done, the department can schedule the awarding of work with an estimated value of \$2.5 million in the fiscal year. These projects will be carried out under special cost-sharing agreements with other authorities. In addition, the department will contribute to numerous projects to improve highway routes through urban municipalities, under connecting link agreements.

Many other projects of varying magnitude will be initiated on the basis of priority of need, to improve deficient sections of the King's and secondary highway system. This programme is an integral part of a five-year programme for the planned improvement of roads throughout the province.

Preliminary planning will be done on the route for a wholly new section of Highway 40 between Wallaceburg and Sarnia, on an

alignment east of the present highway. Construction of the new King's highway over a more direct route will leave the existing highway available for eventual assumption as the St. Clair parkway by a commission to be comprised of representatives from the adjacent municipalities in the counties of Lambton and Kent. Until such a commission is fully constituted, planning of the parkway concept will be administered by a committee of local officials representing both the municipalities and the provincial ridings through which it passes. This bold new concept holds tremendous promise for the preservation of the natural beauty of the area adjacent to the St. Clair River, for the creation of a greater awareness and appreciation of its historic past and the development of its tourist potential.

Because The Department of Highways is, in a very real sense, a building agency—one of the largest in the country in terms of annual capital expenditure—many of the research endeavours it carries on year in and year out as a total part of its operation go unnoticed to a large extent. Some of this research, although vitally necessary for sound highway planning—such as projections of population growth and the areas in which it will tend to concentrate, motor vehicle registration and use, and related factors—is not of a nature which makes for spectacular news stories.

An extreme example is an *Historical Chronology of Highway Legislation in Ontario, 1774 to 1961*, published by The Department of Highways in February for public sale. This most exhaustive work, running to some 235 pages in the main body, summarizes 544 separate Acts and more than 675 amendments pertaining to roads and bridges in what is now the province of Ontario.

The chronology—to the best of our knowledge a first in its field—is a treasure-house of information on the origin and development of roads and bridges and the legal jurisdiction of them in the nearly 200 years covered. As such, it represents a significant contribution to historical research and the field of learning generally.

While the monumental volume of work which was obviously necessary for this undertaking required the participation and contributions of other department personnel, the project was conceived, guided and brought to completion by Miss Irma E. Pattison, MA, an economist with the department. For her dedication to the task—to which she devoted untold hours of her own time at home—for her scholarly achievement and for the service

which she has rendered to the government of Ontario, to its people and to historians as yet unborn, I wish to pay fitting tribute here.

Under circumstances which, assuredly, are justified, I have drawn attention to a particular achievement by one employee in a department which, at this time, has a strength of some 13,000. In doing so, Mr. Chairman, I wish to add a word of commendation and thanks to the employees as a whole, from the bottom to the top. Without that sense of responsibility and interest in their work and the willing co-operation which it has been my pleasure to experience, no operation approaching the size of The Department of Highways could possibly function as efficiently as it does. Indeed, the new plateau in the integration of the overall road network of the province which was most definitely reached in the fiscal year just ended—an achievement which I have documented at some length today—could never have been attained with anything less on their part.

So, Mr. Chairman, I am confident the hon. members, and indeed the overwhelming majority of the people of this province, would wish to join with me in expressing my personal appreciation for this fine overall performance of duty.

On vote 801:

Mr. K. Bryden (Woodbine): Mr. Chairman, before the hon. Minister gets firmly established in his seat, I wonder if he would indicate if he intends to make the study of the development of highway legislation and policy to which he referred available to the members of the Legislature?

Hon. Mr. MacNaughton: Mr. Chairman, I announced they were available for sale.

Mr. Bryden: Well, that is not the normal way with government publications.

Hon. Mr. MacNaughton: I think I can arrange to provide a copy for each of the hon. members of the Legislature, Mr. Chairman.

Mr. B. Newman (Windsor-Walkerville): Mr. Chairman, as I rise to take part in the debates on the estimates of The Department of Highways, may I congratulate the hon. Minister on his fine presentation and for the outline of what his department has done in the past and what it contemplates doing in the ensuing year.

Each year, as the hon. Minister presents his report and is more familiar with the workings of his department, he becomes the more capable. May I, through the hon. Minister,

thank his departmental officials and staff for the fine co-operation we of the Liberal Party have received from them in the past year. Their assistance in replying to our many problems and requests is sincerely appreciated.

May I also thank the hon. Minister for making available to us, for the first time in quite a few years and the first time in his three-year tenure of office, weeks—yes eight weeks in advance—a copy of the annual report. This is the way it should be. The annual report should be received well in advance of the presentation of the estimates of any department, this should be a must.

No department, and I emphasize no departmental, estimates should be presented in this House at any time, without the Opposition having been given, well in advance, a copy of the annual report of that particular department.

As for the second report, that of the capital construction programme for the fiscal year 1965-66, it also should have been in our hands well in advance of the presentation of the estimates. It is not fair to ask anyone to be constructively critical if the Minister of the department does not make available to the hon. members, who are in the best position to offer suggestions and ideas about the contemplated projects for 1965-66, an opportunity to review the projects for more than just a few hours, as has been given in the past. This year, by accident I assume, we were fortunate in getting a copy of the report two days in advance. Apparently the government's scheduling was off a little.

I hope and trust that in the future this hon. Minister will see to it that both the annual report and the capital construction programme are in the hands of the hon. members well in advance of the presentation of The Department of Highways estimates.

Having made these few remarks, Mr. Chairman, may I emphasize just one reason for such concern. In the 1964-65 capital construction programme on page 11 is listed the following inaccuracy, intentional or not, who is to say?

The total length of Highway 401, Windsor to the Quebec border, is 510 miles, of which 502 miles are open now and the remaining eight miles are under construction at present, and will be open at the end of 1964.

How many more such inaccuracies are therein contained? I cannot say as I am familiar only with the Windsor-Toronto section of Highway 401, and I now, as does the hon. Minister, that there are well over

eight miles of 401 still under retarded construction in the counties of Kent and Elgin.

A headline in the March 18, 1964, Windsor *Daily Star* was: "Minister no prophet—won't promise 401 finish date." The hon. Minister, in this House, said he could not promise a completion date for 401, yet in his own programme on the page I have just mentioned, he does carry a completion date.

However, to be fair with the hon. Minister, I must also state that on the same page he also says just the opposite, and this is in the maps or charts on pages 10 and 11 in which the following is printed, "Not open by 1964."

This is just one example of sitting on a fence, talking out of both sides of the mouth at the same time, saying one thing and the opposite at the same time. Make up your mind, Mr. Minister, what did you really want to say, or who were you trying to fool?

Mr. Chairman, The Department of Highways estimates ask for a total of \$329 million in only three votes. Let me review for the hon. members of this House the number of votes of other departments and the amount of money requested, to show that this Department of Highways needs a complete reorganization in the method of presenting its estimates.

Agriculture requires 22 votes for an estimate of \$22 million; Attorney General, 12 for \$39 million; civil service, eight for \$1.5 million. Rather than read all of the number of votes for each of the departments, and the total estimate for that individual department, may I simply bring this one to your attention, Mr. Chairman? The hon. Prime Minister's office, with a total budget of only \$252,000, requires two votes. This department wants only three votes for \$329 million. The main office vote of this department—and that is \$4.75 million—is more than that of five different departments. The maintenance vote of \$87 million is greater than that of a total of 14 departments with 125 votes.

Mr. Chairman, the time has come that this department present its estimates in a more logical manner, in a manner that one may be able to use, without any confusion, the public accounts, in looking for an answer.

I hesitate to state a method of reorganization, but I can recall the standing committee on public accounts making such criticisms. These estimates should be organized and presented to the hon. members of this House so that answers to their queries can be easily located. The public accounts in this department are not drawn up to give this informa-

tion. Why? Mr. Chairman, there should be in this House a uniform method of presentation of estimates and their breakdowns.

There can be no doubt of the profound and widespread influence that highways have had on industrial, agricultural, cultural, economic and social conditions in Ontario. Motor vehicles now serve many communities that formerly lacked direct service by rail or water. As the country's two main railways continue in their policies of eliminating uneconomic runs, and further reducing the number of stops, the problem of highways and highway transport becomes a greater concern, especially to the small, disadvantaged community. In many instances as a result of the accessibility of the concrete ribbon, a community has been able to survive. The cost of freight transportation has been reduced, business has been stimulated, and as a result of frequent and expeditious service to the outlying areas, decentralization of industry has been made possible.

Small communities have been able to prosper and survive, even though they may be quite distant from the large cities. This has been so where these communities have been within easy access to principal arteries. Indeed, by the reason of the basic influence of highways on the cost of doing business, the whole fabric of commerce and industry in Ontario is vitally affected.

Mr. Chairman, The Department of Highways has the following studies either completed, being revised or under way at the present time: 1, a plan for Ontario highways—this was completed in 1956 and was to cover the highway needs for the next 20 years; 2, Ontario's roads and streets, completed in 1958, likewise covering the needs for the next 20 years; 3, nineteen area planning studies; 4, urban transportation studies; 5, township programming studies and 6, county need studies.

This is all well and good, but to date these studies have led to more and to further studies than they have time to take action on. The roads are needed now, and the province should undertake an accelerated programme of highway construction. By its own admission, investment in roads facilities have not kept pace with the needs of mounting traffic, so that today the province is faced with a highway problem of considerable dimensions. This problem should be met without delay, for the economic health of Ontario depends on the solution.

There is a direct relationship between the level of economic activity and the volume of highway traffic. Increasing industrial, agricultural, mining and forestry output, as

well as expansion of commerce and tourism, are all promoted by highway transport. In turn, each of these generates new requirements for better highway facilities. The higher standard of living and the more leisure made possible by expanding production are reflected in increased motor vehicle ownership and travel. In a short ten years—by 1975—it is estimated that there will be over four million motor vehicles registered in the province of Ontario.

The hon. Minister, in his earlier comments, has mentioned the fact that on Ontario's highways vehicles travel a total of eight billion vehicle miles. May I inform him that in the state of Michigan it is 33 billion.

Ontario's reliance on good roads is further emphasized in other ways. One is its strategic position with respect to the rest of Canada and the United States. Another is the rapid trend of urbanization. Cities are the focal points of traffic generation and movement. Finally, the geographic distribution of people in the province poses a unique problem in providing adequate transportation services.

Not only has the road building in this province failed to keep pace with the needs but the backlog of highway deficiencies has been increasing more rapidly than during the prosperous post-war period.

Studies have shown that large portions of King's highway systems and secondary roads are seriously inadequate for today's traffic. To rehabilitate the highways of the province to a satisfactory level of service would include new construction, replacement, stopgap work on roads and bridges, and would entail the expenditure of approximately \$2 billion.

In addition, traffic congestion in many urban areas testifies to the many deficiencies in other segments of the highways, namely, road and street networks; insufficient shoulder width on our highways; deficiency in width and load-carrying capacity of many bridge structures; poor surface conditions; bad curves; insufficient sight distance. These are but a few of the many inadequacies of our roads system.

The provincial highways, county roads, township roads and urban streets constitute a vital circulatory system which should nourish the province and keep it healthy. Thus, a highly developed, integrated highway system is essential to our well-being and prosperity.

Highway improvement increases the productive efficiency and improves the competitive position of every industry and activity in Ontario. Our everyday lives are so dependent on our roads system that our

economy practically would grind to a standstill if the wheels of our automotive transports did not have the roads over which to travel. If this is true today, just think of the future needs for more and better roads.

Mr. Chairman, in an address at the Ontario good roads convention in Toronto earlier this year, Mr. W. Q. MacNee, traffic and planning engineer for The Ontario Department of Highways, made the following statement:

The backlog of our needs is so great that were we to make a mistake it would be years before we could afford to go back and correct it; that the temporary inconvenience would become, in fact, a permanent inconvenience.

Highway 401, the Toronto bypass, is just an example of the mistakes that have been made as a result of poor planning.

Mr. Chairman, I would like to read the following from a letter received by me:

As you will recall, 401 is being widened through a section of Toronto, and the fact that this widening made it necessary to expropriate rows of houses at some considerable cost to the public Treasury seems to smack of slipshod forward planning.

However, the fact that this issue was raised makes it difficult for me to understand why, in that section of 401 to the east of the widened, or proposed-to-be-widened strip, at what will probably be a future main intersection of the area, namely, where the Don valley parkway crosses 401, one now finds at the north-west corner, a large apartment-type building of some sort being erected.

It is inconceivable to me that, in thinking of the transportation needs of the province, this main intersection may not be required to handle the considerably expanded amount of traffic in future years. The existence of a large, expensive structure as is now apparently being erected on the site noted, however, will mean that it will be financially impossible to expropriate additional land in this area, to accommodate increases in traffic.

Since the Don valley parkway is, I believe, to hook into a new four-lane highway shooting up the east side of Lake Simcoe, and since 401 is a main provincial traffic artery, it seems to me a foregone conclusion that the traffic demands will, or should, cause need for increased road facilities in this area.

Mr. Chairman, I am not one who believes that The Department of Highways could

operate on the principle of \$1 of expenditure for every dollar collected in any given area. I believe that for the total good of the province, the "have" areas must subsidize, compensate or make up for the "have not" areas, the areas of slow growth, designated areas or defined areas, whatever name is given to them must be assisted by the more fortunate, the rapid growth, the better blessed areas.

The highway revenues obtained from the better built up, the heavily trafficked southern stretches of this province, must be used to a greater extent to build more roads in the lesser populated, lesser trafficked areas of northern Ontario. Ontario will profit most when all parts of Ontario have equal opportunities; when northern Ontario is given the necessary roads for good, sound development.

I had intended to comment at some length on the means, other than highways, for the mass movement of people, but since the hon. Minister is studying this problem at the present, I shall delay my questions until next year, at which time I expect he will have a report from his advisers.

Private cars and public transit systems are not competitive but complementary. The major role of public vehicles like buses, trains and underground trains or subways, is to handle commuter trips to and from downtown business districts along a few main travelled corridors. When the city of Washington looked into the matter in 1960, the official report said:

Any attempt to meet transport needs by highways and private automobiles alone will wreck the city; it will demolish residential neighbourhoods; violate parks and playgrounds; desecrate the monumental parks of the nation's capital, and remove much valuable property from the tax rolls.

It has been pointed out that a bus route, subway system or commuter train service can carry as many passengers per day on its right of way as the 10, 20 or 30-lane boulevard. This theory takes for granted that provision of convenient, speedy, competitively priced public transportation will remove motorists from the road. It is well known that when emergencies arise, such as severe weather conditions or motor trouble, or when parking fees are too high, many drivers turn gratefully to mass transport.

Mr. Chairman, for such reasons, we of the Liberal Party endorse financial assistance by way of subsidies for the subway system in Toronto. The sooner this means of mass transportation is completed, the sooner will

the pressure be taken off many of the main arteries in this city.

Hon. A. Grossman (Minister of Reform Institutions): The member for Owen Sound does not agree with that—

An hon. member: Where is the member for Owen Sound?

Mr. Newman: The member for Owen Sound speaks for the Owen Sound district.

Mr. D. C. MacDonald (York South): There is the Liberal Party—united as everyone goes his own way!

Mr. Newman: I have expressed our policy on subways. Mr. Chairman, toll roads come up for discussion every year. The Department of Highways says that it is opposed to toll roads; that it has a toll-free policy. If this is the case, may I ask why tolls are charged on the Burlington Bay skyway and the Garden City skyway? Are not both part of our provincial highways system? There is not a toll, nor should there be one, for the use of the Gardiner expressway. This expressway, I am told, will be far more costly than both the Burlington Bay and Garden City skyways combined. Now is the time, Mr. Chairman, to remove the tolls from the two aforementioned skyways, and from any other provincial highway, if there is one, on which a toll is charged.

The state of Michigan is contemplating removing tolls from its \$100 million-plus Straits of Mackinaw bridge. I think that such roads are of such economic significance that a study should be made into the feasibility and the costs of integrating international and interprovincial bridges and tunnels into our highways system. Would it be to Ontario's economic advantage, for example, to have the bridges at Niagara Falls and Fort Erie combined and made part of the Ontario and New York state highways systems and be made toll free? Would it be to Ontario's and Minnesota's advantage to have a toll-free bridge between Fort Frances and International Falls?

There is quite a clamour in this western part of Ontario for this facility. I am told that the House of Representatives in the state of Minnesota has passed a bill, HF 125, authorizing this construction, and that Ontario is, for some reason, hedging. I hope that when we return in 1966 to discuss the estimates of this department, the hon. Minister will be able to have such information for us as to the feasibility, and the cost, of integrating inter-

national bridges and tunnels into the Ontario highway system.

Most communities can have bypasses constructed—sort of ring roads around them—to facilitate and speed up traffic and take a sizeable amount of traffic off the urban roads. However, cities on the U.S. border—Fort Erie, Niagara Falls, Sault Ste. Marie, Sarnia and Windsor, just to name a few—have a unique problem. Their problem arises out of the large number of tourists entering and leaving Ontario through their gateway. These tourists contribute substantially to the economy of the whole province. However, an undue portion of the expense of accommodating them roadwise, falls on these border municipalities. Roads that normally would be satisfactory to take care of the urban traffic must be built up, widened, and so forth, to compensate for this added traffic burden. Likewise, this puts an added strain on roads adjacent to the link roads in the community.

Just as the department has a different subsidy for Metro, it should consider a higher link road subsidy for U.S. bordered municipalities, to enable these municipalities to cope with a road programme that is not of their making, and which when undertaken and completed, is of greater advantage to the rest of the province, than it is to the community. This is also a problem with the trans-Canada highway going through a municipality. Mr. Chairman, I would like to ask the hon. Minister to comment on the following resolutions as approved by the Ontario good roads association in their convention held this year.

One is from the city of Port Arthur asking for 90 to 100 per cent subsidy on King's highways in trans-Canada highway municipalities.

Whereas municipalities along the route of the trans-Canada highway are faced with ever-increasing costs for road construction and maintenance of these roads designated as King's highways within the boundaries of the municipality, because much of the traffic on these routes is made up of heavy transport trucks requiring a high standard more expensive pavement to withstand the weight of the loads which continue to grow heavier and heavier each year, and which contribute to the early disintegration of the older existing roads; and whereas the King's highways within a municipality are merely connecting links in the national transportation network and are of great benefit to Canada as a whole much of the heavy freight traffic which they carry is not connected with the muni-

cipality and does not benefit the municipality in any way: Therefore be it resolved that the provincial government be petitioned to bear from 90 to 100 per cent of the cost of constructing and maintaining King's highways in municipalities situated on the trans-Canada highway system.

This recommendation, by the way, was approved by the convention. One of the other resolutions submitted, which I would like to bring to the attention of the hon. Minister and ask him for his comments, is the one from the city of Barrie asking for an increased schedule for provincial subsidies.

Whereas studies by various committees established by the provincial government have reported iniquities of subsidy payments to local municipalities under The Highway Improvement Act; and whereas the *Ontario's Roads and Streets* report of The Department of Highways, dated 1958, sets out that over \$2 billion will be required during the next 20 years—seven of which have already elapsed—and whereas all municipal associations have approved of resolutions in varying degrees asking for relief of that portion of cost from real estate taxation for highways which is not a proper charge for service to real estate, with little result; and whereas the province of Ontario has the exclusive right of taxation of vehicle fuels, sales tax, licences and permits for its own revenues: Therefore be it resolved that The Ontario Department of Highways pay 100 per cent on freeways and connecting links, 70 per cent on arterial roads and streets, 50 per cent on all other municipal streets in the (a) cost of land, (b) construction, (c) maintenance.

The resolutions committee of the Ontario good roads association took the following action:

That we request The Department of Highways to reach an early decision and announce its policies regarding subsidies on streets and roads.

This was approved by the association.

Mr. Chairman, in looking over The Department of Highways municipal roads division subsidies, I notice that for the Metropolitan Toronto area the road subsidy is 50 per cent. For cities and separated towns, and in some cases some townships, it is down to 33 $\frac{1}{3}$ per cent. Were the subsidies given to cities, separated towns and some townships made the same as that for Metropolitan Toronto area, development in

these other areas would probably be accelerated to the same extent as it has in the Toronto area that is much favoured, much more so favoured than are these separated towns and cities. Just imagine, Mr. Chairman, if just a portion of the total additional expenditures that were allocated in the Metro area were divided over the large expanse of northern Ontario the great number of miles of highways that could have been developed in northern Ontario.

We ask nothing be taken away from the Metropolitan Toronto area, we simply ask that cities and separated towns be brought up on a par with the Metro area.

Mr. Chairman, I would like to bring up the matter of fair wages and government contracts at this time. The brief presented by the united brotherhood of carpenters and joiners of America to this government in March of this year has the following comments, and this is on fair wages and government contracts:

The Minister of Labour in introducing the order-in-council establishing fair wages in government contracts was quoted: "Not only will fair wage schedules protect construction workers throughout Ontario, but it will guard responsible contractors against unfair competition and undercutting based on payment of low wages."

This was a very profound and much appreciated statement from the Minister of Labour for our province. However, it is inconceivable that The Department of Highways should have been excluded from application of this order-in-council. It is rather strange that this Ontario government should say, in essence, we will adopt schedules to protect workmen against exploitation by unscrupulous employers and responsible employers against unfair competition where all government contracts are concerned, but pass the highways department. Employers in this one department of government were thereby given the virtual blessing of Ontario government to work their employees killing hours without overtime pay at menial wages. How can one of the biggest spending departments of government be overlooked when important principle is being established? In statistics released by The Department of Labour we find that inspectors uncovered cheating in wage payments by contractors performing government contracts to the extent of \$2,184 in one month. It is true and accepted that highway construction as related to paving work can be impeded by severe weather, but we might do well to

consider giving work to more people at normal work hours rather than imposing 60, 70, 80 hours of work per week on the workmen in this industry.

Considering the locals affiliated to district councils and the number of cases where the district council has agreement or is supplying contractors, the great majority of our construction locals and their members have been involved in construction of overpasses or appurtenances to highways and normal work hours have prevailed in accordance with our collective agreements. This information serves to confirm that fair wages and normal hours of work on structures connected with highway construction does not disrupt the general progress of highway work.

It is recognized that we cannot speak for the peculiarities which might pertain to the rest of highway construction, but it is our contention that at least all structures in connection with highway construction should come under fair wages and government contracts. This will protect construction workers on overpasses against meagre wages and the responsible contractors against unfair competition. Such extended coverage would, of course, serve the interest of greater sharing and spread of employment to more workmen in Ontario industry.

Form work on overpasses is not unlike form work carried out on a year-round basis in the rest of the construction industry. New techniques have made it possible for this work to proceed during extreme weather.

The federal labour code is designed to provide fringe benefits to employees on government projects. This is regarded as a most progressive step, noticeably being followed in the United States of America by an amendment to the Davis-Bacon Act. The American bill signed into law by President Johnson in the latter part of 1964 provides for a matching of prevailing area standards of fringe benefits where cash equivalent may be added to the hourly pay.

In view of the fact that the province has adopted the federal fair wage schedule, it should follow that the Minister of Labour would allow for the application of fringe benefits under Ontario fair wages, thus recommended by the carpenters and joiners.

In carrying on with their recommendations, Mr. Chairman, I would like to bring to the attention of the hon. Minister their comments concerning pre-qualification for contractors.

The restrictive trade practices commis-

sion exposed bid fixing in connection with collusive tendering on provincial and municipal government contracts.

Workmen in this province are adversely affected by the nefarious practice of cutting, slashing and fixing of bids in the construction industry. This breeds familiar backwash in wage cheating, the breakdown of conditions.

The Combines Act makes it an indictable offence punishable by two years imprisonment. Obviously the matter is taken so lightly in Ontario that the pre-qualification system for contractors leaves the whole question of penalties to the discretion of the Minister. The three months suspension from bidding imposed by the Minister in the case of 13 roadbuilders involved in bid fixing was too insignificant and ineffectual to serve as a deterrent. The suspensions, as a matter of fact, come at a time when the least harm was done the violators.

It is therefore suggested that consideration be given to establishment of some penalty suitable to prevent any further spread of price-fixing practice under government contracts.

Mr. Chairman, when this was first made known to the public, the *Windsor Daily Star* carried a very strong editorial on this topic. I will read its headline only, and that is: "Free enterprise thwarted by rigging of contracts."

Mr. Chairman, allow me to bring to your attention the indiscriminate, inconsiderate and dictatorial approach used by this department in the matter of service centres on limited access highways, such as the Macdonald-Cartier freeway and Highway 400. In its policy of setting up service centres this department does not take into consideration the deteriorating effect a service centre may have on a small businessman, gas station operator, motel keeper, restaurant owner and so forth when this centre is located near a community in which a large number of small operators depend in a large measure on the automobile and truck traffic for their source of livelihood.

I would like to focus my comments on the new service centre to be or being constructed on Highway 400 within a mile or so south of Barrie. Rather than go into any too great detail, I would like to read simply the following letter from the *Toronto Telegram* on February 12, 1965.

We have sent the following letter of protest to Minister of Highways MacNaughton.

We, the businessmen of No. 11 highway wish to protest the construction of the government-sponsored service centre on No. 400 highway. Having collectively invested millions of dollars in service stations on No. 11 highway, we feel that it is grossly unfair of the provincial government to pass legislation that restricts our entrance signs, position of buildings and so forth, to the point that, in conjunction with the stranglehold the oil companies have on us, it has made it almost impossible for us to operate profitably.

This not being enough, The Department of Highways of Ontario now proposes to finish the job completely by building another service centre. Although this is supposed to be an aid to the motorists, the only persons who, we feel, will profit from this are the stockholders of the oil company involved. This centre, if constructed, will employ 100 people, but by closing dozens of small businesses will place several hundred people in the ranks of the unemployed.

The claim that the motoring public needs another service centre is nothing but hogwash and we can all prove this by our records.

The letter is signed by G. G. Stanley, businessmen's group, chairman, Orillia township, Orillia, Ontario.

After a formal protest and after submitting resolutions from three township councils opposing this centre, and after an eventual meeting with the hon. Minister, the delegation of businessmen seriously affected by this action on the part of this Minister had no choice but to return home. Mr. Chairman, this delegation would never have demonstrated in front of the Parliament buildings were they not locked in a life-and-death struggle over the proposed construction of this service centre so close to their own businesses.

Mr. Minister, you can still cancel the agreement to construct this centre at this location and relocate it on Highway 400, miles north of Barrie. If you fail to do this, Mr. Minister, you may be affecting directly, I am told, \$38 million worth of private investment which may wither, dry up or be destroyed. You owe it to your fellow man, you owe it to private enterprise. Let us stop destroying private capital, let us help the small businessman to stay in business, let us not sacrifice him to big enterprise.

At this point I was going to read a paragraph from a letter written by Mr. Stanley,

but his previous letter, I think, covers the topic well enough.

The group were so disturbed over this, Mr. Chairman, that at the one stage, back approximately the last week in March, they were responsible for the complete tying up of all gas station operators from the Barrie area, if I am not mistaken, as far north as North Bay and Sudbury. The comment in the *Toronto Telegram* on Wednesday, March 24, is as follows:

A service station, restaurant strike is threatened on all major highways north of Barrie as far as Sudbury and North Bay.

Last night's decision was taken after a long fight with The Department of Highways over construction of a proposed new service centre on Highway 400, a mile south of Barrie. A centre in this location, the group contends, would rob all district stations north of Barrie of about 40 per cent of their business. The new station will siphon off about 3,000,000 gallons from our annual volume, said Mr. Gordon Stanley of Orillia. The newly elected chairman, a Mr. Mike Cavell, who operates a service station and restaurant on Highway 11, said a petition containing 25,000 names would be presented to the Ontario government within two weeks. If nothing is done, the strike will start immediately after that, he said. He claimed that the British American Oil Company, which operates the new complex, told its dealers it would be closing up all its outlets between Barrie and Gravenhurst once the new centre was built.

Mr. Chairman, may I conclude my remarks on this topic by making the following suggestion: On limited access highways no service centre be located near any community that presently has all the facilities necessary for the motoring public.

In the state of Michigan, Interstate No. 94 from Port Huron through to Detroit and then on to the Indiana border, a distance of about 225 miles, and Interstate 75 from Ohio to Detroit to Sault Ste. Marie, a distance of about 385 miles, and Interstate 96 from Muskegan to Detroit, about 170 miles, do not have any service centres. The motoring public must leave the freeway to obtain services.

This same state today has a total of about 1,184 miles of limited access freeway built to the higher federal government design standards. If I may interject here, Mr. Chairman, 784 miles of the aforementioned distance was started and completed within the last eight years. In eight years they have built

784 miles, and we have been working for approximately 20 years and we still have not the 510 miles—

Hon. Mr. MacNaughton: That is 90 per cent federal.

Mr. Newman: I am not mentioning as to where funds are obtained—

Hon. Mr. MacNaughton: But I am mentioning it to the hon. member.

Mr. Newman: —I am telling you it was completed; they did it in eight years. Yes, eight years, and not the 18 years that we in the province of Ontario have been trying to complete Highway 401. On all of these 1,184 miles in the state of Michigan, there is not a single service centre. There are, however, signs adjacent to exits or interchanges pointing out to the motoring public the types of services available. The state of Michigan claims this has not inconvenienced the motoring public because it makes no difference to the vehicle operator whether he drives 500 feet off the main road for services or 2,500 feet. This allows the small operator and the free enterprise to compete fairly for the traveller's dollar. This does not give a monopoly in a given area to a large oil company.

In addition, Mr. Chairman, the state of Michigan claims it is no more hazardous, as far as highway safety is involved, for the motorist to be entering the main highway from the service centre as are now set up than entering the main highway from an interchange.

I do not suggest that service centres do not serve a useful purpose. However, I do suggest that before any more are developed this department study the proposals, study the potentially deteriorating effect of service centres on businesses adjacent to them. The federal law in the US forbids the erection of service centres on its interstate highways network.

Toll roads in the US do not come under this control, and are allowed to have service centres. But interstate highways in the US do not have service centres.

Mr. Chairman, if I may interject: One of the complaints registered by the joint board of Ontario travel associations to the standing committee on highways and tourism, was that service centres on the Macdonald-Cartier freeway only allow five per cent on US funds. Such a policy by a service centre on government-controlled lands does harm to our tourist industry, and gives it a black eye. The depriving of the visitor of his rightful currency exchange is most undesirable. Mr. Min-

ister, I think that you should insist that all service centres refrain from such unethical practice.

May I suggest to the hon. Minister that he not only expand his roadside park programme along our King's highways, but also that he build, in stages, a whole series of rest areas along all limited access roads. The state to the west of us, Michigan—a state that has had considerably more experience with the horseless carriage than have we—has done the following: It has 34 freeway rest areas, each about eight acres in size with parking space for 50 cars and 20 trucks. These areas are spaced about one hour's drive apart on all interstate and Michigan limited access freeways. Like roadside parks, these rest areas are equipped with rest rooms, picnic tables, grills and safe drinking water. In addition, they have an information bulletin board, a pay telephone and are lighted all night. Here is a programme worth copying.

The Highway Improvement Act prohibits the erection of large signs immediately adjacent to controlled access highways. Most communities are bypassed by such controlled access highways, so that no idea of their outstanding features can be gained by the motoring public. Since information signs tend to promote the commercial, industrial and cultural welfare of communities, the government should amend The Highway Improvement Act to permit each municipality served by a controlled access highway to erect, adjacent to the highway, a sign or signs, the wording, size, layout, colours and construction to be subject to the Minister of Highways, to enable that municipality to inform the motoring public of some of its outstanding features. Let us never lose sight of the fact that the visitors to our province, to our municipalities, and to our tourist areas contribute in no small measure to our economic growth. We would be remiss if we were to allow a visitor to enter our province at one end, gas up, have lunch and leave at the other end in one day without placing before him all the inducements which we have to offer to instil in him a desire to spend a goodly portion of his holidays and his money in Ontario.

Mr. Chairman, there has been brought to the attention of the members of the standing committee on highways and tourism an excellent example of a lost opportunity by this department, and by The Department of Tourism and Information, to sell one of the province's outstanding tourist attractions, namely, Upper Canada village. A good and properly placed information sign, well in advance from both directions of this historic attraction, could have a most marked

economic effect on adjacent communities. This is but one example of the lack of co-operation between departments of this government.

I would like to make a few comments on telephones on highways, particularly on expressways and controlled access highways. It is time the department extended its policy on roadside emergency telephones to all expressways first, and then to controlled access highways. The Burlington skyway, I understand, is so equipped. The Gardiner expressway and the other Toronto expressways need such service. Were the hon. Minister to adopt the Michigan state rest area idea, no traveller on a limited access highway would be more than half an hour away from a telephone.

Mr. Chairman, earlier in my comments, I mentioned the use of information signs on Highway 401. May I suggest to the hon. Minister that in the planning stages of any bypass, he inform—by newspaper advertisement, or press releases—the exact location of the bypass, and that the department consult with service operators in an attempt to lessen the adverse impact of the bypass on their business. Perhaps the allowing of certain types of information signs, such as food, lodging, and gas before the bypass, may be a partial solution to the newly created difficulty. The Madoc bypass certainly was an example of poor public relations on the part of this government.

I would like to bring up four different items, as taken from the *Independent Businessman*. The first is in August of 1963 and concerns a couple, Maria and Romuald Back:

Romuald and Maria Back are small business folk, but they are a little different from many of Canada's small business people. They are two of those who withstood all of the torture and brutality that Hitler's beasts could devise. Today, a very few petty civil servants in Queen's Park are excelling the Nazi monsters, for they have bent Romuald and Maria Back to the point of breaking.

I do not intend to read the whole article, but I will read three comments in here.

When The Department of Highways first went to expropriate a 50 by 50 foot section of the corner of the property that these people owned, Mr. Back fought against it, one official threatened him, and I quote now:

We can kick you right out of this corner if we want to.

Another time, another department official came along and, after Mrs. Back was on the point of tears through anger and frustration,

made the following comment: "You can go right to hell for all I care."

Mr. Chairman, surely this does not speak too highly of the public relations aspect of The Department of Highways.

The second case is that of a veterinary surgeon being squeezed out of his property in the same location as Mr. and Mrs. Back and were squeezed out for a mere pittance.

The third is concerning Mr. and Mrs. Beckford.

Government plans to kill this business. The Ontario Department of Highways has put another small businessman up for the kill. He is Ted Beckford. He has a motel, restaurant and service station on Highway 7 at the third line west, a few miles west of Brampton.

In the past 25 years, Mr. Beckford has built his business from nothing to one with a value of about a quarter of a million dollars. Within days of your reading these words, The Department of Highways will have cut the value of his business to nil by bypassing him with a new section of highway that seems to have no rhyme, and less reason than many of the insane acts The Department of Highways has perpetrated upon small businesses and the Ontario public in the past.

This is from the September 1964 issue of the *Independent Businessman*. The editorial in that same issue has the following comment, and is worthy of some thought:

LOGICAL DIVERSION

If a miller were to build a mill on a river using water power to drive his mill, and the government were to divert that river and so cut off his energy source, the miller surely would be compensated. The water provided his energy. He would not have built this mill on that river if the energy source had not been available. Therefore, when the government takes it away they must pay him for having taken away the water that provides his power to mill his wheat and so to earn his living.

This is in direct reference to the Beckford properties.

The next is the October 1964 issue of the *Independent Businessman*, and the headline is:

ONTARIO'S DEPARTMENT OF HIGHWAYS CONTINUES TO TOLL KNELL

Ontario Department of Highways has condemned the hamlet of Eastwood to death. Already four of the seven businesses in the community have closed. The three that remain are in grave danger.

For the sake of time, I will not read the balance of the article, I will take out three paragraphs from the editorial on that same issue and they are:

Several times we have reported instances on these pages of Ontario's Department of Highways bypassing an independent businessman's business, either without telling him of the department's intention, or without showing any concern for the consequences. It would seem that the development of even the primitive feudal system would require that the government at least allow the uprooted businessman compensation equivalent to the value of his business before The Department of Highways deflated and destroyed it. In this case the end does not justify the means.

This is in reference to the Eastwood situation:

A little consideration and a little better planning could have saved a life's work of half-a-dozen people, and the jobs of twice as many more.

Mr. Chairman, for the past several years I have been most critical of this government in its snail's pace in the completion of all four lanes of Highway 401, or the Macdonald-Cartier freeway, in reference to the Tilbury-London area. Year by year, this portion of unfinished or incomplete roadway became less. Today, I can foresee the 1965 completion of the western portion of 401. However, I am very pleased to see that the hon. gentlemen to my right likewise agree with that.

An hon. member: Just what the hon. Minister said he was going to do.

Mr. Newman: I know, this has been said by this government for 18 years. For 18 years now, 401 has been in its stages of completion. All you have to do is go right back into the records. Five years ago I criticized them over Highway 401, four years ago, three years ago, two years ago, last year and then again this year.

Mr. A. V. Walker (Oshawa): You spoke about 18 years.

Mr. Newman: Well, I was not here 18 years ago, but this is how long it takes you people to complete a road.

Hon. J. W. Spooner (Minister of Municipal Affairs): What is the distance between Montreal and Windsor?

Mr. Newman: What is the distance between Montreal and Windsor? Are you asking the question now?

Hon. Mr. Spooner: I am telling you.

Mr. Newman: Oh, you are telling me! When the hon. Minister is on his feet later, you can ask him any question you wish. He will be more than pleased to answer them for you.

Mr. G. A. Kerr (Halton): How many miles opened last year?

Mr. Newman: However, one of the reasons for my remarks was the danger involved in coming off a four-lane roadway into a two-lane one. The western Ontario unfinished portion of the Macdonald-Cartier freeway was called death strip, suicide row, and every other name that you could possibly think. It claimed about 120 lives, and will continue to claim more lives until it is completed.

Mr. Chairman, the department took all types of precautionary and supervisory and patrolling action in an attempt to cut down the number of fatalities, but those actions are not the solution to the problem. The only answer is completion of the project. The press in western Ontario was most critical of The Department of Highways in its approach to this area's request for immediate completion.

Now, Mr. Chairman, the same thing is taking place at the other end—the eastern end of this highway. Allow me to read from the *Prescott Journal* of Wednesday, April 21, 1965:

GOOD FRIDAY TRAFFIC FATALITY

Trapped when a jackknifing car transport skidded into their westbound course on the Macdonald-Cartier freeway early Friday morning, a Montreal woman is dead, her husband in serious condition and two companions taken to hospital with undetermined, but lesser injuries. The fatality scene is three miles east of Prescott where the freeway reduces from four lanes into two lanes.

And in that same issue of the same paper:

401 FATALITIES! ONE DEAD, FOUR INJURED

A Toronto woman became the second highway accident victim of the Easter holidays when she was instantly killed on the Macdonald-Cartier freeway at 11 o'clock Monday morning. The scene of this tragedy was 1.3 miles west of the Shanley road, and only two miles east of Friday morning's fatality scene.

Now, Mr. Chairman, the Ontario provincial police made certain recommendations to The Department of Highways to overcome some of the hazards here. No action was taken by the department.

On April 21, the *Prescott Journal* had the following editorial:

THE SIXTH FATALITY

What will it take to move The Department of Highways into taking action to do away with that short section of accident-prone roadway on Highway 401 near the Highway 16 interchange where the four-lane roadway ends and squeezes into two lanes and two-way traffic?

Six lives have already been lost here during the past two years and countless thousands of dollars of damage have been caused in scores of other accidents where the drivers and passengers have been more fortunate.

Department of Highways safety experts have to give this death bottleneck top priority in the very near future. Heavy summer traffic is starting to crowd the speedway and more fatalities and more accidents are in order if conditions remain the same.

This is just a duplication of what happened on the extreme west end of the Macdonald-Cartier freeway—the area between Chatham and Tempo, I think it was.

The hon. Minister took great pride in expediting Highway 401. Here is an editorial dated Friday, July 24:

FACTS DENY EXPEDITION IN CONSTRUCTION OF HIGHWAY 401

Highways Minister Charles S. MacNaughton, while touring the danger strip of Highway 401, declared completion of the highway has been accelerated.

"A year has been shaved off the completion date," he said.

What completion date is he talking about? The original objective was to have it finished long ago, but each year the completion date appears to have been set back. The new one is August of 1965. If a year has been shaved off, then the department must have been contemplating its finish in 1966.

Mr. Chairman, during the past year Highway 401 was renamed the Macdonald-Cartier freeway. With this we concur and we hope that the department will continue its policy of naming other highways after historic personalities but at the same time using the number designation for simplicity's sake. Macdonald-Cartier freeway will always be known as Highway 401.

Mr. A. E. Reuter (Waterloo South): How about Newman bypass?

Mr. Newman: If the hon. member wishes to have a Newman bypass it is quite all right with me. I would rather have that than none.

Mr. Chairman, maintenance costs now form a substantial portion of this budget. Municipalities are also confronted with such rising costs. They have no one to turn to for guidance in attempting to meet this problem so that their expenditure of funds may bring back to them its greatest return in value and serviceability of its roads. This department should undertake a detailed study of the maintenance methods and procedures to ensure that the most economical organization and operation is possible. Only after such studies will it be possible to give to municipalities the benefits of such studies.

It was not too long ago that the department would not subsidize the full purchase price of graders of more than 125 horsepower. It took municipalities to show The Department of Highways that it was false economy to buy such equipment when graders of a greater horsepower rating were more economical to operate in the long run. The Department of Highways should have been able to advise municipalities of this in the first place.

On June 12, 1964, a comment in a local paper was concerned with the purchase of such road equipment being left in the hands of the district engineer and one of the interesting comments is:

Since The Department of Highways pays for 50 per cent of the equipment, everyone is losing in the long run as the result of lower horsepower equipment being purchased, equipment not serviceable to meet the conditions.

The hon. Minister, earlier in his comments, had mentioned a St. Clair parkway. We are most pleased that this is eventually going to be put into fruition, but even then it is still only in the planning stage.

Mr. Chairman, I would like to conclude my remarks by reading the following article from the *Eganville Leader* of Thursday, November 19:

QUADEVILLE-FOYMONT ROAD TO BE
ASSUMED A SECONDARY HIGHWAY

Mr. Paul Yakabuski, MPP Renfrew South, read a letter from the Honourable C. S. MacNaughton, Ontario Minister of Highways, in which he said that the department had taken the necessary steps to assume the Quadeville-Foymont road as a continuation of secondary Highway 515 from Combermere by way of Palmer Rapids to Quadeville and connect it with

Highway 512, Foymont to Eganville by way of Cormac. Effective date of assumption will be April 1, 1965.

Of particular note is the following, and this is the hon. member for the area speaking, he said that:

The Department of Highways was impressed by the magnificent majorities which the electors of both Quadeville and Palmer Rapids polls had consistently given the government over a lengthy period, and in this way the government was showing its appreciation for past favours.

Interjections by hon. members.

Mr. Newman: Mr. Chairman, may I ask the following questions of the hon. Minister and he can possibly have his officials get the answers—

Mr. P. J. Yakabuski (Renfrew South): Mr. Chairman, I have been listening to the hon. member—

Mr. A. E. Thompson (Leader of the Opposition): Order! What is the point of order?

Mr. Yakabuski: The point of order is, Mr. Chairman, that I do not believe that the hon. member for Windsor-Walkerville was at the meeting that he mentioned. He read from the newspaper. A report of that appeared in the *Eganville Leader* some time last fall. Now, we are all aware—

Mr. V. M. Singer (Downsview): That is no point of order, Mr. Chairman!

Mr. Yakabuski: The press sometimes—very often—gets the story confused, and I think that is what happened in this case.

Interjections by hon. members.

Mr. Yakabuski: Actually, Mr. Chairman, the editor of the *Eganville Leader* was only assuming in his own mind why the department took this particular road over and designated it as a secondary highway.

Mr. Singer: That is no point of order!

An hon. member: Yes, it is!

Mr. Newman: Mr. Chairman, just to put it straight on the record, this is from the *Eganville Leader*, Thursday, November 19, 1964, and I am only reading what the press carries. If the hon. member wishes to deny the thing, that is quite all right; I will take the hon. member at his word. Here is what the paper says:

He said the Department of Highways was impressed by the magnificent majorities

which the electors of both Quadeville and Palmer Rapids polls had consistently given the government over a lengthy period and in this way the government was showing its appreciation for past favours.

Mr. Singer: Just as shocking as it was before.

Mr. Newman: Yes!

Mr. Thompson: Who said that, by the way?

Mr. Newman: This is being attributed to the hon. member. If he wishes to deny it; I will take him at his word.

Mr. Yakabuski: The paper is wrong.

Mr. Newman: The papers are wrong; they are not always right.

Mr. Chairman, may I ask of the hon. Minister the following questions? There will only be four or five, and his officials possibly can give us the answers later on.

1. What is the tender price index on road contracts for this year; that is the 1964-65 year.

2. What is the average cost per mile of rural multi-lane limited access roads; urban multi-lane limited access roads?

Hon. Mr. MacNaughton: A little slower, if you do not mind.

Mr. Newman: Pardon? I beg your pardon.

Hon. Mr. MacNaughton: A little slower, if you do not mind.

Mr. Newman: Oh, I am sorry, yes.

Rural multi-lane limited access—average cost per mile? Then urban multi-lane limited access.

Then rural, the King's highway; that is the two-lane. Then urban King's highway. These are all rural-urban.

The other two are rural secondary highways, and urban secondary highways.

The last question, and this perhaps the hon. Minister can comment on instead. Has the department ever considered double-decking highways through metropolitan areas?

Mr. W. D. McKeough (Kent West): Is this from the Eganville paper, too?

Mr. Bryden: Mr. Chairman, I would like to congratulate the hon. Minister in continuing to be the second biggest spender in the provincial government. Also on the success with which he is normally able to conceal the remnants of pork barrelling that

apparently continue to exist within his department. Every now and then he has a friend, such as the hon. member for Renfrew South who pulls the curtain aside a little bit, and we get some suggestions of what is going on behind the scenes. But usually, unfortunately, the majority of the hon. Minister's supporters are not that co-operative.

I think it was rather interesting that the hon. member for Renfrew South rose on a point of order, but did not deny the words specifically attributed to him. Now, if he had meant to deny them, I think he should have denied them, and we can only assume that as far as he is concerned the pork barrel system is still in effect in Renfrew county. If that is not so, then I think perhaps the hon. Minister should make that abundantly clear, and give us some reasonable explanation of the statement attributed to the hon. member for Renfrew South in the press.

Hon. Mr. MacNaughton: Would you like me to do that now?

Mr. Bryden: I expect I will only be a few minutes. Perhaps I could finish off, and then you can deal with all the matters that are raised, both by the hon. member for Windsor-Walkerville and myself.

As a matter of fact, I have only three items that I wish to deal with here, and I think I can deal with them reasonably quickly. Others of my hon. colleagues, and no doubt other hon. members of the House, will have other comments to make with regard to the estimates of The Department of Highways.

One of the difficulties of this department, Mr. Chairman, is to differentiate between general comments and specific comments. As the hon. member for Windsor-Walkerville pointed out, we have only three votes all told to cover the second largest volume of estimates in the government.

This is a matter with which I have been concerned, along with some other members, for some time. I have been batting away at every department that comes along whose estimates, in my opinion, are not adequately broken down for consideration by this House, and although the hon. member for Windsor-Walkerville has already mentioned the point, I will also put in my two cents' worth. I believe that it should be possible to break down expenditures totalling \$329 million into more than three votes.

I realize there are complexities in The Department of Highways, and I am not suggesting that there is any deliberate effort on the part of the department to make its

estimates difficult to deal with. I do not think that is true at all. I know there are real complexities in presenting these estimates. I still think they could break them down, nevertheless.

For example, The Department of Public Welfare has a great many grant programmes and capital programmes, and they seem to be able to break them down a good deal more than this department has up until now. I realize the two things are not comparable, but I think if the department would approach its estimates from the point of view of the various administrative agencies concerned with various programmes, and then break them down that way, I think it would be helpful to the House. However, I will not belabour the point. The point has been made before. There are very few departments now which, as far as I can see, fail to present an adequate breakdown of their estimates. I think Highways and perhaps Municipal Affairs are the few remaining hold-outs, and I hope perhaps they will find ways of getting into line in time.

A somewhat larger matter I would like to deal with, Mr. Chairman, relates to the development of transportation policy generally, with regard to this province. I am happy to note that The Department of Highways approaches its responsibilities with some attempt to relate them to overall needs as far as transportation is concerned. It is, as I understand it, conducting a good many transportation studies in major areas throughout the province, with a view to determining the highway needs in relation to the overall transportation problem. For this I think it is to be commended.

I think it is regrettable, however, that apparently The Department of Highways has had to move into this most important area of planning because of what can only be described as the lamentable policy weakness of The Department of Transport. I have suggested on other occasions, and I repeat, that fundamentally this is a responsibility of The Department of Transport. After all, it is more than a highway problem.

Highways, naturally, are a vital part of the total transportation problem, but they are only one part. We should have some overall planning in the government, and what department, other than The Department of Transport, is more suited to consider transportation in all its implications; to work out co-ordinated and integrated transportation problems for the province as a whole and for its various major regions; and to co-ordinate such a programme with a similarly integrated federal transportation policy? We

are not going to solve adequately the transportation problems of a growing economy unless we develop ways and means of taking this overall view.

I have had this out many times with The Department of Transport. It seems useless to talk to them; they do not even know—or they did not know when their estimates were before us—what was going on with respect to the one project for which they are supposed to be responsible, and that is the one relating to the Metro Toronto area. The hon. Minister of Highways knew far more about that than the hon. Minister of Transport (Mr. Haskett).

I am not going to push the point any further; it is a matter we can take up again in Transport estimates.

As for The Department of Highways, I am happy that they have filled the breach, at least to some extent, but I think it is the wrong way of approaching the problem. It fails to produce the overall view of transportation that is desirable. After all, as the hon. Minister said, this is mainly a highways department, it is mainly concerned with, or one of its major concerns is, the construction of highways. I think it has a major task on its hands with that one responsibility, and overall planning should surely be the responsibility of The Department of Transport.

I think the failure to take the global overall approach to the degree that is necessary manifests itself in many anomalies, and, shall I say, serious deficiencies in policy. I am going to present only two examples of that, and I am sure there must be hundreds of them throughout the province. But I will present two with which I happen to be familiar.

First of all I would like to refer to the question of the Toronto subway. The hon. member for Windsor-Walkerville said that his party, as distinct from the hon. member for Grey North (Mr. Sargent), supports the present government's policy with regard to the subsidization of the east-west subway in Toronto. Well, I could try to speculate as to the reason why the Liberals support that policy, but I would like to make it clear, Mr. Chairman, that this group here does not support it. It is a grossly inadequate policy. It was a policy that was developed as an emergency in an election campaign when the previous refusal of the government to take any cognizance at all of the need for subway construction became a serious political matter in this area. It brought out a half-baked, half-adequate and half-thought-out programme to meet an immediate political exigency, and that is the

programme with which we are still stuck. It is not a proper programme.

What is its subsidization policy with regard to subways? It will pay 33½ per cent of the cost of constructing the actual right-of-way. And in the same Metro area—this is a Metro project—it pays 50 per cent of the cost of constructing expressways. Of course, once an expressway is constructed and paid for, it is then a going concern, it is a transportation unit.

But when a subway has the right-of-way built, it still is far from a going concern.

So there is a discrimination to begin with in the difference between 50 per cent and 33½ per cent, but there is a further discrimination in the fact that the subsidy does not apply to the subway as a going concern.

So what we have is a continuation in a less dramatic way of the previous inadequate and, in my opinion, completely stupid policy of the government. What it does is it encourages, it puts a premium, in the Metro area on constructing expressways. Yet everyone knows that expressways without rapid transit will compound rather than solve our transportation problems.

So it continues to discriminate in favour of expressways, continues to give only a grudging acceptance of the proposition that rapid transit is at least as important in solving transportation problems in an area like this as expressways.

In fact, I think if you are going to give priority to any phase of transportation it should be to rapid transit as against expressway construction, so that you should certainly give not less than 50 per cent subsidy to the subway as a going concern, as an instrument ready to transport people. I am suggesting, Mr. Chairman, that this is just good economics, even as far as the province is concerned, because to the degree that it encourages rapid transit, it will be able to cut down on the need for expressways and save itself money in the long run.

But we still have this penny-pinching attitude, this failure to look at transportation as a total problem. The policy for, lo, these many years, I think, as a matter of fact, from 1901 when the first road grants were offered in the province of Ontario, has been to provide grants for roads. And to get that out of the head of the department, that transportation grants are only for roads, appears to be a programme that is going to take a great deal of effort. We have a grudging acceptance of the proposition that rapid transit is a necessary part of the transportation picture.

While I am at it, Mr. Chairman, I would suggest to the hon. Minister that not only should he recommend to the government that subways or rapid transit in this area should be put on the same basis for grants purposes as expressway construction, but while he is at it perhaps he could arrange to get that traffic light in Meaford, and that may stop the hon. member for Grey North from complaining about the consideration given to Toronto as far as subway construction is concerned.

Another example of the defective type of planning that takes place because of the continued orientation towards highways as over against other forms of transport, I think, is well illustrated in the schemozzle that is developing in the Metropolitan Toronto area with regard to the Spadina expressway. Now, here we have a six-lane highway, I believe, a limited access high-speed highway that is being built from the Macdonald-Cartier freeway down, as far as one can make out, to Dupont Street or Bloor Street, somewhere in that area.

As far as I can determine, the decision to go ahead with the Spadina expressway may not have had too much to do with overall transportation policy at all. I think it was perhaps indicative of the power of Eaton's and Simpson's in this area, because the decision to go ahead with it, out of order or priority, seems to have been taken mainly to accommodate the Eaton's and Simpson's Yorkdale shopping plaza. But the results that are going to ensue in terms of transportation problems in this area are really fearful to contemplate.

This high-speed expressway is going to pile traffic in great volume into ordinary city streets in the vicinity of Bloor Street and Dupont Street, and heaven knows where the traffic is going to go to from there. This is the sort of distortion of transportation planning that continues to take place because, as I have suggested, of the orientation, the continued orientation, towards highways instead of towards transportation as a unified, overall problem.

Now then, Mr. Chairman, I have one final matter that I want to deal with while I am leading off on the estimates of this department. It is a matter to which I attach the greatest importance. That is why I consider it important enough to be brought up under what is normally the more general type of subject that one deals with in the introduction of estimates.

A few years ago we had, and continuing over a number of years we had, a good many

real battles in this House on the whole question of fair wages and other working conditions on government contracts. After a great deal of pushing and badgering and cajoling we finally got the hon. Minister of Public Works (Mr. Connell) into line and I think practically all of the contracting departments in this government; all except the biggest one, The Department of Highways—in fact, one of the biggest letter-of-contracts in the whole province of Ontario, private or public. In fact, I would suspect it is probably the biggest.

The government, finally, under much pressure agreed to adopt a fair wage policy administered by The Department of Labour. But it continues to exempt The Department of Highways. Now I have no doubt, if the hon. Minister's past performance is any indication, he will advise me that this is a matter for The Department of Labour to consider and The Department of Labour has not yet seen fit to extend the fair wages policy to The Department of Highways, therefore, as the Minister of Highways, he has no particular responsibility. I do not know if that is what he will say, but that is the sort of line he used to take.

Mr. MacDonald: He might have changed it this year.

Mr. Bryden: Well, I do not know, I hope he has a better one than that, but I doubt it. He may also say, as he has said in the past, that in effect The Department of Highways has a fair wage policy.

Hon. Mr. MacNaughton: We have good news for you.

Mr. Bryden: What is your good news?

Hon. Mr. MacNaughton: Do you want me to tell you now, on that one?

Mr. Bryden: Well, if you have changed your policy, is there going to be an amendment to order-in-council 166, vote 65, of January 14, 1965, to make that order-in-council applicable to your department? If so, I will not continue the matter.

Hon. Mr. MacNaughton: If the hon. member would permit me, we can answer the hon. member for Windsor-Walkerville at the same time.

I would say that in a matter of about two or three weeks a fair wage schedule, which will embrace the operations of The Department of Highways, will be implemented. Four weeks or somewhere in that vicinity. The reason it has not been implemented be-

fore, of course, is because there has been no way of tying it into the federal fair wage schedule, because the federal authorities have no counterpart of The Department of Highways. They have set up nothing for it. There was nothing comparable to deal with.

But I can tell you that just prior to the presentation of these estimates, I consulted with the hon. Minister of Labour (Mr. Rowntree), and I think he can provide you with the reassurance, if you need it, that within a matter of the two, three, four weeks period that I mentioned, a fair wage schedule will be implemented in The Department of Highways contracts.

Mr. MacDonald: Why could you not have done it ten years ago?

Hon. Mr. MacNaughton: You did not want to hear that reason. I gave you that one last year, so I am not using that today, I am just giving you a better answer.

Mr. Bryden: I will agree with the hon. Minister that that is a better answer, in fact it is the only good answer he has given on this question up until now.

Mr. L. M. Reilly (Eglinton): The only answer!

Mr. Bryden: It is the only answer as the hon. member for Eglinton says. I really cannot understand the reason now given for the failure to act before. Surely The Department of Labour was competent to determine what the prevailing wages in the area concerned were, without having to have the federal Department of Labour act as wet nurse for it.

Hon. Mr. MacNaughton: Nobody acts as wet nurses for us.

Mr. Bryden: Well, in applying the fair wage policy in the last two or three years, it has not been effective for very long for other departments. I gather that The Department of Labour relied largely on the federal department for schedules that it inserted in contracts.

Hon. Mr. MacNaughton: It is nice to be in concert if you can, I think.

Mr. Bryden: I do not object to the policy. All I say is that it really is remarkable that it took The Department of Labour three years to be able to work out its own schedules, especially since there is not that much difference between the schedules you have. You have much the same trades working on these

different operations, so you can use the same schedules.

However, the hon. Minister says—and this is the main thing—that he has finally seen the light, and I take it that for the major part of this construction season there will be a fair wage policy in effect.

Hon. Mr. MacNaughton: I would hope so.

Mr. Bryden: You would hope so. Well, I would hope so, too. I would also hope—perhaps the hon. Minister will be able to clarify this point for me, too—that it will apply to all phases of highway construction. I would also hope that it would include reasonable limitation on hours of work.

I use the words reasonable limitation advisedly, because I think there are different phases of highway construction in which the hours probably have to be dealt with differently. But I hope we will not continue in construction work on structures, for example, with the 63-hour week that one contractor that I could name usually follows on structures, when other contractors who are also working on structures are following a 40-hour week. I hope we can get this down to a 40-hour week, or at least to the 44-hour week that is set forth in the current fair wage order-in-council.

As for paving work, I can understand that there are difficulties there. There are only certain times when you can do paving work, and you want to get as much in as possible. But I still think that it should be possible to regulate the hours on paving work to some degree, even though perhaps 44 or 40 hours a week might be a little too restrictive.

At any rate, Mr. Chairman, I am glad to hear the announcement the hon. Minister has made. I am glad he made it. It saved me maybe another ten minutes in my speech. I welcome this.

Mr. Reilly: That is why he made it.

Mr. Bryden: I may say that I am going to watch the application of this policy very carefully. I just want to make sure there are not any ifs and buts and exemptions and exceptions. You see, I got fooled once before, back in 1963, when they passed the first fair wage order-in-council. I thought the problem had been solved, and we did not need to worry about it any more, and then I discovered that the biggest contractor had been left out of the thing. So, I am going to be watching it.

But I am glad to hear the hon. Minister's announcement today. I take it as the culmination of a campaign that has been carried on over a good many years from this side of the House, and, I think I can fairly say, by both groups on this side of the House.

I remember in the past, that Mr. Edwards, who used to be one of the members from the Hamilton area, pursued this every year along with hon. members over here, and I suppose one can say that it is indicative of the fact that opposition has a role. I know that the gentlemen over here think we talk too much, and the hon. Prime Minister (Mr. Robarts) sometimes thinks we are filibustering. But if we had not been talking a lot and frequently and persistently about fair wages, I am quite sure we would not now have achieved the implementation in Ontario of a policy that was first implemented in Canada—that is in the federal jurisdiction of Canada—about 50 years ago.

So Ontario, which sets itself up as leading the way is now, after 50 years, catching up to the government of Canada, and with many of the other provinces. This, I am happy to know, and I congratulate the hon. Minister on having finally seen the light on this, and I will be looking forward with some interest to see the manner in which the policy is applied.

Hon. Mr. Spooner moves that the committee of supply rise and report progress.

Motion agreed to.

The House resumed; Mr. Deputy Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of supply begs to report that it has come to certain resolutions and asks for leave to sit again.

Report agreed to.

Hon. H. L. Rowntree (Minister of Labour): Mr. Speaker, tomorrow we will proceed with the estimates of The Department of Highways and possibly those of the Attorney General; and if there is time tomorrow evening we will go on with The Department of Public Works.

Hon. Mr. Rowntree moves the adjournment of the House.

Motion agreed to.

The House adjourned at 5.50 o'clock, p.m.





ONTARIO

Legislature of Ontario

Debates

OFFICIAL REPORT—DAILY EDITION

Third Session of the Twenty-Seventh Legislature

Tuesday, May 4, 1965

Afternoon Session

Speaker: Honourable Donald H. Morrow

Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, MAY 4, 1965

The House met at 3 o'clock, p.m.

Prayers.

Mr. Speaker: We welcome as guests to the Legislature today: In the west gallery students from Western technical commercial school, Toronto; Kitchener-Waterloo collegiate and vocational school, Kitchener; and the First Kingsville land rangers, Kingsville; and in the east gallery, members from the Queensway ladies Progressive-Conservative association, Lakeshore riding.

Petitions.

Presenting reports by committees.

Mr. L. M. Reilly (Eglinton), from the standing committee on highways and tourism, presented the committee's first report, which was read as follows and adopted:

Your committee begs to report the following bills with certain amendments:

Bill No. 66, An Act to amend The Public Service Works on Highways Act.

Bill No. 115, An Act to amend The Highway Traffic Act.

Mr. Speaker: Motions.

Introduction of bills.

Hon. A. A. Wishart (Attorney General): Mr. Speaker, I have the honour to table in this Legislature the third annual report of the Ontario police commission covering the activities of the commission for the calendar year 1964.

The report is submitted pursuant to section 39, subsection A-7, of The Police Act. It deals with all phases of police training, administration and activity in the field of law enforcement and the administration of justice, which is an important area coming within the purview of The Department of the Attorney General.

I would draw the attention of hon. members of this House to the progress which has been made in developing the organization of the Ontario police commission, and you will note the addition of three advisers on police services as well as an intelligence section, con-

sisting of two intelligence officers with an executive officer and secretarial staff. This additional staff has equipped the commission to carry out the functions and duties which it was designed to perform, pursuant to The Police Act; and a perusal of the report will, I believe, satisfy the hon. members of this House that the duties of the commission are being performed capably and effectively.

The report contains very considerable information with respect to municipal police forces in the province, of which there are 280 responsible for their own policing and maintaining police forces of various strengths. A survey of police forces and policing throughout the province, commenced in the year 1964, has now covered almost all of these municipalities, 182 having been surveyed during the year under review. It is expected that the survey will be completed in June of this year. This is the first time that such a survey has ever been undertaken. Sufficient information has been obtained to show the pattern and problems of policing in Ontario, and the report contains suggestions and recommendations of the commission which I commend to the attention of hon. members.

Part of the report is devoted to the Ontario police college. The expansion of the facilities of the college, and the additional training which can be afforded to members of municipal and provincial police forces, is having a very beneficial effect upon policing generally; and the expansion of the work of the Ontario police college is an important part of our programme to assist municipalities and improve local police forces.

One section of the report describes the installation of a telecommunications system, commenced in the latter part of 1964 and now practically completed. In the words of the report it:

—is considered the finest and only system of its type in the world today. This system will immeasurably facilitate the apprehension of accused persons and, by covering the province with such a system of fast, accurate intercommunication, will help to bring the province to the highest degree of police efficiency.

I would draw the attention of hon. members to the excellent liaison and co-operation which exists between the Ontario police commission and the Ontario provincial police force which, for certain purposes, comes under the direction of the commission pursuant to section 40, subsection 2, of The Police Act. The report also notes the constant liaison which is maintained with other police forces in Ontario as well as the Royal Canadian Mounted Police, Quebec provincial police, Quebec municipal police, and police forces in foreign countries, particularly those of the United States, and other foreign law enforcement agencies. Much is being done to co-ordinate the police forces of Ontario as well as to co-operate with police forces outside the province.

A section of the report deals with the subject of the investigation of crime, for which the intelligence section was particularly designed and established. On this subject, I may add to what is said in the report: that, from my own knowledge, the intelligence section is functioning quietly and efficiently and without undue publicity which, in my view, is the way it should perform.

There are other matters of much interest which are not referred to in this brief statement, and I would urge all hon. members to read the report.

The report of the commissioner of the Ontario provincial police force is submitted as a separate report pursuant to section 41(a) of The Police Act. It covers the calendar year 1964, is a very complete document and is also tabled herewith.

Additional copies of both reports are being printed for the use of hon. members.

Mr. V. M. Singer (Downsview): Mr. Speaker, if I may comment just very briefly in connection with what the hon. Attorney General has said: The hon. Attorney General's estimates are likely to be reached perhaps today or tomorrow, and it places some of us under a very severe difficulty if we do not have these reports available for study so that they can be properly discussed when the estimates come up.

I was wondering if the hon. Attorney General could make available immediately at least one set of copies of each of these reports to one member of the Opposition?

Hon. Mr. Wishart: I would say, Mr. Speaker, that I will do my best. When the hon. member says "immediately" I do not mean that I can do that perhaps this afternoon but I am quite sure, by the use of duplicating equipment, that we can certainly

make a number of copies of the report of the Ontario police commission available. I would be very glad to do that. The report of the Ontario provincial police commissioner is quite a voluminous thing. I think we can duplicate it. Perhaps it may take a day to do, or something like that, but I can certainly have extra copies available, I am quite sure, perhaps by this evening or, at the very latest, tomorrow.

Mr. Singer: Well, I hope so. If we are going to debate the hon. Attorney General's estimates we should be given a fair chance.

Hon. Mr. Wishart: I would like to say that these reports have not been held up; they have just been received during the last week.

Mr. F. Young (Yorkview): Mr. Speaker, I have a question for the hon. Provincial Treasurer (Mr. Allan), notice of which has been given him.

Would the hon. Minister explain how a syndicate of life insurance firms, headed by London Life Insurance Company, was able to quote on February 22, 1965, on the medical-surgical plan mentioned in the civil service arbitration award, when that award was not tabled in this House until March 1, 1965?

Hon. J. N. Allan (Provincial Treasurer): Mr. Speaker, I may say, in reply to the hon. member's question, that the arbitration award does not set out specific terms of a medical-surgical plan; it only limits the costs of a plan to be determined by the staff and official sides of the Ontario joint council.

This determination as to the type of plan has not yet been made; therefore the government has not been able to request or receive quotations on the medical-surgical plan, and cannot do so until agreement is reached concerning the details of the plan.

Mr. Young: Mr. Speaker, I thank the hon. Minister for his answer. I would like him to answer a supplementary question.

Can the hon. Minister give us assurance that the government will not oppose the association's request—which, I understand, has been made—that their present carrier, PSI, be given an opportunity to bid on the medical-surgical plan?

Hon. Mr. Allan: Mr. Speaker, I may say that due consideration will be given to their representation.

Mr. A. E. Thompson (Leader of the Opposition): Mr. Speaker, I have a question

which has been submitted to the hon. Prime Minister (Mr. Robarts) and it is:

What are the provisions decreed by protocol as to the position and height of the Maple Leaf, Canada's new flag, in relation to the Union Jack or any other flag; is it the plan of this government to conform to protocol in the erection of the new flagpole at Queen's Park; does the government plan to fly the Maple Leaf on its provincial government buildings?

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, as to the position and height of Canada's new flag in relation to other flags, so far as can be ascertained no regulations have yet been issued, or discussed with the provinces, by the federal government. So far as this government is concerned the national flag takes the position of precedence when flown with other flags.

On the grounds in front of the Parliament buildings a second flagpole will be erected. The Canadian flag will fly from a pole on the right and the provincial flag will be flown from a pole on the left, according to custom.

The policy of this government is to continue to fly such flags, including the Canadian flag, over provincial government buildings as the occasion requires and custom and usage may determine.

Some hon. members: Hear, hear!

Mr. D. C. MacDonald (York South): Mr. Speaker, I wonder if I might ask of the hon. Prime Minister by way of order of business, if there is any possibility of getting an answer to question number 51, prior to consideration of the estimates of The Department of Insurance. It has been on the order paper now for a couple of months.

Hon. Mr. Robarts: Mr. Speaker, I do not really know what question number 51 is, but I will look it up and see if we can get an answer.

Mr. Speaker: Orders of the day.

Clerk of the House: The fifteenth order; House in committee of supply; Mr. W. E. Sandercock in the chair.

ESTIMATES,
DEPARTMENT OF HIGHWAYS
(continued)

On vote 801:

Hon. C. S. MacNaughton (Minister of Highways): Mr. Chairman, before proceed-

ing with the specific matters associated with the votes on the estimates of the department, I would like, if I may, to reply briefly to some of the matters raised by the hon. member for Windsor-Walkerville (Mr. Newman) when he addressed the House yesterday. I would say to him that these matters may not come up in just the order in which he presented them when he commented.

First, the hon. member proposed in his speech yesterday that the department should undertake studies as an aid to municipalities dealing with maintenance methods and procedures. I am pleased to advise the hon. member and the House that such a study is currently being planned. In an address I gave at the 1965 convention of the Ontario good roads association on February 23, I stated:

But to deal for a moment or two with the important matter of maintenance, hand in hand with the construction of new road facilities and the assumption of additional mileage of provincial highways, as can be expected, our maintenance problems and expenditures have increased to the extent that maintenance costs now form a substantial portion of our highways budget. It is no more than logical to assume that municipalities are confronted with similar costs and problems.

It would also seem timely for us to undertake a comprehensive study of maintenance methods and procedures to ensure the most economical organization and operation possible, and if this is a sensible procedure at the level of The Department of Highways, it seems equally sensible to extend such a study to include problems of maintenance confronting the municipalities.

We hope to embark on such studies shortly and I will bring this to your attention now—since the conclusions we reach can be of benefit to all road authorities in the province—in the hope that an excellent opportunity of not only improving maintenance procedures but effecting substantial savings can result.

I would add, Mr. Chairman, that since I made that statement, officials of this department have held discussions with both the county and the city engineers advisory committee, which have promised their unanimous support. An early start can be expected, with the cost, of course, being borne by The Department of Highways.

As to the matter of the resolutions from the cities of Barrie and Port Arthur, I believe it will be interesting to the hon. member to read

from a letter addressed recently to the secretary of the Ontario good roads association by the Deputy Minister, particularly because his remarks are pertinent to the resolutions to which the hon. member referred yesterday.

The resolution of the city of Barrie: "Increased schedule for provincial subsidy."

Over the last few years there have been a number of changes resulting in increased subsidies affecting all levels of municipalities. These changes came about as a result of study, and in this regard I would point out that we are continually giving the matters of subsidies attention, and if the past record can be considered as establishing a trend, increased subsidies in the future are entirely within the realm of possibility.

Before the provincial government has exclusive rights, as pointed out in the brief, to registration and vehicle fuel taxation, the amount collected does not equal the amount being spent by the province for construction, maintenance, safety and control of traffic on highways and subsidies to municipalities for the same purpose.

Recognition of the municipalities' need for assistance for the construction and maintenance of roads and streets is borne out by the fact that the amount being devoted to municipal subsidies is increasing at a faster rate than that directed toward the construction and maintenance of King's highways and secondary highways.

In any event, as pointed out, the matter of subsidies is continually under review.

Concerning the resolution of the city of Port Arthur requesting a subsidy of 90 per cent to 100 per cent on King's highways in trans-Canada highway municipalities, the general statement regarding Barrie's resolution would apply. I would further point out the fact that any particular connecting link that forms part of the trans-Canada highway does not in itself mean that the traffic will be heavier than on other connecting links. As a matter of fact there are many connecting links on highways, particularly in southern Ontario, which have much heavier volumes of traffic and a much larger percentage of heavy truck traffic than the designated trans-Canada route.

The resolution of the united counties of Stormont, Dundas and Glengarry, with respect to the use of rust inhibitor in salt, I think was dealt with rather comprehensively when I commented on that subject before the orders of the day a number of weeks ago.

Mr. Chairman, the hon. member's next observation—although I may not be dealing

with it in the order in which he made it—made reference to the completion of the four lanes on the Macdonald-Cartier freeway and I do not propose to comment on this at any great length. There has been altogether enough said on it over the last few years. While I have usually refrained from using the device of reading newspaper articles and editorials as the basic portion of any address I have given in this House, I am going to resort to the expedient used by the hon. member to such a considerable extent and read an editorial dated January 11, in the *Windsor Star*, a paper that he quotes widely and frequently.

Mr. V. M. Singer (Downsview): It is so good you really cannot resist it.

Hon. Mr. MacNaughton: I think this one is really significant. I notice that this was not one of the editorials that he felt disposed to read yesterday. It is not my material; it is written by John Lindblatt, an editor on the *Windsor Star* with whom I am sure the hon. member is familiar. He says:

Remember all the moaning and groaning about the incomplete Highway 401, Macdonald-Cartier freeway—soon to get a political name that had people from these parts ready to burn the government in effigy? Yes, and more than one Ontario Cabinet Minister will recall that the death toll kept increasing because it was being stalled in this area. Drivers took Highway 2 to London and back.

Scores never lived to see the end of the trip over the years. When work on 401 dragged, motorists would zoom along the city sections of the four-lane divided highway and when they hit the unfinished sections and went back to undivided two-lane driving more died. The people screamed and their screams paid off. All but 20 miles of the road is now completed. Work on that section is moving well. When it is completed Windsorites will be able to drive from here to the Quebec border on safer highways but people will still die.

We were among the loudest screamers for government action. We still are but a test drive of the highway just completed left us feeling sorry for the government. Frankly, we submit that much of the death talk against the government was a bum rap, as they say in the late or late-late movie.

Item, you are now sitting on the passenger's side with us. We are on the divided section heading out of Windsor. Traffic is light, the road is dry, it is in the late morning. Visibility is good. Look behind

you. See that car coming up on us? We are doing 60. At the rate he is approaching he must be doing 80. There he goes. See how he roars past and is starting to "leap frog" those trucks ahead. Sure the road is divided but what could he do in an emergency? At the speed he is going he could not control his car.

We are on the unfinished section now. All around us there are signs saying, "Don't pass," warning that the 60-mile-per-hour speed limit is rigid. Look behind you. Keep your eye on the red sports job coming up. He is speeding. He is coming past us now. A truck is coming the other way and behind him a car is trying to pass. He cut back in forcing us to hit the brakes.

Drive it at night and the same stuff happens, only it is worse. Signs are ignored and so is safety. It is in the odds that someone will die on that section soon. Whose fault? The government? Hardly. Yet the way drivers pass the buck they blame the government for accidents. They also blame the car.

There is only one place where the blame lies: behind the wheel. So when do we wise up? Drive that highway, finished or unfinished, and you realize that some will never wise up. We are still jittery, but do not blame the government.

Mr. D. C. MacDonald (York South): Sounds like a good Tory!

Hon. Mr. MacNaughton: He did not always write that way, I can tell you, as most people in Windsor will know.

Now the matter of the Highway 400 service centre. I would like to comment on this briefly, if I may.

Highway 400 was the first fully controlled access highway to be constructed in Ontario. This control of access eliminated the establishment of independent gasoline/restaurant operations on the highway and, consequently, motorists were required to obtain such services at off-highway establishments. It was, and probably still would be, a source of annoyance to highway travellers who were forced to take long inconvenient hauls off the highway.

In addition, there was no guarantee that service would be available since facilities were not open on a 24-hour basis. There was, therefore, a very definite public demand for the establishment of service centres on Highway 400, to provide assistance to the travelling public, not only in respect to mechanical breakdown of vehicles, but also for telephone service and washroom and restaurant facilities.

To meet this demand the department investigated service centre operations in both the United States and Europe and formulated a policy to establish six centres at various interchanges between Highway 401 and Barrie.

I would point out, in connection with the matters raised by the hon. member, and I think this is highly significant, that traffic volume on the section of highway concerned has risen, since 1954, at the site of the present British American Oil site, from 5,400 to 10,000 AADT; at the present Shell site, from 6,000 to 14,500; and at the proposed site, south of Barrie, from 5,200 to 10,000—or, in most circumstances, have doubled.

The installation of these service centres, I might point out to the hon. members of the House, is to provide a much needed service to the driving public. And again, to resort to the reading of the comments of others, I do feel constrained to read an editorial from the *Orillia Newsletter*, headlined:

PUT DRIVERS' RIGHTS FIRST, ROADS MINISTER ASKED

Move to stop further service station and restaurant licences on Highway No. 400 between Barrie and Toronto is not regarded in the general interests of the motoring public. Motorists who travel this highway, in particular, are concerned with the lack of service station facilities.

Motorists who have car trouble on the highway should be of prime concern to the government, according to a representative motorist who made a typical comment. He said he could understand the desire of businessmen farther up the highway to seek business but the relatively few service centres on this highway had been a real hardship to some. If the government deserves criticism it is not for allowing more service centres rather than fewer, said the motorist, who expressed the general view of many using the highway.

The Minister of Highways is expected to listen to representations against the proposed new service centre but the viewpoint of motorists, transport and truck drivers using the highway should also be considered. Motorists are not particularly desirous of an elaborate centre but they feel more ordinary service stations along this stretch of highway is a real need.

I read that, Mr. Chairman, into the record, to point out simply that this is a two-way street. There are two sides to the story. The driving public, the motorist, the tourist if you like, upon whom we place such reliance, is entitled to this kind of service.

The hon. member yesterday, or someone, in commenting mentioned that a Mr. Stanley had indicated a gasoline gallonage loss, by virtue of the location at the Barrie station, of some three million gallons a year. In pursuing this matter we find, and we can substantiate, that the busiest service centre on Highway 401, or Highway 400, has not yet reached the one million gallon per year figure; so this is quite an exaggeration.

Mr. B. Newman (Windsor-Walkerville): Mr. Minister, this is a total volume loss to all the retailers in the area.

Hon. Mr. MacNaughton: Well, if it is a total volume loss, then it all would have to accrue to this service centre; and no service centre is capable, I think, as yet, of doing that volume of business. The inference is that, as a result of this installation, they would lose three million gallons of gas in terms of patronage. We know of no service centre which, as yet, has reached one million gallons in terms of volume. So, if this one reaches a million, then of course your friend, Mr. Stanley, has exaggerated the situation by about three times.

Another item referred to by the hon. member was the consideration of "double decking" highways. I would point out that this is a matter which has been given consideration from time to time, when planning work in urban areas. However, I would also like to point out that any decision to undertake this type of work would have to be justified from an economic standpoint; and, to date, this type of construction has proven much too costly, so it has not been undertaken.

It should not be assumed, however, that such construction will not take place in the future. Our decision in this matter could be affected by relative costs, possibly new developments in construction techniques, availability of land, and a number of determining factors; but I repeat that, up to this point, it has not been felt expedient or economical to "double deck" our roads as you suggested.

The next matter of interest, I believe, refers to the lack of planning. The hon. member for Windsor-Walkerville yesterday referred to lack of planning which involves certain expropriations, and the high cost of acquiring right-of-way requirements for the Macdonald-Cartier freeway in the Toronto bypass section.

Actually, Mr. Chairman, I could tell the House that the reverse is the case. To make a comparison, and with complete respect to Metro and the problems they face, the cost

of land requirements for the elevated sections of the Gardiner expressway involved some \$7 million per mile. But because of the fact that long-term foresight and planning provided for acquisition of the major portion of the department's land requirements in the Toronto bypass section, to accommodate the widening now under way, the total cost of additional land requirements involved a total of \$12 million, or only about one-and-a-half times the cost per mile of Metro referred to above. Actually this cost works out to about \$600,000 per mile.

I say this because, in all substantial terms, the major portion of the right-of-way requirements for the Toronto bypass were acquired many years ago. And while no one would attempt to say that this is not a large amount of money—of course it is a large amount of money—I leave it to the hon. member to judge for himself what the cost would have been if the long-term and farsighted planning to which I have made reference, had not been implemented many years ago. In other words, if we had left it till today to acquire this property, the costs would have soared and risen to very, very substantial proportions, vastly in excess of the figure to which I have made reference.

And now, Mr. Chairman, as I recall it, yesterday the hon. member for Windsor-Walkerville was somewhat critical of my reference to 8,080,000,000 vehicle miles travelled on provincial highways alone, contrasting this with a much larger figure in the state of Michigan. But to use a fair comparison, he should have said that more than 22 billion vehicle miles were travelled in the province of Ontario on all roads, including those under municipal jurisdiction, because this was the comparable figure he used when commenting on the per-vehicle mileage in the state of Michigan.

Mr. Newman: Mr. Chairman, if I may reply to that at this moment on this same topic, I was using Michigan 1960 figures, not 1965.

Hon. Mr. MacNaughton: We took the time and trouble to check this out today and the comparable figures now for Michigan are something in excess of 30 billion vehicle miles per year, as the hon. member says, but the comparable figure in Ontario is 22 billion miles. I think I should point out to the hon. member and to the House that it should be seen, and I think should be admitted, that Michigan has a higher population approximating nine million, and one of the highest if not the highest per-capita ownership of vehicles of all kinds in North America.

The figure referred to by the hon. member as related to the state of Michigan exceeds by only minimal proportions the same figure when applied to the province of Ontario. In fact, Mr. Chairman, the hon. member made repeated references involving the extent to which other jurisdictions were much better than our own province of Ontario. I say to you, sir, that I rather prefer to think that our own excellent jurisdiction is one of the best in terms of road facilities and I would point out to the hon. member that this opinion is widely held, not only on the North American continent but indeed in other countries around the world.

Mr. Singer: The Patagonians speak well of you, too.

Hon. Mr. MacNaughton: This is a great province—this province of Ontario—just as good as Michigan any day in the week.

As I recall it, Mr. Chairman, the hon. member for Windsor-Walkerville made reference to the completion of some 784 miles, I believe, of controlled access highway in the state of Michigan. The state of Michigan comes up quite frequently in the remarks he made. He contrasted this with a somewhat slower pace of progress in terms of completion of the Macdonald-Cartier freeway—some 510 miles stretching from Michigan to the Quebec border. When I pointed out to him yesterday that this U.S. figure was very largely part of the interstate highway system and as such it was eligible for a contribution of about 90 per cent by the federal government, the hon. member indicated it did not really matter where the funds came from.

This, Mr. Chairman, is an attitude I find very difficult to understand. I would point out to him that outside of certain cost-sharing agreements associated with mining and access roads and roads to resources, the principal contribution of the federal government toward roads in Ontario amounts to 50 per cent of the cost of the trans-Canada highway only. All other provincial highways, including the Macdonald-Cartier freeway, are built from funds made available to the hon. Provincial Treasurer (Mr. Allan) from the earnings and the savings of the people of Ontario. I leave it to him, or anyone else for that matter, to say whether contributions from the federal government in terms of 90 per cent of the entire capital cost toward the Macdonald-Cartier freeway, which conforms identically to an interstate freeway in every respect, would not have made possible a very great acceleration in our programme of construction. Also, as I said, the hon. member stated that it really did not matter

where the funds came from. I contend that it matters a great deal.

I would like to draw one more comparison with the state of Michigan and I think it is fair to point out that its total mileage of roads or streets approaches a figure of 111,000 miles, whereas in the province of Ontario the comparable figure is 85,000 miles. Again, when population and vehicle registration are compared, the figures I think are favourable and speak for themselves.

Mr. Chairman, the hon. member requested some information concerning tender price indices and I have this information for him here today. We go back, Mr. Chairman, I should explain, to the base year 1950-51, which constitutes 100, and then we take the composite index for each year thereafter: in 1951-52, 135.9; 1952-53, 128.3; 1953-54, 107.8; 1954-55, 111; 1955-56, 129.4; 1956-57, 156.8; 1957-58, 135.4; 1958-59, 124.2; 1959-60, 129.1; 1960-61, 124.2; 1961-62, 112.3; 1962-63, 129; and 1963-64, 150.6. The composite average for the year just completed—I might say from April 1 to December 31, 1964—is 151.9. These figures are made up of a grading index, a paving index, and a structures index, resulting in the composite index that I have indicated to you, Mr. Chairman, and to the House in reply to the hon. member's question.

Finally, I have the requested information regarding cost of construction associated firstly with rural multi-lane road facilities, including structures. To answer his question, we have taken some samples which I think will serve the purpose quite nicely. On the Macdonald-Cartier freeway for instance, one mile east of Lancaster, easterly to the Quebec boundary, the total value of this section of eight miles was \$5,697,000, and the cost per mile \$712,125. This was concrete pavement. Highway 405 is from the junction of the Queen Elizabeth way to the International bridge, a distance of 5.4 miles and similar in every respect. The total value of this section of 405 was \$4,540,000, and the cost per mile \$840,741, again concrete pavement.

Second, I will deal with urban multi-lane facilities, including structures. For sake of illustration we have chosen the Ottawa Queensway, a total length of 10 miles. The total value of this section of the Queensway is \$35 million, for a cost per mile of \$3.5 million.

Thirdly, I will take a rural King's highway, including paving. Reference is made here to a section of Highway 46 in the Balsam Lake area from secondary Highway 505 easterly to Highway 35, a distance of 9.1 miles. The

total value in this instance is \$1,060,000, and the cost per mile \$116,484.

Again, for comparison purposes and getting down more into southwestern Ontario, on Highway 6, from Dornoch to Chatsworth is a section involving 9.3 miles. The total value here was \$1,130,000 and the cost per mile \$121,505. In this instance we have taken two examples—one in the more northern part of the province and one in the southern part—and you will find the figures in this instance compare very favourably.

The fourth is urban King's highway, including paving. For example purposes we use Highway 60 and 62 at Barry's Bay—one mile of road. The total value is \$277,000. On Highway 8, .87 miles in the vicinity of Seaforth is work on a connecting link, I believe. The total value is \$195,000, which makes the per-mile cost \$224,000. This, of course, would be a situation where curbs, gutters and the usual improvements are associated with the urban King's highway.

As to a rural secondary highway, which usually involves no more than grading, drainage and granular base—they are not always paved—reference is made here to Highway 631, southerly from Hornepayne 6.7 miles. The total value here is \$519,000, the cost per mile \$97,463.

He asked about an urban secondary highway; there is no such thing, to my knowledge, as a true, urban, secondary highway.

I believe, Mr. Chairman, that—

Mr. Newman: If you will excuse me, Mr. Minister, will you repeat the cost for the rural, secondary type of highway?

Hon. Mr. MacNaughton: Rural secondary highway?

Mr. Newman: Yes, the last figure you quoted.

Hon. Mr. MacNaughton: Yes. The total value of the section—and it is on Highway 631 from Hornepayne southerly, a total of 6.7 miles—is \$519,000 and, per mile, \$97,463.

Now, Mr. Chairman, if I may, I would briefly reply to the observations of the hon. member for Woodbine (Mr. Bryden). To comment on the subject matter of his comments, I would first make reference to his criticism that the Highways estimates are presented under three votes. When contrasted with the number of votes employed by other departments this may appear to be somewhat irregular, but I would point out to him that each of the votes is itemized in rather com-

prehensive detail and does provide ample opportunity for full debate.

I was particularly interested and gratified to have him comment in commendatory fashion regarding the planning function of the department, and the manner and extent to which all areas of transportation requirements associated with the department's programme are undertaken. Certainly, we feel that too much stress cannot be given to the importance of these studies; we regard it as particularly important to know and to show why and where the road facilities of the province should be built, now and in the future. The matter of how, of course, is important but it is technical in character; our engineers not only can, but do, keep abreast with techniques such as design, engineering, and construction methods.

I would further bring to his attention, and to the attention of the hon. members of the House, that there is a greater degree of liaison and co-operation between various departments involved with these overall matters than he is probably aware of. We are in constant and close touch with The Department of Transport, and the The Department of Municipal Affairs in particular. The results of their studies and statistics are made available to us constantly and we share such information with them. And to this extent I believe it is fair to say that certain of the criticisms he levelled, when he addressed the House yesterday, are not as valid as they appear to be. Nevertheless, I concur with him completely regarding the importance of planning, not only at the level of The Department of Highways but by all associated agencies working in close co-operation.

To refer once more to the matter of the three votes under which the estimates of The Department of Highways are presented, I believe he, as a member of the public accounts committee, is aware that this matter has been taken into consideration by the committee. No doubt some recommendations will eventually be placed before the department and the government, at which time, I think I can give the hon. member assurance, the recommendations will be given proper consideration.

Mr. Singer: Yes, Mr. Chairman, on the first vote, and I am not too sure whether this matter comes under the first vote or the third vote; I would imagine it could be dealt with, really, under either one. It deals with a series of complaints, which I have received from constituents of mine, on the effect made on their homes by the construction of Highway 401.

Hon. Mr. MacNaughton: It should be vote 803, but it does not matter.

Mr. Singer: I would imagine that several other hon. members have received the same sort of complaints. The hon. member for Armourdale (Mr. Carton) is not here but the hon. member for Yorkview (Mr. Young) is here, and there was a meeting a short time ago when five or six—pardon?

Hon. Mr. MacNaughton: It should be vote 803, but it does not matter.

Mr. Singer: Well, it does not matter; as I say, it could be argued either way. We might as well do it now.

The problem is, and I am going to refer to this gentleman particularly because he has quite an extensive file of correspondence which I have seen, and which I know the department has seen. This gentleman lives very close to Highway 401, or the Macdonald-Cartier highway; and, as the widening process began and went along, the quiet street that ran in front of his home suddenly became an access route for the heavy construction vehicles which have to use it.

There was a lot of building, and there were a lot of vehicles, and the vehicles were carrying heavy rocks and stone and all sorts of construction materials. This gentleman believes that, as a result of this sort of activity, his home was seriously damaged; cracks began to appear in the walls and various signs of deterioration in his home were observed. He was of the opinion that this damage was caused as a result of the construction activities. I do not think, Mr. Chairman, that through the course of discussions involving this matter anyone has denied either that damage was caused to this gentleman's home, or that the damage resulted from the widening of the highway.

The amount of the damage, as I understand it, is apparently minimal—a few hundred dollars perhaps. Now, how does our friend go about getting some satisfaction? He says, "Through no fault of mine, my home has been damaged, and the damage has been caused because the province is widening a highway. I feel that someone should repair that damage or pay me the cost."

Hon. H. L. Rowntree (Minister of Labour): What did you tell him?

Mr. Singer: Well, let me tell you. In the fall of 1964 he communicated, first, with various officials of The Department of Highways. And I gather the answer that he got

was: We will look into it, and we will see what we can to help you.

On February 9, 1965, he addressed a letter to Mr. Tregaskes, who is the construction engineer, or one of the construction engineers in The Department of Highways, and he said this:

Further to our telephone conversation of yesterday, as I explained, we have now waited several months since your various inspectors visited our home and we have heard nothing from you. We should very much appreciate discussing this matter with you since we want to arrange for the cleaning and repairs necessitated by the movement of trucks during the construction period in our area.

We trust that we will have your prompt attention and co-operation in this matter and look forward to hearing from you at your first convenience.

That letter is dated February 9. He is in receipt of a letter, marked, "without prejudice" dated March 2, signed by Mr. I. S. Bailey, assistant supervisor, insurance and claims office, Department of Highways.

Mr. Bailey writes:

Re your damage claim with regard to the widening of Highway 401—

I guess the new name has not quite gotten through to the department because the heading on the letter is:

RE HIGHWAY 401

This is with reference to your letter of February 9 addressed to Mr. Tregaskes, our construction engineer, and our telephone conversation yesterday.

You will recall that I mentioned to you that on November 2, 1964, I wrote to the contractor concerned, namely, Dufferin Construction Company, of 2700 Dufferin Street, Toronto, and advised them of your claim, although up to that time, as I told you, we had not received an official claim from you in writing.

The reason the matter was referred to Dufferin Construction Company is that, under the terms of the contract, the contractor indemnifies the department and holds it harmless from and against any damage claims arising out of the contract. In these circumstances, it is regretted that the department is unable to accept any responsibility and I can only suggest that the matter be pursued with the construction firm.

I think I also mentioned to you that I received a letter dated November 20, 1964,

from Dufferin Construction Company, who informed me that the matter had been referred to their insurance company for investigation and whatever action they considered necessary.

I am writing to the Dufferin Construction Company today and I am sending them a copy of the letter which you wrote to Mr. Tregaskes on February 9.

And then there is a copy of the letter, enclosed with his letter, that Mr. Bailey wrote to the Dufferin Construction Company.

Time moves on a bit and eventually the Dufferin Construction Company referred the matter to a firm called J. W. Randall and Company, insurance adjusters.

Finally this gentleman gets a letter dated March 30, 1965, from J. W. Randall and Company, insurance adjusters, which reads as follows:

We refer to our recent telephone conversation.

And I might say, in an aside, that none of these letters seems to have come forth without a couple of telephone calls in between to rather push them forward.

We would confirm our interest in acting on behalf of the liability insurers of the construction company in which the claim advanced by you has been passed on for our attention. Our investigation reveals that, from the time the work commenced on highway widening projects, on or about March 9, 1964 until its completion, there were in all eight contracting firms involved in this construction project, identified as follows: Alnor Earth Moving Limited of Oshawa; Valentine Enterprises of Toronto; R. A. Farley Construction Company of Guelph; Inspiration Limited of Toronto; Crawford-Ontario Sand and Gravel of Maple; Johnson Brothers Trucking Limited of Milton; MacNamara Construction Company of 42 Industrial Road, Toronto.

And here comes the punch line:

This is to advise you we are not prepared to accept responsibility for any damage to your home allegedly resulting from highway widening projects.

Mr. Chairman, the message is obvious as stated here in the correspondence.

The Department of Highways says that under the terms of our contract with Dufferin Construction we have asked them to take out liability insurance because we want to protect you, Mr. Citizen, in the event that any damage results to your home. So, in letting our contracts, we tell our head con-

tractor, Dufferin Construction Company, "Before we will give you a contract you must have a policy that is going to protect any citizen against any damage."

Good! Then poor Mr. Citizen suffers from damage and he tries to find out who is going to protect him. Well, says The Department of Highways, "We did our job. We gave the contract to Dufferin and they have a policy, so off you go to Dufferin; or, if you want to, write them a letter and tell them that they must have a policy and they must do something about it."

So off he goes to Dufferin, and Dufferin sends it off to their adjuster who says, "Oh, ho. In the period during which the highway was being constructed not only were we there but seven other fellows were there as well. We do not know whether our trucks caused the damage; we do not know if it was one of the other seven we named; we do not know if it was Alnor, or Valentine, or Farley, or Inspiration, or Crawford-Ontario, or Johnson, or MacNamara. And you, Mr. Citizen, you have to prove it; you have to tell us whether it was a Dufferin truck that damaged the house; and if it was not, you are out of luck. Even if you cannot prove it was a Dufferin truck, but that it was one of these other seven, you are out of luck, too, because apparently the chain of command does not extend that far.

What is poor Mr. Citizen supposed to do? Is he supposed to sit out in front of his house, from the time the highway construction is started, and take the name and licence number of every truck that goes by his house; record the time carefully; and then, in the meantime, run back and forth from inside his house, from front to back, so that he can check inside to see if the cracks have appeared and be able to say that "On August 7, 1963, at 4.14 p.m. a crack suddenly appeared in the side dining room wall of the house and, at 4.13, a truck from Dufferin Construction passed by"?

Mr. Chairman, the wool is being pulled over the eyes of any citizen who believes that, under this system, he has any possible protection. Here is a citizen who says he had damage occasioned to his home by the construction of the highway. In all of this correspondence—and this has gone on for several months—nobody has seen fit to deny that damage took place; and I would think that if there was any suggestion that no damage took place it would have been revealed in the correspondence.

No one has seen fit to put an estimate on it, so that there is not even the suggestion that what this gentleman believes would be fair compensation for him is an exorbitant

request. Nobody, in fact, has ever discussed with him the dollar damage, but he says—

Hon. Mr. MacNaughton: They have.

Mr. Singer: Not as it was revealed to me. But he says, "Fine. The damage took place and I would like somebody to assume the responsibility."

Hon. Mr. MacNaughton: Who?

Mr. Singer: Who? Well, I would say that it is the responsibility of the hon. Minister; I would say that it is the responsibility of the province of Ontario; because it is by the department's action in widening the highway that damage has taken place to this man's home.

Now, for a \$300 or \$500 claim, surely the hon. Minister cannot expect the average citizen to pursue, through the courts, the province of Ontario, the Dufferin Construction Company, and the seven other companies I named.

Can the hon. Minister just imagine—and I am sure his legal advisers have told him this—can he just imagine the complication of an action like that, and the expense of an action like that? The examination for discovery could go on for days and the cost of that sort of procedure would run into many thousands of dollars; and the chances of ever being able to pinpoint a specific truck and a specific driver and a specific firm which caused the damage are almost negligible—even if someone was able and prepared to undertake that kind of legal expense.

But the basic facts are obvious, Mr. Chairman. The highway is constructed; it is constructed by the province of Ontario; and the citizen who sits beside the highway minding his own business has his house damaged. So he looks to the province for compensation, or for some remedy, and there is none.

I would say, sir, that this is a very serious result caused by a reasonable activity of the province; that individual citizens are being forced to bear a very substantial burden unjustly, and that they are being denied any remedy.

What are the solutions? Well, there are two or three. And I may say here—and the hon. Minister knows this—I have discussed this with his deputy and with Mr. Crosbie, the senior man in his legal department—that there are two or three solutions. I think that one of these has to be undertaken almost immediately by the department and by government so that it will be fair with the citizens of Ontario who are affected in this way.

Number one is that if these insurance companies are going to give citizens the run-around, by what they are doing, then this kind of insurance policy should not be accepted.

When you let these contracts, and if you let it to Dufferin or to anybody else—and I do not say Dufferin is the villain, I think it is the system that is wrong—you should be in a position to insist that the type of policy that is written will protect the citizen against this type of damage if it can be attributed to the widening of the highway, no matter which subcontractor or which truck was the cause of it, or which combination of vehicles. I think that is the most obvious solution.

You are going to hear the cry from the contractors, or from the insurance companies, "Oh, we could never write a policy like that"; but I suggest to you, sir, if you get that sort of an excuse or that sort of a complaint about this suggestion, then it is just not factual. Because if the highways department, which is the biggest contractor in the province, says this is the only way we are going to let contracts, then there will be insurance companies to write this kind of policy; and in that case, if that kind of policy is there, then there is going to be no excuse for the type of letter written by J. W. Randall and Company, insurance adjusters.

I cannot blame J. W. Randall and Company, insurance adjusters. Their job is to save their principals as much money as they can. They say, "Well, we know it is going to be almost an impossibility to attach any blame to our insured, almost impossible to attach blame to Dufferin, so let us just be pleasant. After all, the department has written us a letter and we want to get along with everybody; we will just be as pleasant as we can. We will have a look, and we are going to write lots of nice letters, and we are going to disclaim responsibility."

But if the department insisted that the type of policy that I suggest come with every contract, then this problem would be completely removed.

Another suggestion, sir, is this, that the province act as its own insurer. Maybe this has even more merit than the other suggestion because I do not think that this gentleman and his neighbours are ever going to be able to understand why, when their houses were damaged through no fault of their own, that the people who built the highway—the province of Ontario—were not able to do something for them. The responsibility, in the mind of this gentleman and his neighbours, is the responsibility of The Department of

Highways, and is the responsibility of the government of Ontario.

Perhaps, sir, there is abundant good sense in suggesting that the department should be its own insurer. When this comes about, then the department through its investigators will say, "Yes, Mr. Smith, your house was damaged. Yes, it is reasonable to expect that the house was damaged as a result of the construction of the highway. Yes, the dollar value is X."

I would not be concerned—if this was a complaint—about whether the damage was \$1,000 or \$100; this is not the sort of complaint I would be talking about in this House. I am concerned about the principle that lies behind it. Here, sir, is an obvious case where a citizen has suffered damage and he has no remedy. I suggest that The Department of Highways has a real responsibility for rectifying this situation.

Just as a postscript, may I add one word? The hon. member for Yorkview and three or four other hon. members of the House, as well as I, were at a meeting at Armour Heights school several weeks ago where perhaps 400 citizens gathered who were concerned with the effects on their property and their homes being caused by the widening of Highway 401. During the course of this discussion—which brought up another thing, the question of expropriation, and several matters that we discussed last year—the question of damage to individual homes came up. In that group, I would guess that at least 50 per cent of the people who had gathered there on that occasion were concerned about the same sort of problem that my friend is concerned about. They just did not know how to proceed. They had phoned and they had written and they had got the same sort of story that my friend has done. He was determined enough to follow it up with correspondence. He was determined enough, that having had the correspondence, he turned it over to me and there, Mr. Chairman, is the story, and I think there is a duty incumbent upon the government to do something about it.

Mr. F. Young (Yorkview): Mr. Chairman, just following up the hon. member for Downsview, I am not going to repeat what he has said. I have similar letters in my files here, but I will not read them at this moment, because I think the hon. Minister understands the problem. It has been forcibly put. But there is here, I think, the one theme that what these people want is some assurance that the damage that is being done to their homes is somehow going to be compensated.

I have a letter here which I want to read. It is from a member of my constituency. He wrote me some time ago on the same problem, in the same vein, with the same kind of correspondence. I got in touch with the insurance company and immediately the insurance agent went to see him. That was some weeks ago. He took a look and he has vanished. Now, it may well be that these people are better off not to have damages assessed until construction is completed. I think this must make sense. But, on the other hand, some assurance that that compensation is coming, is all they ask for at this moment.

The other aspect that I want to deal with is one which I discussed with the hon. Minister and the deputy Minister on various occasions, and that is the extension of the 50-foot rule, so that the first-line houses along the highway will be considered as soon as the 50-foot houses are looked after. I bring to your attention this letter, which came to my desk this morning. The gentleman called me yesterday, because I had taken up his case before, and now he was a bit desperate again. I said, "You had better put this down in writing so I can read it to the Minister." He did that immediately. I did not expect such prompt action, but I certainly got it. But he says this:

Dear Sir:

Further to our telephone conversation of May 3 concerning the damages and health of my children. Since my last letter to you the situation has rapidly got worse.

This is at 367 Culford Road, just south of the highway.

We now have our eldest child dangerously ill with meningitis, which we believe has been caused through the filth and the constant dust from the highway. As I have stated before, our house is only 65 feet from the driven part of the highway to the side of our house. The damage to the house is getting worse every day. Each day new cracks appear in every room.

Now that the warm weather is here the dust is getting worse. Our backyard is just one filthy hole with damage done by the construction of last year. Holes that were prepared for tree planting since last fall are full of water that is green with contamination. I have been continually onto The Department of Highways about this.

As I have stated to you before in writing, The Department of Highways or the construction company will not take any responsibility concerning our problem, which has occurred since this project has

started. As I have stated to you before, our house is far too near the highway and should have been taken.

We feel we cannot take much more than we have taken. How many more of our children will get some illness through the inability of The Department of Highways to come to some agreement with us? I trust that you will look into this matter once again for us.

Sincerely,
Leonard Rice

I read this letter to you and you are quite familiar with the general situation it portrays, but I would like to urge upon the hon. Minister that just as soon as this first undertaking is completed—and when the hon. Minister concerned with housing has bought out the first houses which are designated within the 50-foot line—then a look should be taken at other houses, because those homes in many cases are closer than the homes that are now being bought. Some houses side-on to the highway, and a dozen or so houses on Lorne Bruce Drive particularly, of which the hon. Minister heard so much a year ago, are directly affected by the highway and by the construction and by the traffic, even though they may be beyond the 50-foot line.

I bring to the attention of the hon. Minister a letter of September 14, written by Gil Pascoe, the president of the 401 ratepayers association, in this case to the hon. Minister of Economics and Development (Mr. Randall). A couple of paragraphs say:

Since the 401 ratepayers association is appreciative of the fact that the Ontario government created a precedent on behalf of a number of homeowners adjacent to 401—

and I might say that is appreciated and the people there do feel grateful for it:

—it is the contention of our association that the government did not give adequate consideration to the problems of a majority of our members. In view of this, the executive must continue with the aim of the 401 ratepayers association which is:

To have our provincial government offer to purchase at fair market price prior to their announcement of May 23, 1963, all first-line homes adjacent to and adversely affected by the expansion of the 401 highway, and the resultant service or collector roads, entrance and exit ramps.

Our executive met with the officials of The Department of Highways in August, 1964, and that meeting is a matter of

history. The Minister advised us that his jurisdiction over our problem is presently limited and suggested that, as your department is implementing—

this is the hon. Minister of Economics and Development:

—is implementing the purchasing of property, as authorized under the ruling, we should meet with you to see how our situation could be resolved.

This is simply, again, the ratepayers association backing up the fact that the first-line homes should be considered, and all those homes adjacent to the highway should have another close look when the present undertaking is completed.

One other item I would like to call to the attention of the hon. Minister, of which he is likely aware, concerns the properties adjacent to Highway 401. It is a resolution from the North York township, a recommendation regarding those properties just adjacent to the highway. And I trust, and perhaps the hon. Minister can give us assurance here, that this recommendation is being implemented.

It is therefore recommended that this municipality be advised, prior to the offer for sale by The Department of Highways, by tender or otherwise, of any properties adjacent to Highway 401.

This is so the municipality concerned can plan adequately and, if necessary, purchase lands which might be used for parkland or for township purposes along Highway 401. I think this likely has come to the desk of the hon. Minister. The second part of the resolution is:

That the board seek some assurance from The Department of Highways that, in the sale of these properties, steps will be taken to prevent the assembly of sites which might be proposed as apartment sites in undesirable locations at a future date.

This is simply a case of notifying the township of the sales so that the township can take a look at the planning situation and can determine what should be done, in its wisdom, with these lands. Perhaps the township and the department can co-operate here to see that development along Highway 401 is effective and attractive.

Hon. Mr. MacNaughton: Mr. Chairman, firstly I can say to the hon. member for Downsview that I find I am obliged to concur very largely with the sentiments he expressed today. Certainly, in a situation such as he

described, someone should be liable. At the moment I can only tell him that we will pursue the matter. I do not know in detail how this can be done but I am obliged to confess that if I were in a similar situation to the person he described, I think I would feel just exactly the same as he does.

It may well be that some of the firms he recited when he read the letter are subcontractors to the Dufferin Construction Company; maybe all of them, with the exception of MacNamara, are. If that is the case then we, of course, hold Dufferin responsible and you may rest assured we will pursue the matter. Certainly, in a situation like that, somebody should pay. So if it can be left like that, we will pursue the matter.

I think perhaps a similar situation obtains with respect to the observations of the hon. member for Yorkview. And if the damage to which he makes reference can be attributed in the same manner as the situation described by the hon. member for Downsview, then this merits a look on the part of the department.

Mr. Young: Can some assurance be given, Mr. Chairman, that this kind of a look will be taken by the department?

Hon. Mr. MacNaughton: Well, I would simply ask the hon. member to make available, if he will, the name; or even let us have the letter that he has in his hand.

Mr. Young: I will do that.

Hon. Mr. MacNaughton: We certainly will conduct an investigation and see where the responsibility and the liability lies.

With respect to the matter of changing the criteria which was established some time ago for the acquisition of certain properties along the right-of-way of the Macdonald-Cartier freeway, this was a matter, at that time, of government policy. I simply say that we departed from the normal, in terms of some generosity, when we established the terms of reference and the criteria which have enabled the Ontario housing authority to move in and acquire these properties.

I think it is fair to point out to him that, now, maybe his representations should be made to the hon. Minister of Economics and Development, because while we were involved in the original discussions with the then-styled 401 ratepayers association, and while we did advance the criteria associated with this purchase plan, it was subsequently turned over to the hon. Minister of Economics and Development; because the Ontario

housing authority was the vehicle through which the plan could be implemented. It might well be that it should be referred there again for consideration.

I certainly am not prepared to say that we will depart from the criteria which was established in the initial circumstances. I hardly think the hon. member would expect me to say that. Nevertheless, any proposal he wishes to advance, I think, should go to the hon. Minister of Economics and Development and it can be jointly considered.

With respect to notices to the township, I think perhaps we have been approached re this subject already; I can only then assure the hon. member that this proposal will receive consideration. I understand from the deputy Minister that this has reached his desk and is the subject of some consideration at the moment.

Mr. MacDonald: Mr. Chairman, the hon. Minister is in an extraordinary mellow and co-operative mood this afternoon.

Hon. Mr. MacNaughton: Do not press your luck too far, now.

Mr. MacDonald: His boiling point is sometimes low and I will hasten to try to raise a couple of points with him in the hope that I can elicit the same kind of reaction.

Two of the hon. members on this side of the House have championed the interests of people who are within the Metro area. I would like to move out into the hinterland.

The first question I would like to raise with the hon. Minister is on the level of policy—some aspects of what I am going to raise might come under later estimates, but I am more interested in the basic policy, therefore I think it should come under the main office. I have been very interested in the department's recent production of the Niagara peninsula planning study. I want to make one comment, and it is my secondary comment. I will come to my primary one in a moment. I will say to the hon. Minister that I have never seen a production as plush as this one.

Hon. Mr. MacNaughton: Pretty wonderful, is it not?

Mr. MacDonald: It is so wonderful that I make my point and then I leave it. I do not think anyone looking at it will not wonder whether an excessive amount of public funds is being spent. I invite hon. members who have not seen it, or anybody, to examine it. This production is something which should be entered in some art or printing contest.

I would not be a bit surprised if it took a prize. But I come back to the point as to whether or not such a de luxe edition as this is necessary for the purpose of planning.

However, I am more interested in another aspect of it. This study, as I understand it, was the result of investigations which tended to come into focus a few months ago at a meeting that was held on January 13, 1965, at Prudhomme's in the Niagara peninsula area. At this meeting The Department of Highways was instrumental in drawing together various people for consideration, in finalizing I presume, decisions which have finally gone into this rather plush report.

I am informed—and if I am wrong on any point along the way here, which in detail I may be, I invite the hon. Minister's correction—I am informed that, for example, invitations went out to municipalities involved in Lincoln, Welland, one-half of Haldimand, but, if I am correct, no municipality at all in Niagara.

Hon. Mr. MacNaughton: There were representatives from Niagara there.

Mr. MacDonald: The whole of the county?

Hon. Mr. MacNaughton: Of the township.

Mr. MacDonald: Of the township?

Hon. Mr. MacNaughton: As far as I am aware the appropriate representatives were there.

Mr. MacDonald: Well, just let me put my queries all in one bunch. I am back to a point where I spent a considerable amount of time, during the consideration of the estimates of The Department of Economics and Development, on the whole proposition of regional development and the necessary co-ordination of all of the groups involved in it.

My information is that the department came and presented their plans for a 20-year programme; that, for the most part, this programme is based on traffic counts and projections on that basis; that there was no serious consideration given to the further encroachment on the fruit belt that might arise from the proposals which have emerged in this plan; that in general it overlooked many of the other factors that should go into planning over a 20-year period on a regional basis; that it took no account, for example, of the official plans of the various municipalities. I think I would like to have some comments from the hon. Minister on this, and some pretty solid assurances that if one department is moving into planning as serious as this kind of de luxe production suggests,

we are not likely to be going off in one direction, with three or four other departments that should be co-ordinating their activities not being drawn in.

For example, were officials of the Niagara regional development association involved? This is the body which has been authorized through the government structure established through legislation here, to be the co-ordinating body for regional development in that area. My information is that there was nobody from the regional development association invited to participate there. I wonder if the hon. Minister would care to comment on this?

Hon. Mr. MacNaughton: I would indeed like to comment on that, Mr. Chairman. First of all, I would like to thank the hon. member for speaking in such commendatory terms about the transportation study report. It may look like a high-priced affair; it is attractive, I think. Most of the preparatory work is done in our own department with our own staff, so when you say it is an excellent reproduction or production then you are in effect congratulating the members of staff who prepared it, and for this I—

Mr. MacDonald: Printed by your department?

Hon. Mr. MacNaughton: Yes.

Mr. MacDonald: Actually printed, or just planned?

Hon. Mr. MacNaughton: No, oh, no, but all the layouts and everything were prepared in the department. It is prepared in that fashion, I think, probably for durability's sake. That is a report that will be used over and over again, and widely by many, many interested people. I think it has been prepared so it will stand up and be used. There will be constant reference made to it by the various agencies involved.

Mr. MacDonald: For the next 20 years?

Hon. Mr. MacNaughton: Certainly for a long time. We are not going to accomplish it overnight, so that it has to last for a while.

With respect to representation at the meeting, as far as I am aware invitations were sent out to all interested parties. I have a note here; it says that all planning boards and all municipalities were consulted and invited to the meeting. This is the matter of Niagara township, not Niagara county. There were some 200 representatives at the meeting. I was on familiar terms with quite a number of them and I must confess that I was gratified at the extent to which the invited

representatives attended. They were there in strength; they were there from the cities, the townships, the counties; they were there from all associated and interested agencies. The significant thing about it to me, Mr. Chairman, that I would like to comment on and point out to the hon. member, was that after the presentation by our transportation people—our planning studies engineer and his staff—the report was adopted unanimously on a resolution that was presented from the floor. A resolution was submitted from the floor of the meeting to the chairman; it was put and it was adopted unanimously without dissent, so that the whole thing must be widely acceptable down there, I am sure it is.

I am sure, frankly, that we went to that meeting with misgivings. It is a far-reaching plan, it is new, it is different. We went there with some misgivings that there would be a great controversy about it and that the member townships and municipalities might have exceptions to what was proposed. This was not the case. They were loud in their praise of the report and, as I have mentioned, it was unanimously adopted upon a resolution submitted from the floor of the meeting.

To discuss what goes into one of those would really take a great deal of time. I can only say to the hon. member—and, as a matter of fact, as I did briefly on the estimates of the hon. Minister of Transport (Mr. Haskett) when asked a question by your hon. colleague, the hon. member for Woodbine—that all matters concerning land use are exhaustively studied. We take our land-use information from The Department of Municipal Affairs. It is the most up-to-date information we can get, so that all the travel patterns and projected travel patterns and requirements for the future are premised on such things as land use and the impact that development now and for the future will make on travel patterns. I explained to the House at that time that we go beyond the boundaries of the study area to determine this, to some extent.

I have told the House before but I will mention it again that in this circumstance I think 85,000 personal interviews were made. Stations were set up over the entire area in strategically located positions for the accumulation of the information required. When all this data, a tremendous wealth of it, was gathered up it was adapted for computer use and the result is the plan you see before you. Significant in the plan—and I mentioned this before but I would like you to examine it—is the extent to which earlier planners were able to hit things on the head, because even today the route of the Queen Elizabeth

way as it travels through the Niagara peninsula is still predominantly the great traffic artery and will be for the next 20 years.

I am not going into as much detail as I could, Mr. Chairman, but I simply tell you that the intensive nature of the work that goes into these transportation studies now is as accurate a projection as present study techniques will produce. They will be improved and they will be updated. As a matter of fact, we think that even for the supplementary studies that are underway, the experience in this first one has shown us techniques we can apply to improve them as we go. This will be in the light of experience. But basically I do not think it is possible to apply study techniques, on the basis of today's knowledge and technical information, which will produce anything better than that.

To repeat this background then, all the townships and municipalities have been interviewed. They know that it is going to involve some changes in their road patterns within the various townships and municipalities to conform to this overall plan and they are willing and ready and happy to accept it. As I say, they unanimously resolved to accept this report. If there is any detail that I have overlooked here—

Mr. MacDonald: Were the regional development association and its officials present?

Hon. Mr. MacNaughton: I would presume so, Mr. Chairman; I would presume so but that I cannot say. I will find out because I agree with you that they should have been represented. But I would presume they were.

Mr. MacDonald: But my point, Mr. Chairman, and I leave the matter there, is that it seems to me that if the government has fixed responsibility for co-ordination and regional development with these associations, clearly they should be there on any project of the proportions of this one, which is going to have far-reaching consequences.

Second, if I were assured in my own mind that all of the good people who were there, who were presented with as impressive a document as this and with all the formidable explanations with regard to the studies that have gone into it, had adopted it in the full knowledge that all other bodies that should have been co-ordinating their activities were doing so, then I would be impressed with the unanimity and the fact that a resolution came from the floor.

But this really is missing the point I am raising. Our problem at the moment is the educational problem of making people aware

of all the factors that should be involved in regional development. They may take a look at this, be impressed by it and say "aye," 100 per cent, in a unanimous vote. They may be ignoring the fact that two or three other important government departments should have been involved, and because of their not being involved, we are going to run into difficulties five, or 10 or 15 or 20 years from now.

I am raising it as a general proposition at the moment and I leave the matter there because the hon. Minister indicated that there are six or eight similar studies in process elsewhere.

Hon. Mr. MacNaughton: There are 19 in process covering the whole province. The province has been divided into 19 study areas and eight of these are actively underway. The London area transportation study report can be out any day—very shortly—and there will be a succession of them. I think eight are actively underway and the other 11 will be implemented.

Let me just say this about the study that is referred to here. That report in itself was not actually available at the time of the meeting, but the material in that report was explained graphically and in great detail in a series of illustrations, and subsequently the report was distributed. In the course of the study, I am convinced that as broad a cross-section of all the interested people in the area were contacted. I have no doubt about this. It is possible to miss people, of course, but if it was done that way, it was omission rather than commission, because it was intensively done.

Mr. MacDonald: Mr. Chairman, there is a second area in the far northwest of the province that I wanted to raise; and may I preface the point I want to raise by asking the hon. Minister a question? Is it government policy, or have you decided, on whether the Noden causeway will be tolled? That reversed the hon. Minister in his tracks, I can see.

Hon. Mr. MacNaughton: Yes, we have decided.

Mr. MacDonald: It will be?

Hon. Mr. MacNaughton: No, it will not be.

Mr. MacDonald: It will not be tolled? Well, Mr. Chairman, this raises a question which has puzzled me for quite some time—as to what line of reasoning there is in government policy with regard to tolling. I go back to seven or eight years ago, when I sat on a

committee, and I think that any examination of the testimony of that committee will confirm the fact that the only person on that committee who was consistently against a policy of tolling in this province was myself. The Liberal member, the hon. member for Essex North (Mr. Reaume), vacillated back and forth. He had a very flexible mind. The government members, for a time, were in favour of it. Finally we came down unanimously against toll roads, in favour of free-ways; but we got into a very mixed-up policy on bridges.

Hon. Mr. MacNaughton: It was not mixed up at all, really.

Mr. MacDonald: Well, we now have tolls on the Burlington, and on—what do you call it—the Garden City skyway?

Hon. Mr. MacNaughton: The Garden City.

Mr. MacDonald: We do not have tolls, for example, on the Pigeon river bridge.

Hon. Mr. MacNaughton: May I explain why?

Mr. MacDonald: Fine, yes.

Hon. Mr. MacNaughton: It is the policy of the government to impose tolls only where there is an alternative free facility. In the case of the Burlington skyway, there is a free facility. In the case of the Garden City expressway, there is, side by side, a free facility—if you want to wait for the bridge to go down and get across it. Now, in the case of the Noden causeway and the Pigeon river bridge, there is none. We are not going to impose tolls unless there is at least the option of a free facility side by side.

Mr. MacDonald: Well, I will give the hon. Minister some credit for consistency on this then; because this was the principle upon which we were operating some years ago and if the principle is still alive—

Hon. Mr. MacNaughton: Very much alive.

Mr. MacDonald: —and acknowledged in his department, fine.

But I want to go back to the northwest and that situation there because, in the 1959 election, the Prime Minister of the day in his magnificent way—when I think of Leslie Frost at election time, I think of that picture in springtime of the person scattering the seeds around in the plentiful soil, you know? He went around the province, and he scattered promises in such a profusion that it would take a computer to keep up with

them. One of the many promises was that there was going to be a new bridge from Fort Frances to International Falls. I was a little curious afterwards, in doing a little checking, to discover—and I think my checking was at a fairly authoritative source in The Department of Highways; it does not involve the deputy of the day, so I will not get him involved in this discussion—that the bridge was not very high on the priority list. So I immediately came to the conclusion that this was something of a political promise that did not have too much backing within the department.

However, I have been the recipient in recent months, as I think other hon. members have, including the member for Lambton, so I am told, of some documents from a gentleman who had been, for a number of years, mayor of Fort Frances and who was—perhaps is—on the bridge committee as they call it. This consists of a certain number of people from the Fort Frances side and a certain number of people from the International Falls side, and they have gotten themselves into a real predicament. As a matter of fact, I understand the bridge committee on the Fort Frances side has really become pretty moribund.

The honorary chairman—the hon. member for Rainy River (Mr. Noden)—is sitting over there gazing at me intently with his hand cupped to his ear. If something of the same enthusiasm and energy were put into that committee, perhaps it could be reactivated. There are members of that committee who have not received notices of its meetings for three years. There are members of that committee who have left town two years ago. So it is not very active; though, on the International Falls side, it is very active and there is a continuing interest.

But the main problem is the proposition that this government is apparently insistent that a bridge, if it is to be built, must be a toll bridge; whereas, on the American side, it is simply impossible, both in view of federal and state law, to become involved in the financing of a toll bridge.

For example, I am informed by the gentleman in Fort Frances, back in 1959 the hon. member for that area announced that he had secured an appropriation for the construction of the bridge; and, of course, celebrations were in order. Up in the north, after you have waited for promises to be fulfilled for 40 years—

Mr. W. G. Noden (Rainy River): Mr. Chairman, to a point of order. I never made any announcement that an appropriation was set

aside for the building of the international bridge.

Mr. MacDonald: Well, what exactly the hon. member said, I cannot vouch for at this point. I am a little surprised, if he did not put it in terms of the appropriation, that this kind of information would be passed to me, but I accept the correction as to the word “appropriation.” What exactly he said, I will let the hon. member inform the House, if he so desires.

However, certainly, whatever he said inspired celebrations and they had a gathering.

Mr. W. D. McKeough (Kent West): Always, always!

Mr. MacDonald: They arranged a gathering, which included members of the Minnesota highway commission, Governor Freeman, Congressman Blatnik, Ed Chilgren the state representative, Premier Frost, members of both the Fort Frances and the International Falls bridge commissions, and many other supporters of the bridge. Premier Frost could not attend, but the hon. George Wardrope was there.

Hon. G. C. Wardrope (Minister of Mines): He always is, especially if you are not there.

Mr. MacDonald: That was rather an unkind remark.

Hon. Mr. Wardrope: It was not meant to be, at all.

Mr. MacDonald: Somebody must be putting vinegar in the hon. gentleman's tea these days. He is obviously not in the best of moods.

Hon. Mr. Wardrope: I hear you have made some inquiries, too.

Mr. MacDonald: Well, I am informed, if I may quote directly from the local source:

—that when the meeting opened, Governor Freeman paid warm tribute to the Canadian attitude and predicted the bridge would be a wonderful and a lasting tribute to those who had worked for its construction. When Bill Noden was asked to give his report we sat in silence waiting for the good words.

This is the local enthusiasm, you see.

Bill opened his talk by saying that the Ontario government had decided to meet the U.S. federal-Minnesota appropriation—

there we are—

—the U.S. federal-Minnesota appropriation, but that the bridge must be a toll bridge.

And, as it is pointed out, the hon. member knew, as did everybody else, that that meant the bottom just went out of the whole project.

Hon. Mr. MacNaughton: Well, it is all changed; we will bring you up to date in a minute.

Mr. MacDonald: Good. If you could bring me up to date. I would like to be brought up to date as to exactly what the government is planning to do, because I am told, by people who are intimately involved in the bridge committee up there, that the hon. member from the area has stated that it would be unfair, for example, to have a toll bridge. It would be competing, in an unfair way, with the bridge between the village of Rainy River and the American side. This International Falls bridge is a very old bridge; it is a bridge on which the traffic can go only one way at a time; it is a bridge on which I am told there is something like \$250,000 profit being made each year by those who have calculated carefully the amount of revenue that must be taken in.

Hon. Mr. MacNaughton: It is privately owned.

Mr. MacDonald: Privately owned by Ontario/Minnesota; but whether or not, it is a bridge which is not providing the kind of facilities—the hon. Minister undoubtedly has seen it. It is a bridge, as I recall, with a railroad track running down the middle of it; and if a train is coming there can be no traffic, and the traffic can only go one way at a time. I mean, this is “Toonerville trolley” style of about the year 1910. That this privately owned bridge should be reaping a profit of something like \$250,000 a year for any private concern, it seems to me, is not the kind of thing that the government should contemplate for very much longer.

However, if the hon. Minister has an up-to-date statement of policy I would like him to announce it to the House because it certainly is not known by some people in the area who normally would be aware of what is going on.

Hon. Mr. MacNaughton: I would not like to say it is an up-to-date statement of policy; it is an up-to-date statement of fact with which the hon. member has little affinity, I might say.

Mr. MacDonald: Do not get nasty.

Hon. Mr. MacNaughton: No, it is just one of the factual statements. The facts of the case are that the whole matter is in the active

stages of discussion between representatives of our Department of Highways and representatives of the similar agency in the state of Minnesota. I do not think the matter of tolls poses a serious problem any more because the premise is now being fairly considered, I think, that if a new bridge is built between Fort Frances and International Falls as a toll bridge, it might be the basis of providing and generating the revenues that are required to build a similar bridge from Baudette to Rainy River. The matter of sustaining that bridge as well is under consideration. I can tell the hon. member that as recently as a few weeks ago we corresponded with the state highway commissioner, and advanced certain recommendations from our point of view that he very favourably entertained.

Mr. MacDonald: Has there been a change in U.S. law that permits them to participate?

Hon. Mr. MacNaughton: Presumably there has, because it does not seem to impose any serious obstacle in the way of what is being considered at the moment.

This whole matter is under active consideration, I can assure the hon. member of that. It is our proposal that when the complete briefing on the Minnesota side is completed, following an investigation from the point of view of the government of Ontario, these findings I think will be turned over to a central committee, something along the lines of what the hon. member mentioned, and it will be taken from there.

I have been taking this off the top of my head. I think the hon. member for Rainy River can even bring us up to date a little more. I believe he is prepared to comment on it now, Mr. Chairman, and I think I would like to hear some observations from him, too.

Mr. Noden: Mr. Chairman, I am rather interested in the mixed-up statement that has been made in connection with this proposed international bridge between Fort Frances and International Falls, Minnesota. We are dealing with two governments, one on each side of the boundary, which makes things very complicated. But I must say this, that when this bridge was first promoted and was mentioned—and I refer to the statement that I made a few moments ago—at no election time or at no time did I ever make any statement that funds had been appropriated to build this bridge.

At the request of the people in Fort Frances and International Falls, a committee was set up by the municipal councils to study

this, and based upon this request The Department of Highways of Ontario and The Department of Highways of Minnesota each appointed a committee which met in Fort Frances in June, 1962, to study the need for a new international bridge between Fort Frances and International Falls.

When this group met with the departments of highways of the state and the province they set up terms of reference to prepare a study by both departments of highways, and once this study had been made final they were to submit a joint report to the committee of Fort Frances and International Falls at a future date for its study, and to move forward in whatever direction the joint committee intended. This is where the matter stands today. Both departments have submitted briefs, they are continuing to do this and the final report has not been submitted as yet. I understand it will be very shortly.

I do not think I have ever mentioned anything about tolls. It is entirely up to the joint committee of the two communities to arrive at where the bridge is going to be built and how they are going to raise the money. All of these details have to be worked out. This rests with the joint committee of International Falls, Minnesota, and Fort Frances, Ontario. That is where it stands today and I think a great deal of misunderstanding has taken place.

I want to make one other reference. The Fort Frances committee met here during the Easter recess. I was in attendance at the meeting, as were all the committee members, and they are fully organized. I might tell you that the committee over in International Falls was recognized only within the last three weeks.

Mr. MacDonald: Mr. Chairman, I am glad that we have been able to continue the discussion of this in a relatively quiet manner. I do not appreciate the hon. member getting up and referring to "mixed-up statements" on it, and I do not appreciate the hon. Minister lapsing from his geniality—with which I was so impressed—and saying that my comments had no relationship to the facts when, if I may be so unkind, he immediately then refers to building a bridge in Fort Frances that might assist in Rainy River and Baudette, which has been built for quite some time.

Hon. Mr. MacNaughton: Yes, I did say that.

Mr. MacDonald: Right. So let us keep our relationship to the facts. The fact of the matter is that the bridge at Rainy River is losing money and now the hon. Minister sug-

gests that he thinks they can make enough money on a toll bridge at Fort Frances to bail out the one up there. Is that what the hon. Minister is saying?

Hon. Mr. MacNaughton: No. If tolls are going to be considered at all, Mr. Chairman, this will involve the establishment of an international bridge authority, and if an international bridge authority is established as a result of these meetings and considerations that are taking place, then the authority can embrace the two bridges. This is the point.

Mr. MacDonald: Am I not correct, Mr. Minister, that the bridge at Rainy River is now privately owned by a U.S. company—that is the bridge from Rainy River to Baudette?

Mr. Noden: It is owned by the municipality of Baudette.

Hon. Mr. MacNaughton: That is right, it is not privately owned, it is municipally owned, but there is not a great deal of material difference there.

I might just say for the information of the hon. member, too, that the final report will be ready for submission to the state of Minnesota in a matter of about four weeks. This is our report. So we are probably more abreast of the situation than one might realize.

Mr. MacDonald: I will just make this one comment to show what validity there is in my observations, and that the suggestion on the part of the government that it is suddenly coming to grips with something at the moment and that there had not been earlier plans simply is not the case. For example, I have here a copy of a letter which was sent to the hon. Minister's predecessor, the hon. member for Grenville-Dundas (Mr. Cass), from L. P. Zimmerman, commissioner of highways on the Minnesota side, dated May 17, 1960.

Dear Mr. Cass:

You will recall there has been correspondence between this office and yours concerning a new vehicular bridge from Fort Frances, Ontario, to International Falls, Minnesota. There has also been a meeting held at Fort Frances on August 19, 1958, at which you were present and at which meeting I was represented by Mr. A. O. Torgerson, then assistant commissioner of highways.

On March 14, 1959, a meeting was held at International Falls at which you were represented by the hon. George Wardrope, Minister of Penal Institutions. Also present was William Noden, MP.

Representing the state of Minnesota were Governor Freeman, representative Ed Chilgren, representative Hofstad and representative La Bosse and our chief engineer, Mr. Swanberg. Present also were the mayors of Fort Frances and International Falls and representatives of the international bridge commissions of the two cities. There has also been considerable activity on the part of the international bridge commission.

I repeat, Mr. Chairman, in fact prior to 1960—now listen to the next paragraph:

From the information I have had concerning this meeting, it has been my understanding that the position of your department has been that such a bridge would have to be constructed as a toll facility. This, of course, we cannot do as both state law and the federal enabling Act S3437 required that the bridge be a toll-free structure.

I have recently been informed that your department may be presently agreeable to participating in the construction of a toll-free bridge. In view of the fact that the present structure is very much inadequate and further that the great river route is routed through these two cities, I believe that a modern toll-free structure would contribute substantially to a very much increased volume of traffic with its attendant mutual benefits.

I should point out that our present federal legislation enabling the state of Minnesota to participate in the construction of such a bridge provides that the Act shall terminate if actual construction is not started within three years which would be July of 1961.

Apparently they will have to revive their enabling legislation back to that date. He concludes:

We believe that the construction of this bridge is of such importance and urgency that our two departments should, as soon as possible, proceed with the necessary negotiations. We would like very much to work with you on this matter to the end that, in the not-too-distant future, this bridge will become a reality. We are looking forward to hearing from you at your earliest convenience.

Mr. Chairman, that is 1960, and I do not know how anybody can come to the conclusion that, five years later, this department has not been dragging their feet on this issue. If it takes five years to get to the stage of holding the meetings and making a decision,

this is not the kind of speed that is going to deal with an urgent matter.

However, I am encouraged. I am also encouraged to learn the hon. Minister's policy with regard to tolls, at least on the causeway. I can remember the days when the chamber of commerce and other bodies up in Fort Frances, were clamouring for no tolls and this government quite insistently said there would be tolls, and told them flatly; and the hon. member had certain embarrassing political situations to deal with locally. If the hon. Minister has reverted back to what I think is the correct policy, I congratulate him, and I hope that he will extend it to all of these main arteries on what are international highways.

Mr. G. Bukator (Niagara Falls): I wanted to clear a point, Mr. Chairman. Although one of the most attentive members of this Legislature, I was out for just a few minutes when there was a question brought up about Niagara Falls and a meeting there. I recall the hon. Minister of Highways inviting us to Downsview to see this proposed plan of road development in the province of Ontario up to 1985, projecting his plans into the future for 20 years.

I would like to be kind this afternoon and give credit where credit is due. The hon. Minister was good enough to invite me, as the member for Niagara Falls, to that meeting to look over the plan before it was given to the general public, or the county representative and municipal representative. We did attend that meeting, and there was a meeting called for the members to attend at Prudhomme's. I did get an invitation—I want to put that on the record. I did get an invitation to that meeting. I do not know how many others in the area were invited; I imagine all whom we discussed would be invited; so, if the others had done what I did on that occasion, they stayed away. It was not the fault of the hon. Minister; I was invited and did not attend. Up to this point, you see, I am on his side. As the votes go on I may have other things to say about it. I want everyone here to know that I was invited and it was my fault that I was not there.

Mr. S. Farquhar (Algoma-Manitoulin): Mr. Chairman, I would like to take this opportunity to get into the debate for a minute and ask for a little further consideration of the north's equity in these highway estimates. I will try to relate my remarks, if I can, to the much-talked-about regional development. In that connection I want to ask this government how it expects to implement regional

development in Ontario when it continues to allot such a small percentage of its major highway construction to the north.

As far as I can determine, The Department of Highways intends to spend something like \$11 million in 1965-1966 for major new construction in northern Ontario. This is only a very small percentage of the total amount of \$158 million to be spent in construction of highways in Ontario in this fiscal year. The ratio of money to be spent in the north does not even conform to the population ratio of people in Ontario who live in the north—roughly 778,000 people.

Northern Ontario, as it is generally defined, represents 78 per cent of the total land area of this huge province, or 323,500 square miles. Mr. Chairman, there are many and varied definitions of what we call northern Ontario, but I like to think that, for most purposes, northern Ontario should include all of the province except the counties and the provisional county of Haliburton. This is not what The Department of Highways calls northern Ontario; I quite recognize that. It seems reasonable to me. However, trying to relate the expenditures to this particular area certainly takes some doing.

This area, as I have mentioned, comprises some 78 per cent of the total land, or 323,500 square miles. I could easily have been mistaken in my computation of the dollar value of new construction—new major construction—since the information does not come in readily this way, from the estimates or the reports; and if there are figures, related to these areas, which are more correct, I would be glad to be advised.

This area, of course, is largely undeveloped and is one of the areas that could conceivably be a target for development and economic stimulation in the eyes of any other government. As the hon. Minister well knows, there are many areas in northern Ontario where the only immediate hope for stimulation is through tourism; yet no amount of publicity, regarding beauty spots or recreational areas, will do any good until at least the roads leading into, across, and out of these areas become something other than a deterrent. Yet, instead of a clearly defined overall government policy to open up the north and expand it, we find this infinitesimal allotment for new highway construction this year.

I listened with interest, Mr. Chairman, when the hon. Minister told us of the importance to the overall economy of the Macdonald-Cartier freeway. No one would disagree with this. I have already cited the population figures of the north but I must

ask if this government ever stops to consider that the north is not growing in population because of the very policies of this government, policies which concentrate major road building, for example, in the already populous south. Obviously, no area of this or any other province can develop without adequate transportation facilities.

This government, I maintain, provides no clear-cut statistics outlining its highway building programme. I would hope that there is more construction planned for the north than I can find in the maze that makes up the capital construction programme report for the fiscal year 1965-1966. I can find estimates of \$2.9 million for the Sudbury-Timmins highway; \$1.7 million for Highway 101 from Chapleau; \$2.8 million for Highway 105 to Red Lake; \$600,000 for Highway 11 from Fort Frances to Atikokan; and \$3 million for work on the trans-Canada highway. Mention is also made in the report of a grading project at Hornepayne, but no figure is reported.

I also find out, listed under "Work to be done" on other King's highways and secondary highways, a note to the effect that it is expected that approximately \$14 million will be spent during the fiscal year. Presumably some of this money might be for construction work in the north, but the department is extremely vague about its intentions along this line.

The hon. Minister made much of his advanced origin-destination studies. I applaud the department for this work but I wonder at the same time if they ever considered the north as either the "origin" or "destination" of highway travel. I personally have found the divisional engineer and his staff extremely co-operative, as far as my own riding is concerned. The co-operation at this level of the department is always what could be expected. I have had many occasions on which to discuss priorities and emergency repairs and maintenance projects within the riding, with the divisional engineer, and I will have to say that he and his staff are constantly ready to accept suggestions within the confines of overall allocations. I maintain that the allocations for the northern division are not adequate and, from what I can determine, in consideration of these estimates, the hon. Minister and his staff at the upper level here have yet to get the message in relation to northern Ontario.

If I have been incorrect in some of my figures I would be glad to be corrected by the hon. Minister; and I would also be glad to have him make any comments with respect

to any more intentions than these that I have mentioned, for northern Ontario.

Hon. Mr. MacNaughton: Certainly, I cannot argue with the figure that the hon. member has indicated, except to say that I am convinced that it is not correct.

He made reference to new work and to certain highway projects. I heard no mention of work to be undertaken on Highway 71; I heard no mention of work to be undertaken on Highway 72; I heard no mention of work to be undertaken on Highway 614 from the trans-Canada to Manitowadge; I heard no mention of work on Highway 129; I heard no mention of work—now, I may be wrong, perhaps I did not hear the hon. member, but certainly there is extensive new work planned on Highway 68 which runs through his own riding.

Now these are only a few, but there are many projects to which the hon. member failed to make reference at all; and I am convinced that when these are all put together they will add up to a rather more formidable figure than the \$11 million to which he made reference. I think it is only fair to say that he referred to only new work; I simply ask him to go back to the programme and take a look at carryover work.

Carryover work is equally important in terms of the expenditures as new work. I think it is only reasonable to say that there are many projects that cannot be commenced and finished in the same year. Needless to say, these projects have to be carried over and there are full disclosures here of all carryover projects in the north and, indeed for the whole province. So that I think it might be fair to examine the value of this carryover work because this adds up to rather formidable figures too.

To say that the north has been ignored is, of course—and I am bound to say this—substantially incorrect. There is nobody in The Department of Highways and there is nobody in government who does not have a very great appreciation and realization of the extent to which roads are important all over the province; and certainly where areas in the north require road facilities for development, then that awareness carries through in the department's consideration.

The same proportion of our budget—and we try to distribute it as equitably as possible—is allocated to roads in the north as it is allocated elsewhere in the province.

Now continued reference to expenditures on facilities such as the Macdonald-Cartier freeway, if you wish, in terms of comparison

with road requirements of northern Ontario are not fair. They are not fair because of the fact that the Macdonald-Cartier freeway is in a densely populated area and performs an altogether different function to the function that roads are required to perform in northern Ontario. So that there is no real basis of comparison to say that heavy expenditures are made on certain types of facilities in the southern part of the province and not in the north. Of course they are not, because the functional requirements are at complete variance with each other.

I now have some information and I hope that this will be of some interest to the hon. member because I see that from North Bay to Kenora, in the northern districts as we call them—North Bay, Cochrane, New Liskeard, Sudbury, Sault Ste. Marie, Fort William and Kenora—the programme value of the work that is referred to in the capital construction programme is \$22,862,000, of which expenditures in the current year will be \$13,485,000. On carryover, the work to which I made reference and to which the hon. member failed to make reference, the value of work on our carryover programme in the same areas is \$11,455,000. This adds up to a total of \$24,940,000 worth of work, either carryover or that portion of new work that can be done in the current and up-coming construction season, approximating \$25 million.

Now this is a far cry from the \$11 million to which the hon. member made reference. I think it is a very fair share of our capital budget for the areas that we are concerned with. Associated with all this, of course, are the normal amounts of subsidies that go to the participating municipalities throughout the north; work associated with statute labour projects; work associated with the new local roads boards. It all adds up to what can only be considered as a fair portion of the budget for the ensuing year.

Some hon. members: Hear, hear!

Mr. Farquhar: Mr. Chairman, the hon. Minister will remember that I only made reference to new and major projects that were readily available, and I wanted to use them as examples of comparisons.

I will ask the hon. Minister just one further question: In his opinion, the amount of money for both maintenance and new projects that has been allocated to the territory that I consider northern Ontario and have spelled out as being northern Ontario, is adequate in light of the budget; does the hon. Minister consider that northern Ontario is getting its

fair share, considering the mention I have made of the need for roads to help development in that area?

Hon. Mr. MacNaughton: I do not know whether I am prepared to comment on that. I think that \$25 million—to use the round figure—being that proportion that can be expended against the value of the new work in this year, plus the carryover work, represents about one-sixth of our entire capital construction budget, if the hon. member has examined the figures. When that is related I think across the length and breadth of the province and contrasted with the requirements of the other areas, their population density and all those related matters, I am inclined to think that this is very fair.

The hon. member may disagree, but one-sixth of our entire capital construction budget being expended in the north strikes me as not being a bad proportion. This goes up sometimes. In some years it will be higher and some years it will be lower, because of the very nature of our programming and the exigencies of the work we cannot always complete the work projected in the current construction year. This, I think, has to be admitted, as the seasons are much shorter up there. But by and large one-sixth of the capital budget seems like a reasonable proportion.

As a matter of fact, I think that the opinions expressed by the hon. member are not generally shared by all the people in the north. I think it is fair to say that there are a good many people in the north who think our programme is not too bad.

An hon. member: There is no doubt about that.

Mr. Newman: Mr. Chairman, I would like to get back to one item that the Minister had remarked on in reference to my original comments and that is the service centre in the Barrie area.

What was the thinking in the department for placing the service centre so close to the city? I understand it is only one-quarter of a mile away from the entrance to the city.

Hon. Mr. MacNaughton: You cannot go much further north than Barrie until you reach that point where there is no controlled access highway.

Mr. Newman: Well, Mr. Minister, if there is only one-quarter of a mile to go before the individual—

Hon. Mr. MacNaughton: Would you like me to finish my explanation?

Mr. Newman: Yes, all right.

Hon. Mr. MacNaughton: The service centres on the Macdonald-Cartier freeway are spaced strategically 50 miles apart. This was, after much consideration, deemed to be the sensible spacing of them. We are applying the same spacing application to Highway 400. It is 50 miles from Toronto, if you would like to put it that way. To go another 50 miles, or even a few miles north, why of course 400 does not go that much further. It will some day, and presumably as we get Highway 400 pushed further north, which is certainly programmed and contemplated, and it is put under control of access, there will very likely be another service centre located further north.

Mr. Newman: Mr. Minister, I hope that you are not always just sticking to a 50-mile distance, regardless of where the centre is to be built. Is it just to be built 50 miles away from the previous service centre? Otherwise you may be going right into a community.

Hon. Mr. MacNaughton: Give or take some miles.

Mr. Newman: And in this case you were so close to the city of Barrie that the individual, the motoring public, could go right into the city for the service; and there are services available on a 24-hour basis in the city of Barrie. Why could you not have built that service centre north of Barrie? You would have still been on Highway 400, and you would not have interrupted or interfered with the economy of the many motels, service centres, and restaurant operators in the city of Barrie.

Hon. Mr. MacNaughton: Actually, Mr. Chairman, these things are not just taken off the top of the heads. There was a good reason for placing it there, as I have mentioned. I can say to the hon. member that the people of Barrie are not upset about this. They welcome this service centre, to be quite frank to the hon. member, as a new industry; and a new industry it is to them. It will employ 120 people; it will buy all its provisions largely in the city of Barrie. I say, frankly, that the people of Barrie are quite happy to have it there. We have had no complaints from the city of Barrie about this thing at all.

Mr. Newman: Did you consult with the city of Barrie when you were selecting the site?

Hon. Mr. MacNaughton: I did not, specifically.

Mr. Newman: Well, did your department?

Hon. Mr. MacNaughton: The matter, of course, of its location approximate to Barrie, would be reviewed and considered before the site was selected. I simply think I will revert to what I said, and say that the people of Barrie are not unhappy—and are, I think, happy—that it is located there.

Mr. Newman: Was the central Simcoe area planning board consulted at all? They would be the ones you certainly would have gone to in seeking advice.

Hon. Mr. MacNaughton: Not necessarily.

Mr. Newman: They were not?

Hon. Mr. MacNaughton: I do not think so.

Mr. Newman: Was the chamber of commerce ever taken into confidence concerning the location of this service centre?

Hon. Mr. MacNaughton: I think the chamber of commerce has expressed itself, Mr. Chairman, as being quite well satisfied and pleased with the location of this service centre.

Mr. Newman: Mr. Chairman, I have a communication from the chamber of commerce to the effect that it was not advised of any proposed service centre being planned, prior to the announcement in the press.

Mr. D. A. Evans (Simcoe Centre): Mr. Chairman, I might say that, previous to the announcement, I spoke to the mayor of Barrie about this service centre being located south of Barrie. As far as he was concerned, he said that he was in full agreement with the service centre, although he had not talked to his council about it. I also talked to several members of the chamber of commerce. They had a meeting on it and they had no objection to it whatsoever. I would say to you that the majority of the people in the city of Barrie and surrounding country have no objection to the service centre whatsoever. It is the people away north of the service centre who have objections—not from Barrie.

Mr. Newman: Mr. Chairman, I am very pleased to hear the hon. member mention the fact that the citizens of Barrie are very pleased with the service centre being set up in their location, because if they were so pleased they certainly would have never come into the city of Toronto and demonstrated, as they did at one time. But, as the

hon. member has said, they are pleased with it; we will let it stay at that.

Mr. Evans: I would just like to say that the hon. member for Windsor-Walkerville said the people from Barrie came into Toronto and demonstrated here. I would say that I was told only two people from the city of Barrie and surrounding communities came into the city of Toronto—they were all people from away north of Barrie.

Mr. J. P. Spence (Kent East): Mr. Chairman, I would like to commend the hon. Minister for putting in his estimates this year sufficient funds to complete that portion of the Macdonald-Cartier freeway—south two lanes—in the riding I have the honour to represent. Much has been said about this—much criticism of the hon. Minister for not doing this sooner, or for delaying it. One of the reasons why I thought it should be speeded up was as a safety measure. Also, it was one of the things to encourage industries to locate in that part of the province. The hon. Minister has said, in his statements last year, that it was highways such as Macdonald-Cartier freeway which were aiding the decentralization of industries across the province. However, the people in our area will certainly be glad to read that you have set aside funds and are going to complete that portion this year.

Another matter which I would like to bring to the attention of the hon. Minister is that, last year, there were 13 companies price fixing and rigging contracts, municipally and provincially, in the province of Ontario. It is quite confusing to some of us that this was first brought to our attention by the federal government. I must say that we thought that this should have been brought to the attention of the people of the province of Ontario by The Department of Highways because they were no doubt contracting with these people.

Another thing was that for some of these contractors who were charged for doing this, the penalties were: suspension of bidding for six months. This, I think, was ridiculous. If a man goes out and steals enough bread to feed his family, he goes to jail. But companies like this go out price fixing or contract rigging, and only get a sentence of being suspended from bidding for six months! I think that whatever Act they were charged under certainly should be amended because this is confusing, and it is serious, to the people of the province of Ontario.

Hon. Mr. MacNaughton: Mr. Chairman, to reply to the hon. member for Kent East, I

would first of all say that, as yet, no charge has been laid against these people under The Combines Investigation Act, and only in terms of charges can the federal Minister of Justice undertake to do this. The suspension, if you wish to refer to it that way, or the prequalification penalty imposed by the Minister of Highways following the tabling of the report of the restrictive trade practices commission last August, was a measure that was undertaken entirely in association with the procedures set up in terms of our prequalification.

One of the provisos in the schedule of prequalification procedures enables the Minister—and I might digress long enough to say that these procedures have been developed over a period of years with the department and the Ontario road builders association itself, so that the Minister has the authority under the prequalification procedures to which I refer, to impose prequalification penalties. I think I will read the section, if I may. This is section 8 of the prequalification procedures, used by The Department of Highways as revised. It simply says:

Fraudulent, false, deceptive or misleading statements. Any contractor who, himself, or whose employee or agent, makes or causes to be made any fraudulent, false, deceptive or misleading statements under these procedures or on any documents relating to a tender to or a contract with the department may be prohibited from bidding on contracts for a period of time determined by the department, or may have his basic rating adjusted in accordance with section 1 of these procedures.

It was under this section of our prequalification procedures that we took the action we did. It is hardly up to us to usurp the functions of the appropriate tribunal that may arise if the federal Minister of Justice decides to lay charges under The Combines Investigation Act against these people.

On the other hand, we employed the only means we had available to implement, if you like, some punitive measures and this was done. I might simply say to the House, in concluding my observations in reply to the hon. member, that it is difficult to measure the extent to which these people may have suffered. Some of them are more than road resurfacers. During the 90-day period—it was not a six-month suspension or penalty—the normal amount of work would be called for tender by the department and it would run into the tens of millions of dollars. Some of these 13 would have been eligible to

enter bids for that work, and probably might have been successful in obtaining some contracts. However, because of our policy of awarding contracts to the low bidder, you understand that they would require to have been the low bidder. But it is safe to assume that there was a great potential value of work available to these people and that for a 90-day period they could not bid on it. They could not take out tender documents.

I do not propose to debate whether we were right to impose the penalty at all, or whether it was too little or too much, because I do not know. Certainly we did let it be known to the road building industry that these penalties were there, and that we could impose them. And we did, because the statement tabled in the House of Commons by the restrictive trade practices commission indicated that there was admission on the part of these people that they had adopted these practices. So I say to the hon. member, this was as far as we felt we should go and I am not prepared to debate the severity or laxity of the penalty that was imposed here. It is up to the federal Minister of Justice now to decide what charges he will lay.

Mr. R. Welch (Lincoln): Mr. Chairman, although my comments may be a little out of context now in view of what has transpired—

Hon. Mr. MacNaughton: As a matter of fact, Mr. Chairman, we are roaming all over the estimates, I can tell you that. Just roaming all over.

Mr. MacDonald: You have three great big votes.

Hon. Mr. MacNaughton: With all kinds of items under them, if you want to pick them.

Mr. Chairman: What item do you want to speak on?

Mr. Welch: I wanted to make reference, if I may and you consider me in order, to the comments made earlier this afternoon by the hon. member for York South dealing with the Niagara peninsula traffic survey. Am I in order?

Hon. Mr. MacNaughton: Yes. If he was, you certainly are.

Mr. Welch: Except that two wrongs do not make a right.

Mr. Chairman, following the remarks of the hon. member for York South, I had occasion to consult with my colleagues, the hon.

member for Niagara Falls and the hon. member for Welland (Mr. Morningstar), in order that I could be sure we were in agreement that every effort was made by the department to have adequate representation at this meeting on January 11, to which the hon. member for York South makes reference.

I cannot personally support the proposition that the Niagara regional development association was represented there, and this is a matter of fact which can or cannot be established. However, I could not let his comments go unchallenged insofar as they concern the great riding which I have the privilege to represent in this House. I have a tremendous respect for the officials and the staff of The Department of Highways. Indeed—

Mr. R. Gisborn (Wentworth East): With the attention you are getting down there, you should.

Mr. Welch: I was just going to comment on that, because we, indeed, have been the beneficiaries of very generous treatment on the part of The Department of Highways.

Mr. Gisborn: Wentworth does not get it.

Mr. Welch: I think anyone who travels in this part of the province would appreciate that, notwithstanding the comments of my hon. friend to my right.

Mr. Chairman, having said this, I know of the efforts that were made by the officials of The Department of Highways to ensure that adequate representation be at the meeting referred to from the county of Lincoln, and all of the municipalities within that county, and the officials who would deal with and who would advise these particular municipalities, insofar as planning is concerned. I can share with my hon. friend from York South many letters and many comments from the municipal leaders of Lincoln who were very complimentary with respect to the way The Department of Highways conducted this particular meeting, and I know that since the report has been issued in its present form, it has been made available to many of these authorities. I just want the record to be clear insofar as I am concerned; that, regardless of any comments which have been made, this has been a very significant contribution, insofar as our region is concerned and we are proud of the leadership of the hon. Minister of Highways and his department, in this regard.

Mr. MacDonald: Mr. Chairman, I do not want to return to this particular point, but

the hon. member is setting up a straw man and beating it down. Neither the hon. Minister nor he has yet been able to confirm the fact as to whether the regional development association was there.

Hon. Mr. MacNaughton: We will.

Mr. MacDonald: I agree, and my essential point was: Was the body which was given the responsibility by this government to be the co-ordinator in regional development in that area in attendance? Instead of getting up and trying to chastise me, I think if you had this bit of information, it would be much more significant than all your fuming and fury.

Mr. Welch: Mr. Chairman, I would not be presumptuous enough to attempt to chastise the hon. member for York South. There were other comments made by the hon. member and I think this is just a clever play on words on his part, although the specific question, it is quite true, and as a matter of fact, is to be proved. There was a general cloud around his statements, to try in some respects to discredit this particular report, and I just wanted to speak to that general, although subtle, point. It is an excellent report.

Mr. Chairman: Might I suggest to the members that we should get through with 801 and then let us stick to item-by-item on 802. For example, item 1 in 802 covers a great variety of things and I think it would be much more in order if we could do that.

Mr. Gisborn: Mr. Chairman, am I recognized?

Mr. Chairman: No; the leader of the Opposition.

Mr. A. E. Thompson (Leader of the Opposition): I would say again, Mr. Chairman, and I am sure you are as much in the dark as I am on this, that I think you said highways covers the waterfront—that is what you implied if you did not say it. I am talking about the studies that the hon. Minister talked about last year on rapid transit from Burlington to Ajax. Can I talk on this at this time, or do you want me to wait?

Hon. Mr. MacNaughton: Of course, Mr. Chairman, this is entirely under a vote in the estimates of the hon. Minister of Transport. We did discuss this at some length and I took part in the debate myself, if the hon. leader of the Opposition recalls it. It is under the estimates of the hon. Minister of Transport. If we are going to stick strictly to order,

there is no provision in these estimates for a discussion of that at all.

Mr. Thompson: If I could recall, last year the hon. Minister was saying that the purpose of highways was to transport from one place to the other, either persons or goods.

Hon. Mr. MacNaughton: What else?

Mr. Thompson: Naturally they are related and if I could recall also, Mr. Chairman, to the hon. Minister, I understand he had announced two of these studies that were going to take place.

I really want, if I could, to talk about transport—of course it is the very function of highways. If I can go ahead on this, because I think it is under general policy, I am hoping to draw from the hon. Minister his whole broad programme of the purpose of highways. My own feeling is, sir, and I think we would all say this, that there is a lot of concrete being laid all over this province.

Hon. Mr. Rowntree: Mr. Chairman, this matter of the metropolitan transportation study was discussed at some length under The Department of Transport and that debate was permitted to range over a considerable area. The estimates for the payment, the authorization for the research, and the survey study itself is contained in the estimates of The Department of Transport and it is under that heading that the debate did take place. This is not the place to reopen, under The Department of Highways, the question of the Metro transportation study, Mr. Chairman.

Mr. Thompson: I appreciate the clarification by the hon. Minister of Labour and therefore I will not talk about those particular studies in themselves but I will talk about the purpose of highways.

Hon. Mr. Rowntree: Which estimates is the hon. leader of the Opposition speaking to?

Mr. Thompson: I am speaking on the general policy of building highways. Some of us ask why the highways are built, and the hon. Minister has an understanding it is to transport people or goods. I am looking forward to hearing more from him on this.

Hon. Mr. Rowntree: Mr. Chairman, this may very well be the proper time to draw some attention to the question of the debate on the estimates. I think it would probably be desirable—if I might deal with this, Mr. Chairman, for a moment—that we should stick

to the particular estimates and contain the debate directly to those estimates rather than speaking under the first estimate of something that is really contained and referred to in another vote. I suggest that this is the opportunity to review this situation. Even today, by consent, we permitted this to go on with the hon. member for Downsview. I really think the hon. member for Downsview would get more out of this debate if it were under the proper item. I say that frankly. I think it is more fair to the Minister of the department concerned as well.

But the question of the opening remarks and debates of the estimates of each department leaves room for some observation on the practices which have crept in in this particular session. It is my understanding that the practice through the years, and the accepted practice, has been for a Minister to make or not make an opening statement; then the privilege is extended to the Opposition, to the leader of the Opposition, frankly, or to someone to whom he may delegate this responsibility, to speak in principle on the department concerned; and further, for a representative from the NDP to have the same privilege of speaking to the estimates in principle.

It seems to me we would all be on sounder ground if this practice were followed rather than to have the hon. leader of the Opposition—and I do not suggest any impropriety or motives to him—delegate his authority to a member who said yesterday that he spoke for the party in his remarks and then had the hon. leader of the Opposition coming back to retrieve his position.

Mr. Singer: That is not so at all.

Hon. Mr. Rowntree: I am speaking to the hon. leader of the Opposition. I think he might give this a little consideration so that we can approach these estimates in a businesslike fashion and with some order, so that all of us may understand what is being debated. I think we were getting, Mr. Chairman, to the point a moment ago, where the generalities of the discussion were far removed from any vote or estimate.

Mr. Thompson: Well, Mr. Chairman, I would first say that I am sure the hon. Minister recognizes, as indeed do all of the hon. members from the opposite side, that there was absolutely no need for, or any question of me getting up to retrieve the position of my hon. colleague. There was nothing to retrieve as far as we are concerned. But I say also that I know that the hon. Minister had asked something and of course of course

of Labour—I have talked to him about this—in some of the items coming up, would hope that we have an imaginative approach where we would be looking ahead to examine some long-term policies. I also know that he is the kind of person who does not want to believe in a form which is going to stultify any kind of debate. I think that applies, sir, through you, Mr. Chairman, to the hon. Minister of Highways—that where there are questions to be raised—and certainly there are about highways—on what we are doing, and on where we are going, surely these questions could come from any member? I am sure that it would be welcomed by the government side.

I would say one of our problems, particularly with these estimates, is that you have really got three votes. And again, with respect, I would suggest that if there were more than three votes it would be easier for us to see the slot in which we should speak.

Hon. Mr. MacNaughton: Well, there are three votes.

Mr. Thompson: Could I start with just a few remarks again concerning the purpose of highways? After all, we have been questioning the hon. Minister for a long period and it would be interesting if he would define his position on the purpose of highways.

Hon. Mr. Rowntree: Should there or should there not be a Department of Highways?

Mr. Singer: Well, you could start on that.

Mr. Thompson: It would not be a bad idea to discuss that. Having raised that fundamental question, the hon. Minister of Labour gives me the opportunity to go ahead and discuss it.

I would say this: Certainly he has been building highways, and he stands up each year and says, with pride, that there is more concrete laid all over the place. I think, Mr. Chairman, that the hon. Minister realizes, having built great highways, that suddenly there is a great flow of automobiles on these highways. He begins to wonder, "Well, how long do I have to go on building highways? There seems to be an incessant demand for them; I can never keep up. And we are spending billions of dollars on highways being built all over the province." I raise this because, to me, the purpose of highways, as the hon. Minister himself said so succinctly, is to transport goods or persons from one place to the other.

Hon. Mr. MacNaughton: What else?

Mr. Thompson: And I would suggest that perhaps he thinks that highways are the only means of transport. I do not think I am out of order in the debate—the subway was discussed in the estimates. I would like to look ahead on this. I am going to make some predictions; I am quite sure the hon. Minister should have some facts and some considerations also. He could reaffirm the stand of the government regarding the future transporting of people from one place to the other with not only the emphasis on the one aspect of highways. I think that we are going to see more subways being built, more of this form of short-range rapid public transport.

I think the experience of Metropolitan Toronto with subways has shown that these have to be developed much more, or we are going to get a greater congestion of cars stifling the centres of cities. I think, on the outer fringes—and this is what I raise with the hon. Minister—we are going to have to do much more with commuter rail lines. I suggest, sir, that Ontario probably has failed in this to a large extent. I know there have been studies done on it; we had a debate, a couple of years ago, on the use of commuter rail lines. I was in Europe a while back and saw the effectiveness of moving people by commuter rail lines, and I know that in the States there have been studies done on it.

I come back again to those two studies which the hon. Minister announced. I understood that they would be finalized, one in the fall and the other at the end of the year; perhaps the hon. Minister would enlarge on this after I sit down? He has had earlier studies. As I recall it, there were 15 commuter rail lines which could be used around this metropolitan area, with about 280 miles of track. I would like, really, to hear what the hon. Minister is considering doing with these kind of facilities.

I would like to suggest that we are going to have to look ahead to means of getting people and goods from one place to another other than by highways. I notice in the States—in fact, I had lunch today with someone who was telling me of the enormous amount of money spent by the American authorities to examine new approaches rather than the emphasis on cars. I was talking to this person, who had been to a seminar in the States, and I have made notes on some of the approaches he foresaw in the not-too-distant future. He had heard of trains that would be travelling 300 miles an hour on an air cushion; broader gauges to provide a faster roadbed; systems whereby local cars can be attached to express units; something like the piggyback system in connection with

trucks; monorails; trains riding on rubber tires; automatic ticket-taking; scheduling by computer in relation to traffic volume at any given time; trains that will travel close to the speed of sound in tunnels; moving pedestrian belts; ways for short-distance urban travel; trains where you drive your car in at one end of the journey and off at the other. These are a few of the ideas that exist now, either on the drawing board or in working models or in experimental installations.

I do not know what kind of systems are eventually going to prove themselves, but I do know that we have to be looking for the answers right now. I would hope that the hon. Minister will tell us some of the research that is being done and some of the co-operation that is being made with the United States about such plans.

I would like to forecast there is going to be an extremely fast passenger express service between the urban centres at one end of the "Horseshoe" to the other, and from the north as well. I think there are going to be feeder commuter lines linking built-up areas to each other and to the express lines. There is going to be some form of air service between airports and downtown centres. There will be a limitation on private automobiles in city centres. There will be adequate parking facilities for commuters using the rapid transit systems. There will be in the urban centres themselves a network of rapid transit and bus lines providing access to all parts of the urban centre.

In connection with financing transportation, I think there is going to be a whole overhaul of our approach. I believe we are going to come to the point where we are not going to tax the railways for the right-of-way, we are going to subsidize them because they are going to add more value to the economy than they will cost. The province will not just subsidize municipal roadbuilding, it will subsidize municipal rapid transit and bus service as well. But in the long run the sophisticated approach to mixed transportation systems will cost the province and the municipality less than a single-minded obsession with public pavement. We will be into this both with capital funds and with funds to cover operating costs, because if we do not we are going to be spending more and more money on highways with less and less return on our investment.

We will also revise our thinking about jurisdiction. I am convinced that you are going to be looking at your approach on transport, which includes highways, from the regional unit point of view. In order that

we can economically develop systems and the necessary services, we are going to have larger units when we are thinking of transport. I think even now, the metropolitan area, with some of the problems that we have, is too small for the type of thinking needed.

Too small, because for one thing you have the Yorkdale shopping centre and you have people from Barrie coming down to do shopping in this Yorkdale shopping centre; so you should be thinking of a larger regional area. It is too small because of the need of Toronto racing fans to be in Fort Erie on a sunny Saturday afternoon. Our chairman has changed; some chairmen are interested in seeing that we do go down to these areas.

But what I am really asking the hon. Minister is if he could give us some indication of forward thinking in this. I realize that these new technological advances come on us terribly quickly, and we can be caught with the implication that we have not looked to the future.

I have for a considerable number of years had to drive out to Malton airport, and it always struck me as one of the ironies of a great technological advance that you had people travelling into Toronto from distant points and then having to struggle on a two-lane highway, in a traffic jam, because there had not been planning in co-operation with advances in air travel.

This is why I come back to the point that just to talk of building highways is not good enough, we have to see it in relation to other means of transport. It is for that reason that I appreciate the indulgence of the hon. Minister of Labour, and look forward to hearing your philosophy and also of some of the possible approaches and what the future holds for us.

Hon. Mr. MacNaughton: Mr. Chairman, I do not know whether you are going to hear any great flights of philosophical—or fancy prognostication is a good word—except of course I agree with the hon. leader of the Opposition that transportation modes and habits and trends are changing as fast or faster than society. He made reference to the fact that he has done a great deal of travelling abroad, and presumably through the United States of America, and so have I.

In the course of carrying out my responsibilities as chairman of this Metropolitan Toronto and region transportation study we have examined Boston, we have examined New York, Philadelphia, Seattle, San Francisco, Los Angeles; and I can only largely concur with the fact that all these matters of transportation modes are being very

actively examined at the moment. In the United States the federal authority puts up large sums of money to subsidize these cities to do just the type of study that we are undertaking here entirely with provincial funds. The cost of the Metropolitan Toronto and region transportation study is being paid entirely by provincial funds. Now when you get outside of Canada and go to a city like Boston or New York or Philadelphia or any one of the major cities there, the entire amount of funds involved in these studies is advanced to these urban municipalities these large sprawling complexes, by the federal government.

Having said that, that does not mean that because of lack of federal funds we should not pursue the same thing here.

Mr. Thompson: Just on that point of financing: The two studies to which I was referring, there was one on which they were going to have public acceptance—I am quoting from what I have written from *Hansard*—you are having a survey to determine the public acceptance, the cost and the economic feasibility of establishing an experimental rail commuter service to operate between Burlington and Ajax.

Hon. Mr. MacNaughton: Right!

Mr. Thompson: We are in concord in connection with the two studies to which I am referring. The other was conducting an overall scientific survey of transportation characteristics and requirements of the entire region extending from Hamilton to Bowmanville and stretching north to Barrie.

Hon. Mr. MacNaughton: Let me point out it has been said many times that the area under study involves basically a radius of 50 miles from Toronto, or probably a little more. It reaches the environs of Hamilton on the west, Oshawa on the east and Barrie on the north; and within that radius of course is the area under study.

Now when you talk about reports, let me point out to you that the first report that was published was what we call a physical feasibility report, for which we engaged a firm of consultants who told us in the first instance that commuter rail project was physically feasible. In other words, the abandonment of many miles of track converging upon Toronto from all directions as a result of the marshalling yards built by both the railways left this trackage available. So the first study then was to determine the extent to which this mileage of rail could be made adaptable for commuter

service purposes. The report indicated that in varying degrees of adaptability it could all be used, with a variety of, let us say sensible, impact on the community.

Second then, a prospectus was tabled and published, and I am sure that every member of the House got one, which outlined the overall approach to the study by the Metropolitan Toronto and region transportation study.

Now, the two studies to which the hon. member made reference and which I spoke about a number of weeks ago, are stages of the overall study. The study was broken down into stages, it was compartmentalized, for rather obvious reasons. When I am in a position to do so, and this will not take too much longer, to tell the House the expense, the manner in which this all-embracing thing is being surveyed and the data that we have accumulated, I have every reason to believe that the hon. member is going to be very much impressed with the nature of this work. But even as recently as this morning, when the executive committee met with the technical and advisory committee or the working group, it was decided that rather than wait now for an all-embracing, voluminous report, we would compartmentalize this thing and produce interim reports, all of which, when completed, would form the whole report.

I confidently hope, Mr. Chairman, that we will have something to report to the House associated with the various stages of this study, and certainly one stage of it, in the course of a very short time; I would hope before the House rises.

Mr. Thompson: The hon. Minister is saying that this is a study in stages of commuter service between, say, Burlington and Ajax?

Hon. Mr. MacNaughton: My reply to the hon. leader, Mr. Chairman, would be that the commuter rail project is one stage of the overall transportation study. That one is nearing completion; I think that I mentioned that in the House earlier.

In the course of the hon. member's remarks, he did make reference to new and challenging and interesting modes of travel, and I am sure he will find that stage-by-stage we will go through the process of this study until it is completed and that all of these things to which he made reference, and sensibly made reference, will be dealt with—

Mr. Thompson: In the study—

Hon. Mr. MacNaughton: —when the final compilation is made. But rather than do it

all as one, we are breaking it up. We are examining the travel habits and the customs of the people—for instance, as associated with various travel modes.

The hon. leader made reference to my observation on that and, of course, that is a very important part of the study. It characterizes all of the studies that are being made in all of the major communities of the United States.

These are the things that have to be determined before new travel modes can be implemented, or before we can say that we do not need highways any more and that we need something else. I think, frankly, that we will; I think that all manner of new transportation modes and means of transporting people will develop, and very quickly. But at the moment, Mr. Chairman, rather than

give the hon. leader of the Opposition an opinion off the top of the head, I prefer to wait, because we are studying this thing in a very intensive and exhaustive manner and largely along the lines of some of the suggestions he advanced to the House this afternoon.

Mr. Thompson: Mr. Chairman, I would like to say to the hon. Minister that I appreciate that he is studying these various approaches to be taken. I assume that he is in touch with studies that have been done in U.S. cities and, as he said, we will get a more comprehensive and broad study tabled in this Legislature within, possibly—this month?

It being 6 o'clock, p.m., the House took recess.

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Legislature of Ontario

Debates

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Third Session of the Twenty-Seventh Legislature

Tuesday, May 4, 1965
Evening Session

Speaker: Honourable Donald H. Morrow
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LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, MAY 4, 1965

The House resumed at 8 o'clock, p.m.

ESTIMATES, DEPARTMENT OF HIGHWAYS (continued)

On vote 801:

Mr. B. Newman (Windsor-Walkerville): Mr. Chairman, may I ask the hon. Minister of Highways (Mr. MacNaughton), through you, what are the administrative costs of this department as a percentage of the total expenditures? Would he have such a figure?

Hon. C. S. MacNaughton (Minister of Highways): Mr. Chairman, do I understand the hon. member correctly? Is he talking about the total budget of The Department of Highways versus the entire Budget for the province of Ontario?

Mr. Newman: No, the total budget for the administration portion of this department as compared with the total budget of the department.

Hon. Mr. MacNaughton: If you are looking at vote 801, which is the main office under the ordinary expenditure vote, and if you call the main office the administrative section of the department, it is a rather simple equation because it is shown there as \$4,746,000 versus a total budget of almost \$330 million.

Mr. Newman: There certainly would be some administrative charges in the other two votes, would there not?

Hon. Mr. MacNaughton: I think, Mr. Chairman, if the hon. member will be indulgent enough to permit me, that this is something we can provide some information on, but I do not have this readily available. Of course there are some administrative charges in the other votes, there is no question about that. If the hon. member will indulge me, we will provide this information for him.

Mr. Newman: Yes, Mr. Chairman, I am not anxious for the answer immediately. I have received such figures from other administrations and I would like to see how they

compare with this department in the province of Ontario.

Hon. Mr. MacNaughton: It will compare very favourably, I am quite sure.

Mr. Newman: I certainly hope so. We are looking forward to having it compare very favourably; we would like it to compare very favourably.

Hon. Mr. MacNaughton: Yes, no doubt about it.

Mr. Newman: The next question, Mr. Chairman, if I may, is: What amount has been set aside in the budget for signals, gates and flashers at level crossings which are not separated? If the hon. Minister can supply this later, that is quite all right.

Hon. Mr. MacNaughton: I think I will have to ask the hon. member to indulge me again. It is not in this vote in the first place, but we will work at it here and we will try to provide him with the answer before the House rises. If not, we will do it later on.

Mr. Newman: Mr. Chairman, it is quite difficult to ask a question that would be specifically in the one vote, unless the votes were broken down in a little more minute detail.

Mr. Chairman, if I may, has the department ever considered painting the sides of all highways with a special type of paint as a promotion for safer highway travel?

Hon. Mr. MacNaughton: You mean edge-of-pavement marking? Yes, these matters have been considered, and certainly in certain traffic zones I think more information can be made available on this. I do not think it has ever been anticipated or recognized that the painting of pavement edges in the overall sense was an expedient thing to do. We certainly do it in accident-prone locations, and we do it where there is a poor definition of the section of highway, and so on. It is done rather extensively but, no, not on the paved portion of all highways.

Mr. Newman: Mr. Minister, I really meant over portions of those highways that would

be accident prone, because I would see no advantage in having it on a straight road.

Has the department ever considered, or experimented with, special treatment for the edge of the highway so that an individual could tell by sound when driving a motor car that he was a little too close to the edge of the road?

Hon. Mr. MacNaughton: No.

Mr. Newman: No. There is a treatment that can be incorporated in the road so that a hum factor is created in the car and a driver can tell that he is right at the edge of the road and has to exert a little more caution.

Hon. Mr. MacNaughton: Mr. Chairman, this is done in certain areas of divided highways where there is no median strip or, let us say, four lanes undivided, if you like. In certain sections this device is employed, but in the general sense, no.

Mr. Newman: Mr. Chairman, is there a definite reason why this is not done? Is it expense or is it that it does not serve a practical purpose?

Hon. Mr. MacNaughton: I would be more inclined to think that the latter is the basis that can be accepted as the reason for why it is not done.

Mr. Newman: Does the department experiment with such procedures on highways as various treatments for the roads as added safety features?

Hon. Mr. MacNaughton: Mr. Chairman, I would say in a general sense that the department, through its research branch, if you wish, and through other appropriate sections of the department, continually experiments in all matters of this kind. We have a rather fully constituted research branch in the department, now headed by a knowledgeable and experienced director and a knowledgeable and experienced staff, and the matter of research into the situation that the hon. member described, and many other matters that lend themselves to sensible research, is a constant exercise in the department. That is answering in rather general terms, Mr. Chairman, but I think I can assure the hon. member that these fields of research are under constant scrutiny; there is no question about that.

Mr. Newman: My point, Mr. Chairman, is to make the highway as safe as possible for the individual so that by the application of

one type of feature or another, the individual would himself be responsible for the accidents, and they would not occur as a result of the highways not being improved upon after some fashion.

Hon. Mr. MacNaughton: Yes. Mr. Chairman, I think I have to say to the hon. member that surely it is as obvious to us as it is to him that all areas of accident prevention and the examination of accident-prone locations are matters that we must be equally concerned about. Every accident, fatal or otherwise, is reported to the department; we have a section that examines each of these; we examine the reports of the coroners; we examine the statistics of the information presented to us by the Ontario provincial police, and in each and every circumstance, the involved section of highway is thoroughly checked into and remedial measures are taken wherever they appear to be warranted. I can assure you, Mr. Chairman, and assure the hon. member—and indeed the House—that this is a process that will continue. There can be no question about the concern of the department in this area of precautions for the safety of the driving public.

Mr. Newman: Mr. Chairman, has the centre line on the highways been extended since the highway speed has been raised from 50 to 60 miles an hour, especially going uphill or around a curve; because at 50 miles an hour it takes longer to do the passing than it would at 60.

Hon. Mr. MacNaughton: Mr. Chairman, the answer is yes. We conform to the international standards of centre-line markings as a device to improve the safety factor of driving on our King's highways and other highways in the province.

I might amplify this by saying that as a result of the tour by myself and the commissioner of the Ontario provincial police last July from London to Windsor, supported by senior staff of the department and senior staff of the commissioner, a number of recommendations were made with respect to centre-line marking and other markings. In other words, over long gradual curves, the double, solid line was extended, and this again is a matter that is constantly under survey, and is dealt with in terms, as I mentioned, of the international pavement marking processes that we all adhere to.

Mr. Newman: Mr. Chairman, how does the department purchase its communication equipment? Is it by invitation tender or by public tender?

Hon. Mr. MacNaughton: It is done on a tender basis. I am not sure if it is public or by invitation; it may be public. There are only three companies that are actually capable of providing this type of equipment. There is no need to name them, but it is done on a tender basis.

I might say, in expanding on that for the benefit of the hon. member and for the information of the House, that up until not too long ago we acquired these facilities by ownership; now we do it on a lease basis. We now find it is more expedient to own the facilities than to lease them. I may have reversed the order there at the outset, but now the facilities for telecommunication are owned largely by the department, and as our leases expire in those areas where leases are still applicable, we will move into the area of entire ownership by the department. It has been found to be more efficient, more economical.

Again, on this particular subject, Mr. Chairman, for the interest of the House, we will complete our telecommunication system, serving 18 districts from one end of the province to the other, very shortly. I think the last district to be provided with these facilities is the Fort William district and we may even give some recognition to this by going to Fort William for that purpose in June or July.

At that point, sir, the entire system will be provided with complete telecommunication facilities. As I have said, the majority of them are now owned by the department, and as our present leases expire we will own all the facilities ourselves.

Mr. Newman: Is the equipment serviced by the department itself or is it under a contract?

Hon. Mr. MacNaughton: We enter into a service contract with the manufacturers who supply the equipment to us. It is serviced by the manufacturers of the equipment from whom the purchase is made. One that comes to mind is the Motorola Corporation. If we buy Motorola equipment then a service agreement is entered into with the company to provide the type of service that is required.

Mr. Newman: Does the hon. Minister think that that is a cheaper way of servicing the equipment than having his own employees do it?

Hon. Mr. MacNaughton: Well, I would say to the hon. member that if we are doing it that way it should be obvious that we think it is most efficient and economical. I think

the answer must be obvious. If it was any different, we would not be doing it this way.

Mr. Newman: I am very glad—

Mr. A. E. Thompson (Leader of the Opposition): How does he know it is the cheaper way?

Mr. Newman: Mr. Chairman, how do you know it is the cheaper way if you have not done it the other way?

Hon. J. R. Simonett (Minister of Energy and Resources Management): Well, how do you know it is not?

Mr. Thompson: It is a perfectly reasonable question.

Hon. Mr. MacNaughton: Mr. Chairman, I would say, for the information of the hon. member and for the information of the House, that there was a complete and exhaustive study made of the entire telecommunication process. As a result of this, it was determined that this was not only the most efficient method of taking care of maintenance, but the most economical. I simply suggest to you that, basically, the function of The Department of Highways is to build and maintain roads and we think the people who build electronic equipment and telecommunication equipment are much better equipped to service it than we are.

Mr. Thompson: But you have spent too much money sometimes on highways, when you look back over your history.

Mr. Newman: Mr. Chairman, the hon. Minister had mentioned that The Department of Highways is interested solely in building roads.

Hon. Mr. MacNaughton: I did not say that.

Mr. Newman: Could he inform us who makes the signs for The Department of Highways?

Hon. Mr. MacNaughton: That was not what I said.

Mr. Newman: Well, you inferred that. Is the equipment purchased by the department of the same make as the equipment used in Lands and Forests?

Hon. Mr. MacNaughton: Not necessarily.

Mr. Newman: Would it not be cheaper then to be using a similar type of equipment in both departments?

Hon. Mr. MacNaughton: Not necessarily.

Mr. Newman: The department purchases its vehicle needs from the manufacturer. Does the department service its own vehicles?

Hon. Mr. MacNaughton: Yes, the department does service its own vehicles to a very large extent.

Mr. Newman: Well, this is a little different from your electronic equipment. Just a while ago you told me that it was cheaper to have the electronic manufacturer service the equipment.

Interjections by hon. members.

Mr. Newman: Mr. Chairman, has the department ever considered regionalizing its cars and trucks? For example, having Ford equipment exclusively in one region, Chrysler equipment in another and General Motors in a third? Then one set of parts could be kept in one area and one type of vehicle serviced there; the other type of vehicle, used exclusively in a second area, would be serviced in that area.

Hon. Mr. MacNaughton: No!

An hon. member: Definitely not.

Mr. Newman: Well—

Hon. Mr. MacNaughton: Mr. Chairman, the answer is no.

Mr. Newman: Does not the hon. Minister think it would be more economical to have equipment regionalized after a fashion, like that?

Hon. Mr. MacNaughton: Mr. Chairman, again on the basis of very careful research over a long period of time, the answer is no.

Mr. Newman: Mr. Chairman, I would like to make an observation on that answer; that is, I think it would be much simpler for a mechanic to be working on one type of equipment than on four different types of equipment.

Interjections by hon. members.

Mr. Chairman: Order!

Mr. Newman: Mr. Chairman, if I may ask of the hon. Minister: What is the department's policy on rental of equipment?

Hon. Mr. MacNaughton: I must confess, Mr. Chairman, I did not hear the hon. member; I am sorry.

Mr. Thompson: I would say, Mr. Chairman, that if we had less heckling perhaps the hon. Minister could hear the question.

Mr. Chairman: Order, please.

Mr. Newman: Mr. Chairman, if I may ask of the hon. Minister: What is his policy on equipment rental?

Hon. Mr. MacNaughton: Is the hon. member talking about the matter of roadbuilding equipment rental or—

Mr. Newman: I will mention one specific vehicle—half-ton pick-ups.

Hon. Mr. MacNaughton: Half-ton pick-ups?

Mr. Newman: Yes.

Hon. Mr. MacNaughton: I would say that generally, Mr. Chairman, the policy is one of ownership rather than rental in that particular field.

Mr. Newman: In that particular field?

Hon. Mr. MacNaughton: Yes.

Mr. Newman: I am most pleased to hear that because I had understood that the department had rented half-ton pick-ups, paid approximately \$175 a month for the rental of the equipment, used it for approximately six months, which would have been a cost of \$1,050 in a year—

Hon. Mr. MacNaughton: If the hon. member would permit me to interrupt, I said this was the process generally. There may have been isolated exceptions which would have no bearing on the general policy. Generally, the policy is, as I have mentioned, Mr. Chairman, one of ownership.

Mr. Newman: I am more than pleased to hear that because, under the other policy, it would have cost from four to five times the price to purchase over a period of time.

An hon. member: What kind of air did you use in the tires?

Mr. Newman: Conservative air; it is all hot! It is Conservative hot air they use in the tires.

Interjections by hon. members.

Mr. Newman: Mr. Chairman, the department would have quite a substantial sign-making department. Are these signs made in a central location or are they made in the various district offices?

Hon. Mr. MacNaughton: Mr. Chairman, I think in the majority of instances they are made in the various district offices, spread over the 18 districts of the department. They are also fabricated in certain forms and designs, I think, at the centre at Downsview; but, by and large, this work is spread around the province throughout the 18 district offices which are well equipped, I might say, to undertake the work.

Mr. Newman: Mr. Chairman, the contractors are required to be prequalified. Who decides as to whether a contractor is prequalified? Does the department have a committee?

An hon. member: First of all, they find out whether they are Conservative or not.

Hon. Mr. MacNaughton: The matter of prequalification is decided by a committee of The Department of Highways on a formula basis.

Mr. R. Gisborn (Wentworth East): Mr. Chairman, I would like to raise a question, and I raise it under 802.

Hon. Mr. MacNaughton: Mr. Chairman, may I ask, then: If the hon. member is going to talk on 802, can we assume that vote 801 has been carried?

Vote 801 agreed to.

On vote 802:

Mr. Gisborn: Mr. Chairman, I think if we are to be correct, 801 was carried some time ago.

Hon. Mr. MacNaughton: I might say you would never know.

Mr. K. Bryden (Woodbine): That is because of the way you present your estimates.

Mr. Gisborn: When the hon. Minister of Labour (Mr. Rowntree) got up and gave the Opposition a lecture on sticking to the estimates, that was when we moved to 802 from 801. Nevertheless, I see in 802 there are something like 30 items; and, as requested by the hon. Minister of Labour, I will try to stick with some of those items.

I want to deal with the one that is fourth from the bottom—toll bridge operations. I will be very brief. Mr. Chairman, to the hon. Minister: He will recall that, last September, The Department of Highways, in conjunction with The Department of Transport, endorsed the bylaw for the city of Hamilton to ban trucks on the so-called "beach strip" in Hamilton. Subsequent to, or in conjunction

with that order, the department, I would assume under the hon. Minister of Highways, reduced the tolls on the Burlington skyway toll bridge for the tractors, trailers, buses and large trucks. At that point, before the reduction, the cash fare was .45 cents per trip and they were reduced, and the commuter tickets at that point were books of 20 at 30 cents apiece, which was \$6, and they were reduced 50 per cent to the fare of books of 40 at .15 cents apiece for a total of \$6. Would the hon. Minister tell us what brought about the reduction in the tolls for the buses and trailers?

Hon. Mr. MacNaughton: Yes, Mr. Chairman. This is a matter of some interest and one that is not too difficult to explain to the House. The hon. member for Wentworth East recalls, of course, that there was some controversy in the Hamilton area over the use of the beach strip by trucks particularly. The area residents and the children in the area were being endangered by this excessive traffic. At that point, the bylaw of the city of Hamilton to close the beach strip was approved by the hon. Minister of Transport (Mr. Haskett) and subsequently in the Cabinet, and it was felt that a reduction in the rates of tolls because of the increased traffic that would use the bridge—and this has been the result—might well be considered. As a matter of fact, it was offered as a sensible inducement to those operators of fleets of trucks to consider the peaceful, if you like, abandonment of the use of the beach strip and utilize the facilities of the Burlington skyway.

It is interesting, I think, to observe that since these sensible decisions were reached, the increased volume of traffic over the bridge facilities at the lower rates of toll have not only kept pace, but I think exceeded, in terms of volume and revenue, the revenues that formerly accrued to the operation. If we have provided for the sensible use of the beach strip, and accommodated the city of Hamilton, and the residents who live in that area on the one hand, and made it more acceptable—and even, if you like, more economical—to use the bridge facility by the large fleets of trucks on the other hand, and we have combined a package that has accomplished that result, then I think that, frankly, everybody is happy.

As far as I am aware, it has ended the controversy that had raged for a period of months and if the hon. member is interested in the supporting figures that I made reference to in terms of increased use of the bridge facility and the protection of the beach strip facility, then I have these figures for

him. But, by and large, I think that we combined with the city of Hamilton, the trucking industry and all concerned, to put together a sensible package that generally met with the approval and acceptance of all interested people. I think maybe that is the answer to the hon. member's question, Mr. Chairman.

Mr. Gisborn: Mr. Chairman, never have I heard such a weak excuse for a department of this government kowtowing to the pressure of the trucking industry in this province. When the controversy—

Hon. Mr. MacNaughton: Mr. Chairman, I am going to rise on a point of order here. There was no such thought of kowtowing to the trucking industry or any other segment of our economy. This was a matter that was thoroughly discussed with the trucking industry, if you like, and with the city of Hamilton; and, by and large, as I mentioned, and I will repeat it and I will emphasize it, we put together a sensible package that suited everybody. I am prepared to say that is one of the great functions of the government of the day. We please a lot of people in this province and that is why we sit over here. If you do not like it—

Mr. Gisborn: I think, Mr. Chairman, the hon. Minister could speak for the next four hours and he would never change the effect of what happened with regard to the reduction of the tolls for the trucking industry on the Burlington skyway. When the controversy was carried on about the banning of trucks from the beach strip, the whole argument that the trucking industry put up was that its stake trucks would not be able to negotiate the grade—it would hurt their machinery.

Hon. Mr. MacNaughton: We did not buy this at the time; we did not accept this at all.

Mr. Gisborn: And the hon. Minister of Highways did not even have the agreement of the city council or the Hamilton labour council or any organization in the Hamilton area to reduce the tolls for the trucking industry.

Mr. W. D. McKeough (Kent West): What has the labour council to do with it?

Interjections by hon. members.

Mr. Chairman: Order!

Mr. Gisborn: The Hamilton labour council has a lot to do with what goes on in Hamilton. It is a responsible organization.

Interjections by hon. members.

Mr. Gisborn: All I have to say is that the need for banning the trucks on the beach strip was developed through the efforts of the council and the irate citizens on the beach strip when a child was killed. They put up a barricade and stopped the traffic for some time. This generated the eventual agreement by The Department of Highways and The Department of Transport to okay the bylaw passed by the city of Hamilton.

There was nothing wrong as far as I was concerned with reducing the tolls for the trucking industry, but at the same time you should have reduced by 50 per cent the tolls for the average commuter in a passenger car who goes to work in the city of Hamilton. The \$2 in their pocket every two or three weeks was just as good for them as it was for the trucking industry and I do not think the hon. Minister can give any logical excuse, other than that the pressure of the trucking industry brought about a reduction in tolls on that skyway bridge.

I think the department and the government should look over their policy of tolls on bridges in this province and take the tolls off. The opinion of our party has been well expressed in the past. Hamilton city council has been in favour of removal of the tolls and there has been no support for them in that area.

Mr. McKeough: What about the labour council?

Mr. Gisborn: I say it is a shame that the department buckled to the trucking industry with regard to tolls on that bridge and reduced them when it banned the trucks on the beach strip.

Mr. Newman: Mr. Chairman, how often are general contractors paid after they have—

Hon. Mr. MacNaughton: Mr. Chairman, they are paid on a monthly basis against certified progress certificates.

Mr. Newman: Mr. Minister, your own members were laughing, and now you tell them they were paid on a monthly basis.

Does the department check to see if the general contractor has fulfilled his obligations to subcontractors?

Hon. Mr. MacNaughton: Mr. Chairman, the answer to that is first: Of course. A progress certificate properly certified implies that subcontractors have been given their proper remuneration. There is no question

about the fact that we protect the interest of the subcontractor.

Mr. Newman: Supposing a subcontractor has not been paid and he registers a complaint. How does he go about filing this complaint?

Hon. Mr. MacNaughton: The prime contractor is not paid out in full until the department is satisfied that all the subcontractors have been properly paid.

Mr. Newman: The general contractor, the prime contractor, gets a monthly instalment from the department.

Hon. Mr. MacNaughton: Mr. Chairman, he only gets a percentage of this. There is a hold-back on these contracts.

Mr. Newman: Yes, but on a monthly basis. You still pay him every month?

Hon. Mr. MacNaughton: Yes, he is paid every month. But there is a hold-back, and out of this hold-back we ensure that the subcontractors are paid before the hold-back moneys are released. These are held for a sufficient period of time to ensure that all obligations, all creditors of the prime contractor, have been taken care of.

Mr. Newman: That is quite all right; but if a job is going to last for approximately a year a smaller subcontractor may not be able to last for the full year unless he gets some type of funds paid to him from the general contractor. What can the subcontractor resort to, with the department, to ensure that the general contractor is paying him or is going to pay him?

Hon. Mr. MacNaughton: First of all, I think it is only sensible to say that there is an area of responsibility involved in his contractual relations with the prime contractor. Our dealings, at first hand, are with the prime contractor and the prime contractor only; but if he feels, at any stage of the duration of the contract, that he is not being properly compensated for the work he has done, he can notify the department. The department will investigate it with the prime contractor, and usually the matter is adjusted. But we deal only in initial circumstances with the prime contractor, and properly so. I mean the contractual relations between a subcontractor and a prime contractor are something between these two contractors, not the department.

Mr. Newman: Yes. I am very glad to get that report from the hon. Minister. Are there

any fees involved if a subcontractor wishes to have his claim heard by the department? Because I understand this department hears claims of subcontractors.

Hon. Mr. MacNaughton: Claims heard or entertained first by the claims branch, or the claims committee of the department, must be arranged through the prime contractor. As I just finished telling the hon. member, our negotiations are, in essence, with the prime contractor. We will hear claims of subcontractors but, in most circumstances, they are arranged through the prime contractor who gets the contract.

I think it is fair to say—I may stand some correction on this—through the procedures of the claims section of the department, which is headed by a claims engineer, there is no charge for this service. If he proceeds to the claims committee there is a charge. But if a claim is entered by a subcontractor it will be paid out to the prime contractor, and back through the prime contractor to the subcontractor. We actually have no contractual relationships of any kind with the subcontractor in The Department of Highways.

Mr. Newman: Well, Mr. Chairman, I was only interested in the subcontractor, seeing that the subcontractor received remuneration from the prime contractor. If he feels he is being discriminated against then I understand he has resource to this claims committee. What fees are generally charged to a subcontractor if he were to raise a claim with the claims committee? Are they substantial, or are they very nominal?

Hon. Mr. MacNaughton: The fees are nominal; but to go back a little bit, let me say that a subcontractor with an outstanding claim, where the prime contractor has not met his legitimate obligations, probably would be in some circumstances, paid by the department and taken out of the hold-back moneys due to the prime contractor. We think we have built in all the protection that it is possible to build for subcontractors in this manner; and the charges for proceeding with a claim in the available conventional manner, the fees for this, are nominal. I would have to put it that way, Mr. Chairman; probably up to a maximum of \$500, if you wish.

Mr. Newman: They are not \$100 a day, are they?

Hon. Mr. MacNaughton: Oh, no.

Mr. Newman: They are not?

Hon. Mr. MacNaughton: Oh, no.

Mr. D. A. Paterson (Essex South): Mr. Chairman, earlier in the year I asked a question of the hon. Minister regarding anti-rust additives in the salt used on our highways, and I received a very well documented reply. I just wonder what response the department had to the inquiries sent out to the various councils in district No. 1. In my particular riding it seemed almost unanimous that they would like to have this anti-rust additive added to their salt.

Hon. Mr. MacNaughton: Mr. Chairman, I will have to get this information. I can say, in general terms, that a number of municipalities which were approached indicated that they would be happy to participate in a programme which would involve the use of rust inhibitor. Now, to locate these district by district, or county by county, at the moment I must say, Mr. Chairman, is a little difficult; but this information can be made available to the hon. member if he will indulge us to that extent.

Mr. J. P. Spence (Kent East): Mr. Chairman, I would like to ask the hon. Minister a question in regard to what I said this afternoon about those 13 companies which were price fixing or contract rigging in the province. How many contracts—or maybe the hon. Minister does not have this information available—were awarded by The Department of Highways during that 90-day suspension of these 12, or whatever number of companies there were?

Mr. McKeough: Mr. Chairman, on a point of order. The hon. member, my colleague from Kent East, raised this under the last vote. Are we going to bring this up under every vote? How many times must we discuss the same subject?

Mr. Thompson: On a point of order. We have appreciated very much that the hon. Minister is prepared to answer questions and recognizes that, from the point of view of the role of the Opposition and the province, there should be a complete, fair hearing. And it is significant to me that the hon. Minister recognizes this while a young member does not see the role of the Opposition.

Mr. Chairman: If the Minister cares to answer.

Hon. Mr. MacNaughton: May I just simply say to the hon. member that I thought I had that information with me. I do not have it. It will be readily available later; as I told the hon. member for Essex South, if the hon.

member will indulge us again we will provide him with the details of this. I hoped I could have provided it to him on the spot but I just do not seem to have it with me; but it is readily available and we will make it available to the hon. member in due course.

Mr. Spence: I want to thank the hon. Minister. Another question: I would like to ask the hon. Minister how many properties there are along the route of the Macdonald-Cartier freeway on which he has not reached final settlement. Would the hon. Minister have the number of properties available?

Hon. Mr. MacNaughton: Has the hon. member been making reference to the entire route, the entire 510 miles?

Mr. Spence: Southwestern Ontario.

Hon. Mr. MacNaughton: Southwestern Ontario.

Again, I cannot tell you but I would say to the hon. member there are few, if any, left outstanding, which have not been settled. The numbers and the particulars can be provided, but there are very few left, if any, of which I am aware.

Mr. Spence: I appreciate that, Mr. Minister. Another question I would like to ask of the hon. Minister: What was the revenue derived by your department, or the government, from service centres along the route of Highway 401, or Macdonald-Cartier?

Hon. Mr. MacNaughton: I will have the precise information for you here in a moment. I would say that, for the 12 months ending March 31, 1965, I believe, it is just under \$1 million. As a matter of fact, I have the exact details here; let us see what they are.

For the information of the hon. member and the House, there are 15 centres on Highway 401. In terms of revenue, we received, in basic ground rental, \$54,500; estimated gross percentage rentals, \$750,000. For four centres on Highway 400, the estimated basic ground rental is \$28,100; and the gross percentage rental, \$135,000. When these totals are added up, the total estimated annual revenue for all existing service centres, for the year just ended at March 31, is \$967,600.

Mr. Spence: Good!

Mr. G. Bukator (Niagara Falls): I have a question I would like to ask, Mr. Chairman.

Interjections by hon. members.

Mr. Bukator: These hyenas to my left have hurt their flippers from thumping the desks,

and now they are turning to heckling. They are experts; you should pay them a little bit more than they are getting for doing absolutely nothing.

Mr. Chairman: Order!

Mr. Bukator: I am sure their flippers have been hurt from pounding the desks so long, Mr. Chairman. But I would like to ask this question: Those buildings that you have built along the highways; do you know what they cost? Are you paying taxes to the municipality in which they are constructed? And, if you are, are you paying on the same basis by which other people in the same business have to pay taxes on their buildings?

An hon. member: That is a good question.

Hon. Mr. MacNaughton: Actually, Mr. Chairman, the facilities to which the hon. member refers are not owned by The Department of Highways. They are owned by the oil companies who operate them. In line with the observations I made a moment ago, we do provide water; I think we provide for the access to and egress from the highway; and for that we charge a ground rental. From that point on, these buildings are erected by and become the property of the successful bidder when the tenders are called for each location.

The other revenue accrues because the location, on a tender basis, is awarded to that company which bids the highest percentage of the gross in terms of rental, or revenue as you call it, to The Department of Highways. But the facility, other than the items I have mentioned, is owned entirely by the oil company; and I would only presume that they are assessed by the municipality in which they are situated. I do not know that; I cannot tell the hon. member; and this is something else we can pursue but we would not know because we do not own them, Mr. Chairman.

Mr. Bukator: Then, to follow up, you do own the land on which those buildings are erected and from that land you collect \$1 million of revenue. Now, do you pay to the municipality on the land, like any other taxpayer would have to pay; and if not, why not?

Hon. Mr. MacNaughton: By and large, and subject to correction, which I shall promise to provide for the hon. member, these centres, I think it may transpire, are built on property owned by The Department of Highways. If they are owned by The Department of Highways, of course, then they are on Crown

property, and again there may be no tax factor. Would the hon. member permit me to clarify this and let him know?

Mr. Bukator: Yes, I would like to know and I am prepared to wait.

Hon. Mr. MacNaughton: Thank you!

Mr. J. Renwick (Riverdale): Mr. Chairman, would the hon. Minister give us the estimated cost to the public Treasury of the collusive bidding practices of the 13 companies reported on by the restrictive trade practices commission during the period 1959, 1960 and 1961?

Hon. Mr. MacNaughton: Mr. Chairman, it is somewhat difficult to answer this. To determine, first of all, whether any cost is involved or not is difficult, if not impossible. First, let me say, while it is recognized and was admitted, as I said this afternoon, by the companies referred to in the report of the restrictive trade practices commission, that they did in fact do what has been said they did, and which resulted in the tabling of the report, I doubt very much if, in all final honesty, it cost the department any more money. I do not think it did. Certainly it would be difficult to establish that it did. Again I say they were involved in collusive practices, but these collusive practices in themselves do not always mean that the cost to The Department of Highways is any more; and I would have very great difficulty; I suggest to the House, in establishing that this was the case.

An hon. member: Or even less!

Hon. Mr. MacNaughton: That is a good question; as to whether it would be less: It does not always transpire that these practices involve higher costs; and, in some instances, it is possible to say that they do involve less costs.

Mr. R. F. Nixon (Brant): Why are they illegal practices?

Mr. D. C. MacDonald (York South): Why are they collusive then?

Hon. Mr. MacNaughton: Because they are collusive. They simply, by these practices, obtain control of all the bidding and all the work in certain areas of the province to the exclusion of others. This is the basic ill of the thing.

Mr. Bryden: But their purpose in doing that is to obtain monopoly profits for themselves, in time at any rate.

Hon. Mr. MacNaughton: Well, this is true. I could read to you, and will if you wish, excerpts from the reports of the people who undertake these investigations. I think, somewhere, we have reports made to the standing committee of the House of Commons by the restrictive trade practices commission, who operated under The Combines Investigation Act. There is a very broad area of doubt as to what extent these practices cost more money, notwithstanding that they are collusive and probably involve a confrontation with what we like to think are the free enterprise principles of bidding. But to establish that there is any more cost involved, I simply would ask the House to accept my assurance that it is very difficult to establish this.

Mr J. H. White (London South): Well, the hon. member for Woodbine acknowledges that that is an economic factor.

Hon. Mr. MacNaughton: I wonder if I might have that. I know, as a matter of fact—let us put it this way: While the parallel may not be identical, in this instance, in the instance under discussion here in the House, they were collusive bids, where they were arranged by a group of contractors in an area of the province to sort of protect themselves.

Mr. A. J. Reaume (Essex North): That is honest, is it?

Hon. Mr. MacNaughton: Nevertheless, these practices, and I think it is admitted here—this is a statement by the standing committee on public accounts made by—well, it is a report by the Auditor General, if you like—

Hon. A. Grossman (Minister of Reform Institutions): Read the whole thing.

Hon. Mr. MacNaughton: No, I will not read the whole thing. But in this particular instance he goes on to say, before the standing committee:

In some industries occupied by very few firms, price behaviour has become so conventionalized that agreement which may be undue within the meaning of the Act can be achieved with a minimum of consultation among competitors.

Mr. Reaume: Honest crooks!

Hon. Mr. MacNaughton: He goes on to say:

I have publicly urged buyers for governments, federal, provincial and municipal utilities, and other public agencies, to

report to the combines branch tendering practices, including identical tenders, that they consider may result from collusion. Such reports are continually received and all are examined. I suggest that it is important that public buyers should not lose sight of the fact that collusive tenders are more likely to result in non-identical bids than in identical bids. And while all should be reported, areas of collusion should not be overlooked through a pre-occupation with identical tenders.

But when you get into this whole area I simply suggest to the hon. member, in fairness, it is very difficult, if not impossible, to establish that any actual cost accrues to the public purse.

We deplore these collusive practices; we have taken the action that we felt was appropriate in the circumstances; but there is a very broad area of doubt as to whether it costs anybody any more money. I do not know how to answer it any better than that, Mr. Chairman, I simply say that to the hon. member.

Mr. Renwick: Mr. Chairman, the remarks of the hon. Minister contradicted the statement of the restrictive trade practices commission, which states that:

On the other hand, unquestionably, both The Department of Highways and the municipalities were led to award surfacing contracts at prices higher than they would have in circumstances of normal competition among the spray companies.

Mr. Chairman, would the hon. Minister supply the House with the number of contracts which were awarded to these 13 companies during that three-year period, and also during the period subsequent to 1961 up until the time that this report was published, because it is my understanding that The Department of Highways was unaware of this investigation taking place and that, therefore, these 13 companies were engaged in this practice for at least a period of three years and probably a period of six years, and perhaps longer? It would seem to me that the department must have made some estimate of the actual cost to the public Treasury of this kind of collusive bidding practice in the light of this report.

Hon. Mr. MacNaughton: Of course, Mr. Chairman, to reply to the hon. member without really belabouring this thing, the suggestion that the department was unaware that this sort of thing took place is not correct. The department is very much aware of it, but

I suggest that the department's facilities for dealing with this matter, and the powers given to The Department of Highways to deal with it, are not to be compared with the federal authority under The Combines Investigation Act. We have no such statute on the books of the province. When these facts were brought to the light of the department because of the tabling of the report, immediate action was taken.

We can suspect; we can act; and we do act where we have firm ground to do so. Our procedures are examined constantly to eliminate this type of collusive practice, there is no question about this, but we do not have the facilities of the federal government, as I pointed out, under The Combines Investigation Act, to proceed as it does. Let me read to you from the report of the restrictive trade practices commission, the one tabled last August, which resulted in these pre-qualification penalties:

In theory at least, a capable newcomer should be able to enter the field with a minimum of purchased equipment and respond to DHO [Department of Highways, Ontario] and municipal tenders called. If he could underbid the established firms he could get work.

In practice, however, a new concern met substantial obstacles to establishment in the industry. Unless a contractor owned a large percentage of the equipment needed and had sufficient working capital, his chances of eventual success were small. Many who tried to enter the field with rented equipment only, have failed in competition with the established firms, which were generally substantially financed and equipped.

One of the major causes of entry difficulty facing a new contractor was that he would have to be prepared to bid very low, at cost or less, to secure contracts. The established firms were prepared to fight him concertedly and effectively and the method used has been described as "policing the bidding."

This is, in effect, what they did in an effort to exclude a newcomer, and working together collusively—as was proved—a very low bid might be entered.

Mr. Bryden: But that would be an isolated case.

Hon. Mr. MacNaughton: Not as isolated as the hon. member might think. One can have an awareness of this thing but how can it be proved? How is it substantiated? I make no apologies—

Mr. Renwick: Mr. Chairman, would the hon. Minister not know if there were a new bidder in a particular contract tender?

Hon. Mr. MacNaughton: Yes, the Minister would know this.

Mr. Thompson: Mr. Chairman, the hon. Minister said that of course the department was aware of this over a period—

Hon. Mr. MacNaughton: We suspected it, I would say.

Mr. Thompson: I think the hon. Minister said previously that he was aware of it.

Hon. Mr. MacNaughton: Aware of the possibility, at least.

Mr. Thompson: I am sorry—

An hon. member: The hon. Minister said he was aware of it.

Hon. Mr. MacNaughton: I qualify it now.

Mr. Thompson: I suggest to the hon. Minister that although he does not have the power himself but the federal government does, surely if the department of the hon. Minister was aware of this practice of collusion, he would notify the federal government—

Hon. Mr. MacNaughton: Indeed—

Mr. Thompson: —in order that action would be taken.

Hon. Mr. MacNaughton: Indeed, and we do. I say to the hon. leader of the Opposition, Mr. Chairman, that we maintain a constant contact with the representatives of the restrictive trade practices commission. They are in our office—

Mr. Thompson: In this particular case, had the hon. Minister notified the federal department in order that it could initiate an investigation?

Hon. Mr. MacNaughton: Mr. Chairman, probably not specifically, but because of the fact that these people are constantly in our office and we afford them every conceivable co-operation in terms of examination of our records and procedures, I doubt very much if we dealt with any specific situations. They invariably go away with the information they require at the time and they come, and they are there frequently and sometimes for long periods of time.

To the extent that we provide them with every avenue of co-operation and that they go home with all the information they appear

to want, what, of specific character, would the hon. leader of the Opposition suggest that we do? I simply do not know. We go as far as we think it is sensible to go. There is no area of information or co-operation that is not extended to them; they are there frequently; they have been there recently and they will be there again, and I think, as a matter of fact, a contact with the restrictive trade practices commission would result in complete endorsement of what I have said here today. I am quite confident that they would say that they get the most complete co-operation from the department.

Mr. MacDonald: Mr. Chairman, following up on this point, my colleague the hon. member for Riverdale quoted from the actual report to the effect that this had resulted in higher bids to The Department of Highways. If The Department of Highways has no idea as to how much the public may have lost, through those higher bids, has it ever considered making a specific request for that information from the restrictive trade practices commission, which undoubtedly has the full details on the operations of these companies?

Hon. Mr. MacNaughton: No, Mr. Chairman, that has never been done, because we have had numerous discussions with the representatives of the restrictive trade practices commission and while the commission established that the practices were collusive, if you like—and I will use no other word—it is still not convinced that this actually costs the taxpayers any more money.

Mr. MacDonald: But—

Hon. Mr. MacNaughton: Nor are we.

Mr. MacDonald: They have quoted to you—

Hon. Mr. MacNaughton: No, they have not said that.

Mr. MacDonald: Mr. Chairman, let us have the quote.

Mr. Renwick: Mr. Chairman, the report specifically tells us that—

Hon. Mr. MacNaughton: Where is that?

Mr. Renwick: On page 27.

On the other hand, unquestionably, both The Department of Highways and the municipalities were led to award surfacing contracts at prices higher than they would have awarded in circumstances of normal competition among the spray companies.

I think that one of the important matters for us to learn here tonight is what steps the de-

partment is taking in the light of the additional cost to the public Treasury of this collusive bidding practice, and what steps are going to be taken in the future, or have been taken, to eliminate to the extent possible this type of collusive practice. Certainly, one step which can obviously be taken is that if a new name appears on a tender in a given area, the department should scrupulously make certain that someone is not sitting in the room with two bids—one to cut out the newcomer and one to bid if the newcomer does not bid on the transaction. Surely this is one step which the department can take.

Hon. Mr. MacNaughton: This is being pursued all the time.

Mr. Renwick: Another matter which obviously comes to mind is to study the pattern of the contracts which were awarded to those 13 companies over a period of, say, the last ten or 15 years, to find out just how long this particular practice has been going on, how this business was carved up among the 13 companies, and to try to make some estimation in relation to other contracts where there may have been reasonable competition—where it could be assumed to make some calculation of the cost to the public Treasury of this loss. If there is no loss, then I do not think we need to be terribly concerned, but we are certain here that there was a substantial loss and we simply want to know what the department is doing to avoid this kind of collusive operation in the future. We recognize the difficulty of it, of course.

Hon. Mr. MacNaughton: Mr. Chairman, the hon. member has a perfect right to ask this question. I would say to him that our records were exhaustively examined over a ten-year period before the incident and then for the short period after, and we simply found that in the three-year period during which this practice was alleged to be taking place, the cost of our resurfacing contracts was the lowest for the ten-year period. How do you substantiate that? I do not know. The lowest cost in the entire ten-year period was during the period when these collusive practices were alleged to have been practised.

Mr. Bryden: Does the hon. Minister mean they have brought the prices up now? Have they raised the prices?

Hon. Mr. MacNaughton: We will shortly know because we are getting into the season of the year when we will be calling more contracts. But these are the facts of the case and we have undertaken, Mr. Chairman, and rightly so as the hon. member points out, a

very thorough-going investigation in the light of this. I think it is highly significant that in the period reviewed by this report our resurfacing prices were at their lowest. How you rationalize this I am not prepared to say at the moment.

Mr. MacDonald: Mr. Chairman, the hon. Minister is very disarming.

Hon. Mr. MacNaughton: I am not trying to be disarming, I am trying to give the hon. members the facts, and if the hon. member thinks that is disarming, then so much the better.

Mr. MacDonald: The hon. Minister is very disarming because there is a contradiction in his contention.

Hon. Mr. MacNaughton: There is no contradiction at all.

Mr. MacDonald: His analysis concludes that nothing was lost from the public purse, and yet there would be no particular purpose in the collusion if it was not for monopoly profits. The report of the restrictive trade practices commission suggests that this is what happened with the municipalities and The Department of Highways.

I must say that the hon. Minister has not completely chased from my mind the doubt that there has not been as serious an investigation as he suggests. For example, if he asks the department in Ottawa, this department will have looked into all of the details of the prices, and it seems to me it could give him some of this information.

The other point that I wanted to raise—

Hon. Mr. MacNaughton: The department has done.

Mr. MacDonald:—before the hon. Minister's blood pressure gets too high, now—

Hon. Mr. MacNaughton: My blood pressure is all right, you worry about your own blood pressure.

Mr. MacDonald: Mine is good, thank you.

Mr. Chairman, the hon. Minister said they suspected there had been some collusion but that they had no proof. The interesting thing is—and I do not happen to have the newspaper clippings here, but if the hon. Minister forces me I can go and get them—

Hon. Mr. MacNaughton: I know this.

Mr. MacDonald: The hon. Minister takes my word for that?

Hon. Mr. MacNaughton: Yes, I will take the hon. member's word for that.

Mr. MacDonald: I am glad I have built up some confidence in my files.

Hon. Mr. MacNaughton: Indeed you have.

Mr. MacDonald: The point was this. Spokesmen from The Department of Highways professed to be surprised at the revelation of the collusive bidding by the paving companies. Mr. Chairman, if it had been suspected for some time, as the hon. Minister says, I have some difficulty in figuring out how spokesmen of the department would be surprised when the report came out with the conclusion that there had been collusive bidding.

There are these contradictions along the way which lead me to have doubt with regard to the completeness of the case which the hon. Minister presents.

Mr. E. P. Morningstar (Welland): Mr. Chairman, I did not want to let this opportunity go by without thanking, on behalf of the constituents of the great county of Welland, the wonderful work which the hon. Minister of Highways and his department are doing. They are working on the completion of Highway 406, which will connect the town of Port Colborne along with the city of St. Catharines, which the hon. member across the way represents, and are also working on a development road 686 from 3A Highway to Vineland. I want the hon. Minister to know that we greatly appreciate the work that is being done by The Department of Highways.

We also appreciate the proposed tunnels under the Welland canal. We all know that these tunnels have been promised for years and years, but it took this Minister of Highways to take the bull by the horns and see that this work is conducted. Surveys are being carried out in the town of Thorold, and in the city of Welland and the town of Port Colborne. When these tunnels are constructed, I would say to the hon. members of the House here, they will greatly relieve the traffic congestion that has been noted there for years.

I want to mention also, Mr. Chairman, and hon. gentlemen, that this work is not only carried out in the Welland riding but in the Niagara Falls riding as well. The hon. member for Niagara Falls knows they are putting the double lanes on No. 3 Highway, from Fort Erie westerly toward my riding. The contract has been let, and I am sure the hon. member for Niagara Falls appreciates what

the hon. Minister and The Department of Highways are doing also.

Mr. Bukator: May I interject at this time, Mr. Chairman? Thank you very much.

Mr. Morningstar: I felt, Mr. Chairman, that I should bring these items to the attention of this House in view of the criticism that has been directed to the hon. Minister that some of these ridings are not getting too much work done for them. It has been years since work has been undertaken in Welland riding such as we see there today. It is an old riding and we are very happy again to say that the hon. Minister and The Department of Highways are taking an interest in the highway problems in Welland riding.

There is just one request I would like to make to the hon. Minister at this time, and that is about our Webber Road. I do hope that his department will give consideration to the construction of this road as a development road, which will connect the new development road to Highway 406 at Welland.

Hon. Mr. MacNaughton: I wonder if the hon. member would permit me to make one more observation with respect to this matter and I will attempt to clear it up. I simply say to the hon. member for York South that while the department always suspected the possibility—nothing specific, but always the possibility—of this type of collusion, and while this suspicion, sensibly based and founded I think, resulted in a very exhaustive type of audit, the general interim check that we were able to make all across the board stops rather cold because we do not have the ability to examine certain private contractors' files.

This is the very great difference between the facilities available to The Department of Highways and to the restrictive trade practices commission under The Combines Investigation Act. The commission can do this. Still I am bound to say—and written admissions by the restrictive trade practices people can be found—that it is difficult, if not impossible, to establish in this broad sort of mixed-up area that the public purse is really hurt.

The collusive nature of these practices we deplore. We think that anybody has a right to bid on the work of the department, but there is an area that is so difficult to establish that I simply can say no more, Mr. Chairman, except to ask you to accept that from me, because I can assure you that this has been exhaustively gone into, and I think

the evidence is clear for all to see in the penalty that we did impose within the framework of what we can do. What we can do we did do, but the rest of it, I must say to the House, is up to the federal authorities who have the statutory basis of doing what we cannot do, as far as they can go; let us put it that way.

Mr. Nixon: Mr. Chairman, I am relieved to hear the hon. Minister say that he deplors the collusive nature of some of these practices revealed during the summer, because during the early part of his remarks I got the impression that he felt that there may be something good come out of such collusion, and in fact it might even accrue to the benefit of the province. I am sure that our hon. friends, when they examine the record, will find that the hon. Minister did say that.

Hon. Mr. MacNaughton: That is a misapprehension.

Mr. Nixon: I was also interested in hearing the hon. Minister's remarks about the profit that accrues to the province from the operation of the service centres. I would like to ask him once again if he would give some justification for the fact that in the length of controlled access highway between Toronto and Hamilton there are only two service centres available directly from the Queen Elizabeth way. It appears to me that these are very profitable ventures indeed, it appears to me that the government's action in making this a completely controlled access highway has benefited these companies tremendously. I would like the hon. Minister to justify the policy of the government in not requiring some payment for the addition to the business of the Supertest station, I believe, and the Esso station, just on the western outskirts of the city.

Hon. Mr. MacNaughton: You make reference, of course, to the Esso station on the south side of the Queen Elizabeth way just west of Brown's Line and the Supertest on the north. Well, of course, we acquired the Esso station some years ago and we are in the process of acquiring ownership of the Supertest station. These facilities will shortly have to go to accommodate the new interchange and all associated with it at the junction of the Queen Elizabeth way and Highway 27.

Mr. Nixon: Last year, when we were discussing this very item, there was no thought of this new complex that is going to be developed at the intersection of the Queen Elizabeth and Highway 27.

Hon. Mr. MacNaughton: Oh, the thought was there!

Mr. Nixon: You did not mention it in answer to this question. It appears to me that these two companies have profited greatly from the fact that all of their opposition, from one end of that road to the other, have been put out of business by the government simply fencing them off from access to the public on the Queen Elizabeth way. It is a strange thing indeed, that the government's policy having to do with service centres and the profits accruing from them to the province, has not been applied to these two particular companies, Esso and Super-test.

Mr. Gisborn: Mr. Chairman, on 802, repaving of present roads, under the hon. Minister's department's report, capital construction programme: Winona Road westerly from the east limits, grading, drainage, granular base and paving. I would ask the hon. Minister, does this include some extension of the road allowance in this particular area?

Hon. Mr. MacNaughton: You have made reference to both the estimates and the programme here. May I ask again if the item on the programme to which you referred is the Queen Elizabeth way at—

Mr. Gisborn: No, Highway No. 8.

Hon. Mr. MacNaughton: Number 8, is it?

Mr. Gisborn: From Winona Road westerly to the Hamilton east limit. As the hon. Minister knows there is some development taking place and I thought it was a widening programme, a widening of the road and an extension of the road allowances; but as I see in the programme, it calls only for grading, drainage, granular base and paving. Is there going to be a widening of No. 8 in that particular area, which will then in turn justify an extension of widening of the road allowance?

Hon. Mr. MacNaughton: There are certainly some areas on No. 8 where we need additional right of way. It is eventually going to be four lanes in certain sections. It is to be four lanes, yes.

Mr. Gisborn: Then my next question to the hon. Minister would be: Have there been any tenders let for the work at this point?

Hon. Mr. MacNaughton: No, I do not think that contract has been called yet. It will be called and awarded some time during

the construction season that we are now in. I do not know what the date of letting is. I could find that out for the hon. member when we propose to call tenders and let the contract.

Mr. Gisborn: Fine!

Then this leads me to my next question. I understand there have been expropriation procedures in that particular area in regard to this programme?

Hon. Mr. MacNaughton: It is possible!

Mr. Gisborn: I would like to refer to one particular expropriation, that is the Norton expropriation. I was called to discuss this with Mr. Norton, and of course he has gone through the usual procedure of negotiations and subsequently application for arbitration in regard to the compensation. The thing that made him so irate about the procedure was that even though he had gone through the procedure, applied for compensation, the department had expropriated from him much more land and property than he thought was reasonable, inasmuch as they went beyond the road allowance, back into another building that he had on his property. Properties both east and westerly from his property had not yet even been approached, and also, while his application for arbitration was in effect, the sheriff, with an order to seize, has approached him and demanded the keys and the property that was involved.

I wonder if the hon. Minister would explain these complications and this nuisance to this person on No. 8 highway?

Hon. Mr. MacNaughton: Mr. Chairman, I would suggest to the hon. member that if he wishes me to place on the record a history of the negotiations with Mr. Norton from the time we first attempted to purchase his property, I will do so. They are extensive and exhaustive.

I think I may fairly say to the hon. member that he was provided with an opportunity to come and talk to the deputy Minister of Highways last December and discuss this matter, and he never appeared to do it. He did not show up. I think if he had done that, had taken the opportunity that was offered to come and discuss it in detail with the deputy Minister of Highways, he would have concluded, as we have long since, that Mr. Norton, who has gone through, I think, four solicitors now, has had every reasonable and fair opportunity to sell his property to The Department of Highways to the point where the only recourse left is to arbitrate, to go before the municipal board, as he did.

Now I say frankly, unless you want me to place on the record this whole unfortunate case here, I would like to rest my case on that.

Mr. Gisborn: Mr. Chairman, I do not want the hon. Minister to place on record in the House the whole review—

Hon. Mr. MacNaughton: I would rather not.

Mr. Gisborn: —of negotiations with Mr. Norton. I will say that I did have the opportunity to meet with the deputy Minister and some other people. I called them and told them I could not make it. I let it lay at that point.

I thought that there might have been enough interest in the complications that I might have been advised in a brief letter as to what transpired. But I asked a simple question: Why does the department want more property than was necessary for road allowance, why did they take a warehouse that was not anywhere near the road allowance and for what reason would the sheriff be down there demanding seizure before negotiations were completed through arbitration procedures? That is all the hon. Minister has to answer.

Hon. Mr. MacNaughton: Well, the hon. member will get an answer, because in the first instance in terms of the early negotiations I think it can be substantiated that we were prepared to buy only a portion of the property, but at that time he said he wanted to sell all the property or none. This was the basis upon which we approached the entire transaction.

This thing has been going on for quite some time. It reached the point where we needed the property, we offered to buy the whole thing, we offered to buy it at a fair price. We go to the municipal board and an award is made. Nobody likes these expropriations particularly. They turn out to be not too satisfactory. I think the suggestion of the deputy Minister is a very interesting one, Mr. Chairman.

We will supply the hon. member with a completely documented file on this and if he does not agree that we bent over backwards to satisfy Mr. Norton, then I shall expect to hear from him further.

Mr. Gisborn: Well, thank you, Mr. Minister! If you infer that Mr. Norton insisted that you take the whole works in the first place and this is part of the argument, I will be satisfied to wait for your reply.

Hon. Mr. MacNaughton: Fine, this is correct, we will do it.

Mr. MacDonald: Mr. Chairman, just as a matter of curiosity, may I ask the hon. Minister if this is the appropriate vote on which one should raise questions with regard to various sections of his department which grant permits?

Hon. Mr. MacNaughton: Yes.

Mr. MacDonald: Presumably they might come under salaries in main office—just to illustrate the point that we have in coping with estimates. Mr. Chairman, I wanted to raise with the hon. Minister something that I find a little disturbing in the operations of this department. I am not going to suggest that the fault lies wholly on the side of the department. I can agree on some occasions that there are individuals who develop something of a persecution complex with regard to the department and the situation builds up. But I have had a couple of cases, that I wanted to draw to the hon. Minister's attention, of people who were insistent enough with me; and when I examined their problem I just could not come to any other conclusion but that there was a fair amount of justice on their side of the case. If I went back four or five years to the beginning, perhaps their rather critical, nuisance approach to the department was fully understandable.

For example, there is one case in which the appropriate officer in the department—I have forgotten his name now—got into quite an altercation with a man up Yonge Street, Highway No. 11, with regard to a business sign. It went to court and there was actually a judgment in which the court upheld the Department of Highways. I have looked into this situation and the fact of the matter is that the man was replacing a sign because his old sign was not very attractive; it was in the same place it had been for quite some years, but because he was replacing the sign and putting up a new one, the department insisted that he must have a permit. He did not get the permit and was taken to court; and he was convicted because, undoubtedly, it was not according to the regulations. But the point, Mr. Chairman, I wanted to draw to the hon. Minister's attention is this: I have been up that highway and, time after time after time, there are signs in violation of the regulations.

Now it is pretty difficult to persuade a man that he is not being victimized, or singled out, by the department, when there are many

instances of violation of the regulations on the distance you must be back from the centre of the highway, and when he is singled out and he is taken into court. What is the hon. Minister's comment about this singling out process, when there are other cases of violation of the law that can be drawn to his attention?

Hon. Mr. MacNaughton: Well, Mr. Chairman, it is not really singling out. We are doing our best to police our signing regulations. They are quite restrictive, I think we are willing to admit that, but I think they are good. I think, by and large, the signing regulations of the department bring credit to the department generally. Just how to reply to the hon. member is very difficult. I say probably, in this instance, the very fact that he had to apply for a new permit indicated the violation that was taking place, and at that point you have to do something about it.

As rapidly as we can we are endeavouring to correct these situations. I can tell you that we are imposing these regulations as effectively as we can. It is difficult. I will not quarrel with the hon. member's observation but I doubt if there are that many left on any section of road in direct violation of our regulations. There may be some. And there probably always will be.

This is not a very good answer, Mr. Chairman, and I am prepared to say so, but maybe I could put it this way: You can commit a lot of crimes and, until you get caught, Mr. Chairman, you are not in too much trouble; but we try to catch as many as we can and deal with them appropriately in the overall interests of our signing programme.

Mr. MacDonald: I appreciate the hon. Minister's frankness all right, because it is not a case of being caught. The hon. Minister, or anybody else with a rule, can go up Yonge Street and tomorrow you can find everybody who is violating the law. I suggest the hon. Minister has not a difficult question to answer, he has an impossible question to answer if he thinks he can, in the face of an even application of the law, take this man to court and have him fined and leave others to continue to violate the law. And the hon. Minister concedes this. I think he has to do something about it. You either do not prosecute one or you prosecute all who are obviously violating the law.

Now the second case—and the deputy Minister will recall this with considerable anguish, because I think he had a great deal of correspondence, and once again I was rather

intrigued by this—happens to be a man by the name of J. E. Bushey in Parry Sound.

Hon. Mr. MacNaughton: Oh, I have a great file on that one.

Mr. MacDonald: I know you have a great file and, as a matter of fact, I have a duplicate of most of your file—

Hon. Mr. MacNaughton: Sure you have.

Mr. MacDonald: —and I perhaps have some more because I have some things he said about you and your deputy that he did not say to your face.

Hon. Mr. MacNaughton: They were not very complimentary, were they?

Mr. MacDonald: No, they were not complimentary.

Once again, Mr. Chairman, this undoubtedly built up over the years. The department became persuaded that this man was a nuisance and this man became persuaded once again that he was being singled out, that he was not getting fair administration of application for permits, for example. So one occasion when I was up there—since I had so many letters, I wanted to meet my correspondent—I dropped in to see him. And let me just draw two things to the hon. Minister's attention. Mr. Bushey drew to my attention, for example, that he had complained, as part of this running battle he had had with the department, about a culvert that had been put in on the old Highway 69, just beyond where you now have your cutoff for the bypass. He had complained that this culvert had been put in so that there was flooding. The department said, "No" and they were pretty adamant; they were pretty brusque—at least so he reports.

Indeed he gave me a copy of a letter which he had had from T. A. Ross from Huntsville on behalf of H. C. Dernier, the district engineer—this is going back some four years now—in which Mr. Ross stated that, in the complaints with regard to this flooding in the culvert in front of the bowling alley, they had looked into the situation. In fact, Mr. Ross said, "I looked over the situation and asked Mr. Jack R. McGowan, our patrol supervisor in that area to check on the drainage during a heavy rain. Mr. McGowan did this last week and the drainage appears to be adequate."

The fact of the matter is that two years later it became obvious, even to the department, that it was not adequate and so they changed it. In other words, there is at least some basis for the man feeling that he was

not getting, in the first instance, an objective assessment of the situation.

Now let me come to the main cause of Mr. Bushey's difficulties. He made application for a building permit for a gasoline station just south of the old Highway 69, and the bypass 69. There is a bit of a curve on the road along the south there, but in his application originally, to the hon. Minister's predecessor, the situation had been investigated and he actually had a letter from the hon. member for Grenville-Dundas (Mr. Cass). Let me quote a portion of this letter to the hon. Minister. The letter is dated October 3, 1961. You see how long this has been going on.

Dear Mr. Bushey: re building permit application lot 25, concession 1, township of McDougall, Highway 69.

I received your note of September 27. I have discussed this matter in detail with those persons responsible for permits and I have considered the arrangement which was suggested to you by Mr. Crowhurst. I understand that it was agreed between you and Mr. Crowhurst that you would have an entrance on the township road through which traffic would get to the service station location. This entrance is to be at least 50 feet back from the King's highway and there would, of course, be no direct access to the King's highway from the property. I approve of this arrangement and I have advised Mr. Crowhurst that the permit may be issued on this basis.

Now, this the Minister of Highways writing and if the hon. Minister can get a picture of it, here is your old Highway 61 and your bypass and it is about 50 or 60 feet south.

Hon. Mr. MacNaughton: Sixty-nine.

Mr. MacDonald: Sixty-nine feet south?

Hon. Mr. MacNaughton: Highway 69.

Mr. MacDonald: Yes, Highway 69. The county road onto which he was going to have access was at right angles to the road so he would have access to the county road and the county road would come onto Highway 69. On the basis of his original application, or at least of the earlier application, he gets a frank assurance from the hon. Minister that he will be given his building permit. Now, I am curious to know what happened since that led to, in effect, a revoking of a previous Minister's assurance that he would be granted the permit. Until you can give a fairly convincing answer on that, Mr. Bushey, despite the nuisance value he may have achieved in the minds of the department,

has considerable justice on his side; and for that reason I have brought it up here.

Hon. Mr. MacNaughton: Mr. Chairman, I simply say that my file does not go back quite as far as the hon. member's. There must be some more of it somewhere. As a matter of fact, I am sure there is. I would simply ask him to let me pursue the matter he has raised.

Mr. MacDonald: I can send you a copy of the letter.

Hon. Mr. MacNaughton: I do not doubt the hon. member that that is an authentic letter, but I would like to get it and pursue it. I think there is more to it than meets the eye. I am quite confident there is. Again, if you would be inclined to let us explain this to you in detail when I can examine it in further depth, I would be happy to do that; but I am not in a position to do it tonight.

Mr. MacDonald: Back to the revoking of that original granting of the licence.

Hon. Mr. MacNaughton: All right, what is the date of that letter?

Mr. MacDonald: That letter is October 3, 1961.

Hon. Mr. MacNaughton: All right. We will get that.

Mr. Bukator: Mr. Chairman, last year on these estimates I had the door open for me to speak on this question when we got to item S of vote 802, the city of Niagara Falls—compensation for loss of taxes—and that happened way back in 1941 and they received a grant of \$12,000 in lieu of taxes. I would like to get on the record, Mr. Chairman, the assessment on that bridge at the moment, the present-day assessment. That Niagara Falls bridge, the Rainbow Bridge, is assessed at \$1,427,850. By the present-day assessment of some 50 mills, or I think it is a little more than 50 mills—but, in round figures, the city of Niagara Falls should be collecting from The Department of Highways, or this government, some \$75,000 a year.

I think that that figure should be updated. I believe that they are taking the city again, although not quite as bad as Hydro does.

Mr. R. J. Boyer (Muskoka): Nobody can be that bad.

Mr. Bukator: No, not quite as bad as Hydro does, but they are taking the city of Niagara Falls for some \$75,000 a year in taxes, according to their assessment. And,

adding insult to injury, some two years ago, the Whirlpool bridge—I should tell you the Peace bridge is a federally owned bridge, the Rainbow bridge comes under the Niagara Falls bridge commission, the Whirlpool bridge also comes under the Niagara Falls bridge commission, and so does the Lewiston bridge. A few years ago this was a privately owned bridge—that is the Whirlpool bridge I speak of now, Mr. Minister—and because it was privately owned, they were paying to the city of Niagara Falls some \$35,000 a year in taxes. Then the bridge commission took over the bridge and it became a part of the system that belongs to the province, and the government on the American side. For a year or two, that portion of money was paid to the city of Niagara Falls by the Niagara parks commission, because there was no place in the record, or in the statutes, whereby they could pay grants of that type.

Hon. Mr. MacNaughton: By the bridge commission.

Mr. Bukator: The parks commission, I think you will find, paid the taxes on it for a year or two—it might have been the bridge commission but, regardless, one of those two bodies. I think you will find in the records that it was the parks commission. In the last year or two, I do not know what took place, but they decided that this grant should not continue to the city of Niagara Falls and it was cut off; an additional \$35,000, which was going to these people when it was a privately owned bridge, has been taken from them. They are not paying that money now.

By the same token, I was looking through the record, because I recalled a private bill going through the House. I presented the bill, and the private bills committee was good enough to see the reasoning of it and passed it. This is now the Peace bridge, federally owned, again operated by two commissions, or by a commission—and I think you will get the name of that; to be exactly right, this is an agreement between the corporation of the town of Fort Erie and the Buffalo and Fort Erie public bridge authority. This came into effect on April 26, 1963; since that time, the Peace bridge has paid the town of Fort Erie. In 1963 they received \$61,000 in grants in lieu of taxes; and, in 1964, they received \$62,000. Continuing at an increase of \$1,000 a year, by the year of 1969 they will be receiving \$67,000 a year grants in lieu of taxes, on the bridge that belongs to the federal government.

I believe that the pendulum can swing a little too far, one way or the other. I think

they have gone to the extreme as far as the Niagara Falls bridge commission is concerned. The hon. Minister was good enough last year, Mr. Chairman, to send me a note. I asked how much you collected in rent on the plaza of stores in the Rainbow bridge. By the same token, the Peace bridge has no stores to collect any money, except the revenue taken at the toll. I do not remember the figure exactly. I would not even hazard a guess. But I recall it was quite a substantial amount of money. The hon. Minister was good enough to say there was quite a maintenance problem with this bridge, therefore even though they are collecting a fair amount of money, they are paying you \$12,000; and, in his opinion, as I recall the letter, he felt this was a fair amount.

I can hardly reconcile fairness with that scheme. It seems that, annually, since I have been here—this may make a good political speech for some member to make when he comes into our riding, if there is ever another election, and I am sure there will be—since the member for Niagara Falls has been with us, we have cut off the grants instead of adding a substantial amount of money to them. The Department of Municipal Affairs, for some reason or another, was paying a grant, when we had Mr. Warrender as the Minister at that time, of some \$9,000 or \$10,000, and they cut that off.

He is His Honour, Judge Warrender at the present day, and I hope he is a lot more fair in his judgment as a judge than he was as a member of this particular government, because I found that we did not agree on that particular issue.

So that grant was cut off, and we come to the point where the Whirlpool bridge, being a private bridge, was paying \$35,000 to the city of Niagara Falls; and, at the moment, it pays nothing because it is owned by the Niagara Falls bridge commission. On the bridge, by agreement since 1941, you are paying \$12,000; and I think that is between two bodies—one on the American side and one on the Canadian side. Laws are made to be amended; I see them amended here annually, and I think agreements can be, too.

The Peace bridge people have decided they have a problem there and they feel they should give that town a little assistance by way of grants in lieu of taxes, and they are going to increase it annually. As I say, this year they will be getting some \$64,000. Comparing the two, there is something there that I cannot go along with. I must bring this argument up annually because in my opinion, somehow or another, your people

are not using proper reasoning. Why should they cut off the grant on the north end bridge? I realize that you are not—or are you—a member of the Niagara Falls bridge commission by virtue of your office as a Minister?

I think I have made my point. I feel that the city of Niagara Falls has been deprived of this substantial grant, which was \$35,000, for that one bridge—because the bridge commission took it over, and they cut it off.

One could go a step further and mention the fact that a bit of money goes to the city from The Department of the Attorney General but we will deal with that when that department comes before the House.

I wanted this on the record. I believe that you have had, or someone has had, a delegation to see them about that grant. I do not know with whom they met. It seems that from time to time the city council feels—and justly so because it can come directly to the department head without bothering the member, and I suppose maybe that is good business—that your department heads might be much more reasonable rather than having a member of the Opposition sitting there. And you might find, if you do give a point, that you are giving it to a member of the Opposition. This is not good politics, no matter how you look at it.

Hon. Mr. MacNaughton: Right.

Mr. Bukator: The hon. Minister says, "right." Mr. Chairman, I do not know to whom I should appeal. I do not know whether it comes under the hon. Minister's department at all. If it is not the bridge commission which has cut that grant—it was the bridge commission that you sit on—then at least The Department of Highways can use the same method. Where you cut one you can increase the other. I think they are certainly entitled to much more than \$12,000.

Hon. Mr. MacNaughton: Mr. Chairman, I cannot honestly inform the hon. member of the status of the bridge to the north. Is it the Lewiston bridge he had made reference to?

Mr. Bukator: The very next one, which is known as the Whirlpool bridge.

Hon. Mr. MacNaughton: The Whirlpool bridge. Of course, this matter of \$12,000 annually is a statutory matter, as we have explained in the House on a number of occasions. It is provided in The Rainbow Bridge Act, 1941, to which the hon. member made reference, and provides for an annual payment of \$12,000 from the year 1941 to

the year 1980. I am not completely sure of my ground here, but as a member of the Niagara Falls bridge commission I do know this: The Rainbow bridge particularly, and presumably any other bridges which come under the ownership of the commission, is subject to a series of bonds, and subject to the matter of reporting annually to the bondholders. It occurs to me, and I think I recall hearing this at a commission meeting, that in the indenture, or whatever the hon. member for Sudbury (Mr. Sopha) might call it—it is an indenture, a trust deed or something like that—I think there are certain provisos because of the international character of these facilities. They are owned by bondholders largely resident in the United States.

It may very well be that, when the funds were raised for the building, the erection and the completion of these bridges and the bonds were sold, the trust deed provided possibly that no more than this specific amount could be paid in taxes until the bonds were retired. I am not completely sure of my ground here but something seems to remind me, from a bridge commission meeting, that this may well be the case. I do not know.

Mr. E. W. Sopha (Sudbury): I see all the law officers of the Crown sitting over here; you might get a free opinion.

Hon. Mr. MacNaughton: Of course, that is the idea; I say to the hon. member that we will pursue this and find out the exact facts for him. I cannot, in all honesty, tell him today but I will do this: I will make an explanation. Certainly, as far as the properties around the Rainbow bridge are concerned, we are involved now with the matter of probably attempting to dispose of these. We built all these store facilities around the Rainbow bridge, as the hon. member knows—the terminal and these other places we lease and rent now. We are in the process; I say—because we do not think it is the function of The Department of Highways to operate facilities of this kind—of trying to dispose of these. Whether the parks commission will take them on and operate them as might be appropriate, I do not know.

I can only say to the hon. member, Mr. Chairman, that I will pursue this and try to be precise about the information when I write to him or talk to him.

Vote 802 agreed to.

On vote 803:

Mr. Nixon: Mr. Chairman, some years ago, before the present hon. Minister had the

responsibility of this department, the government, working with the federal jurisdiction, undertook to build some roads on the Indian reservations of Ontario.

These areas are very badly in need of every economic assistance that can be offered them by every level of government, and very little has been done, from the time these roads were originally built, to increase the network of hard-surface roads for the Indian reservations. I understand, at the time, it was because of a number of honorary chiefs on the benches opposite and at Ottawa, that the department was able to work out some sort of a plan for the development of the roads on the Indian reservations. But, as I say, since that time very little, if anything, has been done. We are all, in this House as in every other responsible place, very much concerned about the economics of the Indian reservations, and this is one place where the government might very well take the lead—in expanding a system of hard-surface roads for the various reservations.

Specifically, in the Six Nations reservation south of Brantford, there are 7,000 citizens who pay gas tax, sales tax, and all the other taxes which pertain to the provincial responsibility, and the roads are very much in need—not of more of these hard-surface roads but particularly of a bridge, or at least a ferry, across the Grand River which splits this historic reserve into two parts. The hon. Minister may know that, during the winter months, the people in the area drive on the ice and cross the Grand River; and somebody is good enough to put a few loads of gravel down to the water's edge so that this can be accomplished with some convenience, if not too much safety. It seems to me that the time has come when the department should take the initiative and the leadership in this, in working with its federal counterpart, in providing a ferry or a bridge in this particular case, and to increase this network of hard-surface roads.

I would like to ask the hon. Minister if there are any plans afoot for this; and just what sort of machinery is it necessary to go through in the rather complex negotiations with the federal jurisdiction in order to carry this forward on a planned basis, rather than just building a single road and then no more?

Hon. Mr. MacNaughton: There are a number of areas open to Indian reserves. First, they are treated in terms of subsidies similar to any municipality. I think this can be fairly established. Road expenditures, I would say, in the Six Nations reserve, would be subsidized at the rate of 50 per cent for road

construction and 80 per cent for bridges, just the same as in any rural township in the county of Brant. Above and beyond that, if certain warrants are met—and we do have sensible warrants—it is possible for a development or designation to be entered into with the reserve just the same as it would be with a township. There is a basis of appraisal and warrant which would have to be met on that score. If they are met, then they might become eligible for our direct assistance programme manifested in development roads.

Mr. Nixon: Might I interrupt just for a moment before the hon. Minister continues? The federal jurisdiction would enter then only in the preparation of these warrants and in meeting the remaining 20 per cent? Is that so?

Hon. Mr. MacNaughton: No, that is not altogether correct. We would regard the reserve the same as a township in terms of its revenue-generating ability. In other words, a township has a certain assessment base—

Mr. Nixon: Of course, this is where the reserves differ; they do not have this—

Hon. Mr. MacNaughton: I was going to pursue this a little further and tell the hon. member that there are other avenues; there definitely are. For instance, while the basic rate of subsidy is 50 per cent for roads and bridges, if the federal authority decided to provide some assistance—and I can assure the hon. member they are not just always ready and willing to do this because we have tried them out—toward the cost of a specific section or mileage of road, then the Minister has the authority to offset that and subsidize the entire cost.

An example of that might simply be this: For a road that would cost \$100,000, the normal subsidy would be \$50,000. Now, let us say that the federal government, in its wisdom or generosity, decided to contribute \$25,000. The Minister has the discretionary authority to not concern himself about that federal contribution and still make a 50 per cent contribution of the entire cost. So the hon. member can see what happens then: \$50,000 from the provincial government; \$25,000 from the federal government; leaving only \$25,000 for the municipality to find.

These things are all possible, and we are quite ready and willing to sit down and examine them at any time. We have tried this philosophy out in a number of other areas in the province in an effort to help the Indian reserves, and we have not always found the federal government to be quite as

responsive to our great generosity as we would have liked; but we have these flexible areas of providing assistance and I say to the hon. member that we are ready and willing to consider it.

Mr. Nixon: Just continuing this—I referred specifically to the bridge that has been suggested across the Grand River to join the two sections of the Six Nations reservation. We are particularly interested in that, and in the hon. Minister's views of the possibility of putting this bridge in the plans in the very near future, or at least something that would substitute as a river crossing.

In this connection, the hon. Minister and his advisors are aware that there is a long section of the Grand River there that is not adequately served with crossings. When Highway 403 is developed in the next year or two there will be a new bridge between Paris and Brampton. The bridge at Paris is in serious need of repair and vehicular traffic is reduced to 15 miles per hour so the bridge will not be broken down entirely.

I understand that the various municipalities along the Grand River all have plans for new bridge crossings; and, being a representative of the area, it would be my position, of course, to say that there is considerable merit in all of these proposals. But it seems to me that, before too much animosity is generated in the various claims among the townships and cities and towns concerned, some overall plan, perhaps, should be brought forward by the department or by the hon. Minister so that he could say what subsidies would be available for certain bridges—rather than giving the impression that municipality after municipality might go forward with the bridging plan.

I would like the hon. Minister to comment on this general area because, as I say, it is becoming a question of some concern in the Brant-Haldimand area, north of here.

Hon. Mr. MacNaughton: Mr. Chairman, of course we would be happy to consider this. The agreement was for a specific road to which the hon. member made reference, I think—was it what is known as the Tuscarora Road? Is this correct?

Mr. Nixon: Yes. This was an agreement for that specific road only and that, of course, has been fulfilled, I believe.

Hon. Mr. MacNaughton: Our examination into the needs or the requirements for the bridge to which the hon. member refers involved an investigation of the patronage of the ferry; and we did find, at that time, that

the use of the ferry is so infrequent that the service was hardly warranted.

Mr. Nixon: Does the hon. Minister know how long the ferry has been out of operation?

Hon. Mr. MacNaughton: Frankly, I do not.

Mr. Nixon: It is a good many years.

Hon. Mr. MacNaughton: All right; I am going back to when the thing was investigated.

I simply want to say to the hon. member that negotiations involving the crossing of a navigable stream, of course, do involve levels of the federal government, particularly The Department of Transport. I would suggest that, before a bridge can be put over a navigable stream, permission must be obtained from the federal Department of Transport; and certainly any plans and designs that might be developed for this purpose require their approval.

When all these conditions are met, and if that approval is obtained, then there are areas of financial assistance available from the federal department. I think the best thing I can suggest to the hon. member, Mr. Chairman, is that he make an appointment and come in and sit down with myself and the deputy Minister, and some of our senior people, and we would be happy to pursue this in detail and see what can be done about it.

Mr. Nixon: Mr. Chairman, I appreciate this indeed, and I would like to remind the hon. Minister that, before the federal authorities can grant approval, some plan has to be put to them. I submit that the responsibility for this would lie with the hon. Minister and his advisers and I would be glad to discuss it with him again.

Mr. Paterson: Mr. Chairman, I have a question for the hon. Minister concerning Highway No. 18, and I might preface my remarks by thanking him for the work he has announced for the completion of the highway this year. Possibly he cannot give me this information tonight but I would like to know the cost per ton of the granular base on the previous contract, 62191. Possibly this could be furnished me at a later date; this is under H15. Would that be satisfactory?

Hon. Mr. MacNaughton: Yes, it would indeed.

Mr. Paterson: Thank you.

Mr. MacDonald: Mr. Chairman, I have three different points I would like to raise with the hon. Minister on this estimate. Since

the hon. member for Kent West has been so interested in the estimates tonight, I want to raise one point back in his own bailiwick. I do not want to go into the long controversy with regard to the lead-in from Highway 401 to Chatham—into all of it—but I am curious about one aspect of it which still disturbs some people in the community. That is, instead of building a central route, for which, apparently, Chatham had made some preparation, the department decided on an east and a west route at a cost of \$200,000 and \$169,000—this is the local cost after some 75 per cent has been met by the province. The objections which were being raised by people in the community, and particularly the 401 committee, were with regard to the hon. Minister's alleged refusal to sit down and discuss the situation. As a result he was charged with being dictatorial and I could hardly believe that it was this Minister they were talking about; but the fact of the matter is that they were assured by the hon. Prime Minister (Mr. Robarts) and by the hon. Minister that he would be willing to sit down—and I have been assured even recently that he never sat down for the kind of discussion that they sought.

Hon. Mr. MacNaughton: This is not correct.

Mr. MacDonald: Would the hon. Minister explain exactly what he did do then that would still leave the impression that he had not sat down and discussed the matter with them?

Hon. Mr. MacNaughton: Mr. Chairman, I do not know what the Minister or the hon. Prime Minister did or not do that left anybody with this impression, because I can assure you that the Minister and the senior officials of The Department of Highways sat down with these people on any number of occasions.

The simple facts of this situation are these: The road that is presently being built is being built as a development road; the department will pay 100 per cent of the cost of construction. It is being built by the county of Kent; it is not being built by the city of Chatham at all; and it is being built to provide an eastern access to the city of Chatham that will connect with an interchange facility that is there. There were objections to the routes chosen. The residents in the area of the township adjacent to the city objected to them; they were heard, and the city of Chatham council were heard, on a number of occasions. Joint meetings were held with representatives of the city and the county on a number of occasions. The hon. Prime Min-

ister received the delegation, and I would say that they were granted a whole and complete hearing. Subsequently, in terms of all this, a decision was required to be made; and, in view of the county being entirely responsible for the road—it is in the township of Harwich, I believe—the decision was made to proceed over an alignment which was selected in conformity with the designation that pre-engineering has been completed on and I would say that construction will be under way, probably now, or very shortly, and the road, to all intents and purposes, will be completed by the end of this construction season. It may not be paved but, basically, it will be completed.

I simply want to assure the hon. member that every opportunity to present views was presented. We reached a complete stalemate on this thing, and when a stalemate is reached I think it is sensible to make a decision. As I pointed out to the hon. member, because this was going to be a county facility, and the county was the only agency or jurisdiction that could be the recipient of development road assistance, we could not have given it to the city on a development road designation and paid for it 100 per cent. The decision was made on this basis and it was made a long time ago; and, frankly, I am almost obliged to say to the hon. member that he is thrashing straw that is getting a little old—a little old.

Mr. McKeough: Mr. Chairman, because of the great interest, obviously, that the hon. member for York South has in the riding of Kent West, I would not want him to have any of the facts incorrect or not complete. So I think there is just one point which I might add to what the hon. Minister has said.

Mr. Chairman, the hon. member for York South started off by saying that the city of Chatham had been put—I may not be using exactly his words—to some inconvenience because two routes had been chosen; and you named two dollar figures which were some help to me in determining where you got your information, incidentally. But the hon. member implied that this had not been a decision of the city of Chatham.

I think that it should be on the record, and the hon. Minister knows this well, that six years ago The Department of Highways came to Chatham and said, "In our opinion you might have two accesses into Chatham or you might have one, which would be a central one on county road 10." The city of Chatham, in their wisdom at that time, and it would be six or seven years ago, said, "We would like two accesses and we would like

two interchanges," and that was their decision. That was in a year when I was not on the city council in Chatham—and I sat on the city council for four years after that, and at no time during that time did the city ever reverse that decision. Whether they should or should not have, I do not know, but they never reversed that decision.

The department went ahead in good faith on the decision of the 1956 council, I think, Mr. Minister—no, it would be later than that, six or seven years ago—on that basis. They built two interchanges. They accepted, on the basis of a very thorough traffic report prepared by DeLauw Cather, proposals to build two access roads into the city. Planning went ahead on this basis and then the city council of 1964, in its wisdom, decided that a decision had been made wrongly, some six years previously, and attempted to reverse it. In the meantime, as I say, the department had committed themselves and had built two interchanges and had committed themselves to two access roads and frankly, in my opinion, should not at that time, six years later, have suddenly decided that they should not then construct a third interchange for which they did not own enough property. This was the point at issue, to construct that interchange and therefore obligate themselves to a third access.

I may say, and I do not want to stand here merely, I assure the House, as a government supporter when I say this, because I was involved as a member of the council during some of the deliberations along these lines in this particular area and I wrestled with this for the first year that I was a member. I say to this House in complete sincerity, that if ever a council, either a county council or a city council, was given every consideration by a Minister of the Crown, the city of Chatham and the county of Kent were during 1964. They were given it by the Minister of the Crown, by his officials and finally by the hon. Prime Minister who said finally, in so many words, after reviewing the situation: Gentlemen, this is it.

I would say, Mr. Chairman, and through you to the hon. members of the House, that had I been either the Minister in question or the Prime Minister, there would have been several times when I would have said, there is a place for that access road to go and it does not lead into Chatham. They never said that and we are going to have two access roads into Chatham. I am personally very grateful for the co-operation we have had from the hon. Minister and the hon. Prime Minister in these two access roads.

Mr. MacDonald: Mr. Chairman, the hon. Minister contends that I am thrashing old straw, but perhaps sometimes the function of the Opposition is, at least, to elicit from the hon. Minister the reasons why decisions were made.

My specific question was: Why did he take an action which is interpreted still, in the minds of many people, public spirited citizens who have played their role in the Chatham area, as being dictatorial? His answer, quite frankly and quite bluntly, was: "There was a disagreement; we could not get anywhere; somebody had to make a decision, I made it." Now they call that dictatorial; the hon. Minister says a decision had to be made. I am not going to pursue it further, but I have another question in relation to it.

Are there any significant number of unsettled land acquisitions in these lead-ins to Chatham?

Hon. Mr. MacNaughton: Do you mean in these eastern and western accesses to Chatham? I would have to get that information for you; not of which I am aware. I would not think there are too many.

Mr. MacDonald: It has been represented to me—and since my hon. friend from Kent West is so busy guessing, I will excite his interest once again—as late as this morning by long-distance telephone, that the amount being offered is seriously below the going rate. It is the old story of why are they being driven to all the expense of expropriation?

Hon. Mr. MacNaughton: Actually, Mr. Chairman, I would not know; because, as I have pointed out this is a county road. It is a development road on which we are paying 100 per cent of the cost of capital construction, but the land acquisition is the responsibility of the county. Now I would not know, frankly, if the county is having some problem acquiring land there, or the people feel they are not being properly remunerated. It is something I simply would not know about, but none of what you say has come to my attention.

Whether it is another authority that is acquiring the land or not, there are occasions when these complaints cross my desk. I have to honestly say, Mr. Chairman, through you to the hon. member, that no complaint has reached my desk as yet. But we have nothing to do with the land acquisition, it is a county responsibility.

Mr. MacDonald: Let me move on to the second case that I wanted to raise because it

is related. The hon. Minister, I assume from what he says, contends that his department is not in the first instance responsible for expropriation procedures that are initiated by a county or a township.

Hon. Mr. MacNaughton: I think that is right.

Mr. MacDonald: I can quite see this, although I think the general problem of expropriation is one we are wrestling with and I still contend that we should have taken a few more steps in terms of standardizing procedures in our amendments to The Expropriation Procedures Act so there would not be the open door that still appears to be there to victimize the individual.

I was interested, for example, on November 17, to read a newspaper story in the *Globe and Mail*, when the hon. Minister was speaking to the Ontario chapter of the American right-of-way association at the Park Plaza hotel. He said that:

The days when a property owner stood with a shotgun on his land and defied surveyors and construction crews has gone forever in light of more equitable treatment. There is still a lot of room for better public relations—

and so on and so forth.

Just by way of showing the hon. Minister that we are not completely out of the woods on this, I have a case—and if the hon. Minister is particularly interested I will show it to him, including the name, although the person does not want to have his name used—on the outskirts of Blenheim, where the first indication that there was going to be expropriation, or that there was going to be a public need for a portion of his land, was when he suddenly discovered that stakes had been driven across the field and the houses and the barn.

No approach had been made—nothing. He woke up one morning, or he came home one night, and there were the stakes. This was the first indication. The first official notice received was a slip of paper pointing out what would be required, with constant reminders that they were going to take the land anyway, with the implication that if he did not take the offer quickly he would end up by getting less.

The offer made was \$1,500 an acre. The engineer indicated strongly that though this was a corner area on the highway it was worth no more than the middle section of neighbouring farms back from the highway, which strikes me as a rather novel approach.

I had thought that sites along highways were often of more value, particularly the kind of sites that were being sought here.

There is land in neighbouring areas which had been sold for \$4,000 per acre, by way of comparison. Then finally, not being satisfied with this, the engineer, came around “to scare my wife into signing a release so that he could show that we were almost accepting. This was almost despicable,” the man suggests, “after receiving a letter that it was in the hands of a lawyer.”

Now, I am constantly hearing this kind of story. I will concede to the hon. Minister that perhaps after long years of pain and anguish and experience, that The Department of Highways is handling this situation as well as any other department. I do not want to say that too kindly, because there are always new problems coming up. But I think the hon. Minister has had a great deal of experience, and the properties branch of the Ontario federation of agriculture has assisted in working difficulties out.

It brings me back to the point that I am a little puzzled as to why I have not been able to register with the government, or with the hon. Attorney General (Mr. Wishart), in securing some more amendments to The Expropriation Procedures Act—other than the experiment of injecting a board of conciliation that has been set up—amendments along the lines of the proposals that were made in the Ontario federation of agriculture recommendation last November.

I think you are going to find in the future that you will be wise in protecting not only the individual who becomes victimized, but placing expropriating agencies more on their guard not to abuse the power that they have been given in the fashion that they do until it begins to hit the public press.

As the *Globe and Mail* pointed out editorially, this usually means that you either have to have a lot of money or alternatively you have to have that rather rare individual who is willing to dig his heels in and organize his friends who are being victimized in the same way and conduct a campaign which is almost tantamount to war. I do not think this should have to be done, and I reiterate my plea to the hon. Minister and to this government that they review it, though I presume at this stage in the session it is not likely to happen this year. I warn you, I will be back next year, likely with more evidence that there is need for it. That is the tragedy of it.

Finally, Mr. Chairman, the hon. Minister may have been the recipient of—as I know the hon. Minister of Municipal Affairs (Mr.

Spooner) has—a document from a man from Timmins with regard to the route of the Sudbury-Timmins highway. As a matter of fact, he raises many points that really registered with me, so I put the question to the hon. Minister. For example, with regard to his basic contention that a projection of Highway 69, particularly if it had been taken a little east, could have avoided that incredible junction of Highway 69 and 17 and the railway tracks, right in the heart of Sudbury. It is difficult to conceive of a worse kind of junction than that.

Mr. Sopha: Why do you not leave that to me? That is my domain.

Mr. MacDonald: Ontario is my domain, my good sir.

Mr. Sopha: That is my railroad track.

Mr. MacDonald: Is it? Well, Ontario is my domain. We seem to have difficulties with touchiness here, as well as in some other quarters on occasion.

If Highway 69 had gone directly north, instead of over to Onaping, and so on, what justification does the department give for a highway that takes such diversions rather than a direct route?

Hon. Mr. MacNaughton: Several million dollars, to start with.

Mr. MacDonald: In what?

Hon. Mr. MacNaughton: In cost.

Mr. MacDonald: You mean you save \$7 million by—

Hon. Mr. MacNaughton: Several million dollars.

Mr. MacDonald: How so?

Hon. Mr. MacNaughton: Because we first of all found better terrain. We used Highway 544 as far as Levack, which has been recently improved, and took it from there north. I have explained this to the House before. I might say to the hon. member that three probable routes were selected. The hon. member for Sudbury and the hon. member for Nickel Belt (Mr. Demers) are quite familiar with this. Three probable routes were selected. Then the rather exhaustive work of survey took place. First of all, photogrammetrical surveys were made from the air; ground surveys were made, liaison was established with The Department of Mines and The Department of Lands and Forests to see which route would best serve the development

of, shall we say, the forest industry, the tourist industry, the mining industry and, of course, the all-important, I think, cost to the Treasury of the province was considered.

Mr. Sopha: There is no complaint about the route you chose.

Hon. Mr. MacNaughton: No, I think not. Naturally, in terms of the three routes that were considered, the two that were not chosen are not going to be happy about it; this is quite an acceptable thing. They are going to wish it had gone through their communities, and naturally so. So they are going to try, I suppose, to support the case for the route that went up there. I can only say to the House that this route was not chosen just off the top of the head. It was picked out and we are going to accomplish this at a saving, I think, in terms of the most costly, in the order of \$3-\$4 million. We are getting directly to Timmins; we are going to provide access to Gogama by the most effective economical means. We are concentrating our work from Timmins southerly to provide Gogama with an early access to an urban community and all the facilities that it offers. These are all considerations that went into the decision.

Mr. MacDonald: What is the proposed schedule for this highway?

Hon. Mr. MacNaughton: The proposed schedule? I think, perhaps, if I disclose to the House the schedule for the year in which the estimates of the department are being considered, this is about as far as I need fairly go. And I will do this for the House section by section.

The first project may have been called and awarded, I am not sure. These are the projects: 7.9 miles south of Highway 101 southerly for a distance of 8.3 miles. This has been called and awarded; it was called in the winter of 1964. The tentative completion date is 1966. The estimated value of this section is \$721,000. The next section, already awarded, 16 miles south of Highway 101—that picks up where the other one leaves off. It is for a distance of 16.2 miles. That contract is awarded, completion there—that is clearing—that should be completed this spring at a cost of \$84,000. Now we go down to the south end and two miles north of Benny, that is just north of where the Cartier-Levack road that we finished leaves off. Two miles north of Benny we propose to undertake 6.4 miles of grading, drainage and granular base. We will award a contract, we hope, this fall, and finish it next year. The cost of that section is \$675,000.

Now we move along to the 6.4 miles that I have just referred to; that is 8.4 miles north of Benny. We start then on another clearing contract of eight miles. You will see, as I progress here, that we are clearing and following up with grading, drainage, granular base. We move to a clearing contract which we will award in 1965, probably this fall, and complete by next spring. This involves a cost of \$40,000.

Again from Highway 101 southerly, we are back with grading, drainage, granular base, for a section involving 7.9 miles. We will award a contract there in the summer of the current construction year, 1965, and will finish in the fall of 1966. This will cost an estimated \$640,000.

To move again to the last probable contract in the upcoming or current construction year, from 24 miles south of Highway 101, you will see we have cleared and built another section. This one will go for nine miles, and this contract will connect with existing roads which will provide the link to Gogama. This contract for nine miles is to be awarded, if it has not already been done, in the spring of 1965. It will be completed in the spring of 1966 at a cost of \$730,000.

I have mentioned that that last one I referred to will connect up with an existing road that will make the connection to Gogama. While that connection is being used in accompaniment with the programme that I have just indicated to the House, we will build a new road on a new alignment to Gogama. Meanwhile, the connection will have been made, enabling the citizens of Gogama to avail themselves of all the facilities that go with the great urban community of Timmins.

The entire road is programmed and it is in this book, but I think I will talk to the House only about what I am asking money for for this year. I think that is only fair, but I can assure the House that there will be just as much to talk about next year when we deal with the estimates, and that will continue until the road is finished.

Mr. MacDonald: I thank the hon. Minister for his comments and his detailing of them. May I ask him a question? Thinking a bit further north, is there any—

Mr. Sopha: I wonder, Mr. Chairman, the Timmins road—

Mr. MacDonald: Just one more brief question and then the hon. member can have the floor.

Is there any road being projected, or even

considered, from Timmins north in the general area of Kapuskasing rather than the loop around by Cochrane?

Hon. Mr. MacNaughton: In general terms, yes. I cannot be more specific than that, but generally this is correct. It was considered by the mining and access roads committee and there have been certain alignments suggested. The matter is being studied by the department at the moment.

Mr. Sopha: Mr. Chairman, I should like to say a word about the Sudbury-Timmins road, which is a matter of special interest to me. I am delighted to see that my good friend, the hon. member for Nickel Belt, is here in the House, but I should like to approach the matter from a little different perspective. The hon. member for Nickel Belt and I know the area intimately, and the nature of the road that now exists and the building that is going on.

As I said by way of an interlocutory comment to the hon. Minister, there was no great quarrel made with the decision of the route. I use the word route rather than route—the route that was chosen via Benny, northerly to Gogama and then it is to connect with 101. If memory serves me correctly, I believe that the Onaping lake route had the advantage of some 40 miles of gravel base and, compared to the precambrian terrain, that would have had to have been thrust through if the route chosen had gone directly north from Capreol.

The road has a long history and its genesis goes back as far as the year of my birth, 1924, when my community was represented by the hon. Charles McRea—and the hon. Minister of Municipal Affairs will remember that agitation has been made by a great many people and a great many bodies over the years to get this road built.

It seemed to me that when I spoke on this the first year I was in the House—1960—that as long as the Laird of Lindsay was in charge of things that road was never going to be built. So it was with considerable gratification, when the new leadership of the Conservative Party took over two years ago, that I heard a firm announcement made that it would finally crystallize into a reality. Because here we had Sudbury, the greatest metropolis, the centre of the largest, most dynamic industry in northern Ontario, balanced entirely on an east-west axis—North Bay to Sault Ste. Marie and points west. Most of Sudbury's contacts were with southern Ontario. We had a fine highway—it took a long time in building, too—that led

southerly from Sudbury through the district of Parry Sound and thence to the metropolitan areas of southern Ontario. But Sudbury never achieved its proper role in the economic life of northern Ontario because it had no contacts with the vast hinterland to the north of it; and that, really, was the stimulus for the important bodies and associations and people in Sudbury to promote the building of this road.

I can report to the hon. Minister that when this book came out—his capital construction programme—and it was announced that \$2.9 million would be requested of the House this year for the Sudbury-Timmins road, the organs of the press, both the printed medium and the electronic medium in Sudbury, gave it suitable coverage; in fact, I might say an exaggerated coverage. \$2.9 million seems like a lot of money. Unfortunately, I must say that I personally, as the member for Sudbury, treated the announcement with a good deal more reservation than the communications media, because it did seem to me that, from a budget of \$329 million, \$2.9 million for construction of this road was not a great deal. It was, if I may drop a hackneyed phrase, “a mere drop in the bucket.”

I calculated, from the information provided in this book and if my figures are correct—it appears to me that “work on grading, drainage and granular base” means that it will be, at its completion, a completed road over which vehicular traffic may drive although it is not paved—that 31.1 miles of road are to be built in carry-over work, and new contracts are to be awarded.

The hon. Minister has indicated—if I infer correctly from what he said—in the contract already awarded, a time interval of two years from the awarding of the contract to its completion; so, therefore, the 31.1 miles to be built under the capital construction programme takes us to the end of 1967. It was always hoped for by the citizens of Sudbury, and I am asked this on a good many occasions, “When will the road be completed?”

It seems to me, and the hon. Minister may correct me, that we are going to have, in our centennial year, 31.1 miles completed to the grading stage, not paved. There are 107 miles from Benny to Highway 101—and I might interpolate that I have always been a little resentful of Highway 101, and I have let the hon. Minister of Municipal Affairs know it on many occasions that he managed to get Highway 101 built from Timmins to Foleyet and thence to Chapleau long before work started on this far more important

artery. He can quarrel with me if he wishes but I say, categorically, that the road from Sudbury to Timmins is a far more important artery of communication—between a community like ours of 120,000 people and that of Timmins, which is something in the neighbourhood of 20,000 or 30,000—than Highway 101, which goes through country where there are more moose than people.

One of the things that always retarded the development of this road, it struck me, was that, during the tenure of the predecessor of the present hon. member for Nickel Belt, this government would not do a great deal for him; he could never manage to get anything out of this government. He got so tired of asking and urging the government that finally he gave up and retired to the Senate of Canada where he now sits in a happy Utopian state. But the new member for Nickel Belt is a chip off another block; he is quite different to his predecessor; this one works and does something for his constituents; and he is very friendly to the government, which his predecessor was not.

So it boils down to this: My query to the hon. Minister, which I invite him to answer, was a little more precise than his answers to the hon. member for York South; so I can go back and tell the people of Sudbury, or our friends in the gallery can report it to them through their media, when the road is going to be completed. When we reach 1967 there will be only 31.1 miles built; what is the projected year—is it 1970, is it 1975—can the hon. Minister be specific and give us an idea of when the day will come that we will all be standing up there—the young hon. member for Nickel Belt, who will have lost his youthful appearance perhaps a little bit, and the hon. Minister, who will arrive in his pearl-grey topper, and we will cut the ribbon and open that road?

Let me add this: When you speak of 107 miles, from Benny to Highway 101, we must not overlook the fact that the road from Levack to Benny—and I was trying to figure out in my own mind how far that is, but I think it is something in the order of 25 miles—is hardly fit for vehicular traffic. A more tortuous, circuitous route, you could not imagine; and before you could properly call a highway a Sudbury-Timmins highway, then you have got to rebuild. I am saying this to the hon. Minister through you, Mr. Chairman—I want to observe the form—I say to the hon. Minister, through you, that that part of the route from Levack to Benny will have to be rebuilt. So, Mr. Chairman, I implore the hon. Minister to make it good news: We are having our annual meeting of the Sudbury

Liberal association this Saturday. It would be wonderful news for me to be able to take back and report. They have me on the agenda. I am going to make a report from Queen's Park. If I can stand and say, "I am pleased to report to you that the hon. Minister of Highways said in the House last Tuesday night, at 20 minutes to 11, that the road will be finished in 1967"—

Hon. Mr. Grossman: That would be mis-managed news.

Mr. MacDonald: You killed your answer right there.

Hon. Mr. MacNaughton: Mr. Chairman, I wish I could give the hon. member the answer he is soliciting here tonight. I wish I could give you that answer, I really do. It would delight me if I could tell you and give you the answer you would like to take back to the meeting of the Liberal association; but I simply say, Mr. Chairman, I cannot do that. First of all, I would like to draw attention to your reference to the total budget of the department—some \$330 million. And if you deplore \$2.9 million as a pittance, then I am afraid I cannot go along with you.

Mr. Sopha: I did not use the word—

Hon. Mr. MacNaughton: Well, you did not think it was—

Mr. Sopha: I said drop in the bucket.

Mr. MacDonald: A fair substitute.

Hon. Mr. MacNaughton: Well, semantics, shall we say!

Now the singular part of it is, I would say to the hon. member, that our capital construction budget is something just slightly in excess of \$150 million, out of which this road will be built. So you are not getting too much less than two per cent of our entire capital construction budget on this road, and I think that is a fair share. I think that is the sort of thing you might go back and tell the people of Sudbury.

Through you, Mr. Chairman, to tell the hon. member when I am going to complete this road is impossible. I cannot tell you that until I know how much funds the hon. Provincial Treasurer (Mr. Allan) is going to place at the disposal of the department next year and in the ensuing years. I can only say to you—yes!

I am reminded here now that from Levack to Cartier is all built and I understand that it is a beautiful road that forms a section

of the overall route, if you like it that way. Is that correct?

Now much as I would like to put the hon. member in a position to please the Liberals of Sudbury, I regret I cannot do it because I do not know just the extent to which funds are going to be made available to me next year and in ensuing years. But I can tell you we are going to get from Timmins to Sudbury as quickly as it is sensible, financially possible and expedient to do it.

Mr. Sopha: I will not be beaten down by that type of answer and I will just complete the record by saying this: It is not only the Liberals in Sudbury that are interested, though they are the most numerous group.

Hon. Mr. MacNaughton: Well, they are all you referred to. You did not mention anybody else.

Mr. Sopha: When you have reported to the Liberals in Sudbury, you have reported to most of the people. I am not one of those people from northern Ontario that comes down here and puts on the old suit and complains about the great beneficence to the inhabitants and residents of southern Ontario. Many a quarrel I get into with people north of the French River, who point out the magnificence of the Gardiner expressway, costing \$13 million a mile.

Hon. Mr. MacNaughton: More than that in some places.

Mr. Sopha: More than that; yes! Well, you gave me the figures and I think it approaches between \$13 and \$14 million a mile.

But the people I represent and the people represented by my hon. friend from Nickel Belt are conscious of arteries like that down on the lakeshore here. It is because of that fact and a feeling among them that they are left out, that I stand in the House and ask this question.

It rather surprises me—and the hon. Minister does not need to answer this—it rather surprises me that there is not sufficient planning in The Department of Highways for the years ahead that the hon. Minister of the Crown responsible for 330 million of dollars cannot get up in the House and give a projected date.

I ask a rhetorical question. What are you doing, are you living from one day to the next; from one year to the next? It would strike me that good, sound, economical planning would enable you to look ten years ahead and be able to tell the House, because

you can assume that the Treasury board is going to continue to vote you a comparable share of the provincial Budget. It is perfect nonsense to stand in the House as a responsible Minister of the Crown and to say, I do not know how much money I am going to get.

We know that in 1975—I think it is 1975—we are going to have 4,000,000 cars in this province.

Hon. Mr. MacNaughton: Yes, we do!

Mr. Sopha: We are going to have twice the number of cars. So, Mr. Chairman, I say to the hon. Minister he is not entitled to stand in the House and say, well maybe in future years the Treasury board will not be as beneficent as they have been in the past.

Now, I am sorry, I did not intend to get into an argument with the hon. Minister about that and I do not want to give the impression that there is any rancour or bitterness in my voice when I raise this. I raise it out of responsibility to the people I represent, because they are keenly interested in the answer which I have endeavoured to seek right in the House.

Hon. Mr. MacNaughton: One more word on this and I am through with it, if the hon. member is.

I simply remind him of this, and out of his own mouth came the suggestion that for years and years you sought this road. Now at least the road is being built. We are building it as fast as we can reasonably equate the distribution of funds across this province. Now that, at least, should be admitted.

I am frank to say also that of course you represent the city of Sudbury; but I am frank to say that I think a lot of people in the Sudbury-Timmins area are happy that the road is being built. I really believe this, because I hear it on many sides.

I do not propose to disclose to the House today any more than the programme for which I am asking the House to vote me funds. I do not think it is right, I do not think it is proper. So, Mr. Chairman, if we can end the Sudbury-Timmins route on that note, I am very happy. I appreciate many of the hon. member's comments.

Mr. Paterson: Mr. Chairman, I have a question to ask of the hon. Minister with regard to Highway No. 3, between Windsor and Leamington. I make reference to a letter of Mr. Kinnear of April 3, 1964, where he stated that this section was going to be studied during the summer of 1964, a detailed

study would be made. This was again drawn to my attention by a press article in the "Ten Years Ago" column where the previous member was bringing this to the attention of the House, that possibly a new bypass route, or possibly a new Highway No. 3, could be built in Essex county.

Hon. Mr. MacNaughton: How many years ago?

Mr. Paterson: Ten years. I just wonder, are there any studies being made in this regard at the present time?

Hon. Mr. MacNaughton: I would simply say to the hon. member that the entire area of Essex is one of the 19 areas that are now under study. We have discussed these area transportation studies in the House on a number of occasions and in somewhat complete detail, so I simply say to him that this is one of those areas. There may very well be some more pertinent information in this respect that we can discuss with the hon. member. I do not have it available with me here now. We will be happy to sit down any time and do this.

I think, Mr. Chairman, that is about the best comment I can make on Highway No. 3, at the moment. It is embraced in the highways in the area of Essex that constitutes one of our area transportation studies.

Vote 803 agreed to.

Mr. Chairman: This concludes the estimates of The Department of Highways.

Hon. J. P. Robarts (Prime Minister) moves that the committee of supply rise and report certain resolutions and ask for leave to sit again.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of supply begs to report it has come to certain resolutions and asks for leave to sit again.

Report agreed to.

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, tomorrow we will proceed with the estimates of the Attorney General.

Hon. Mr. Robarts moves the adjournment of the House.

Motion agreed to.

The House adjourned at 10.50 o'clock, p.m.



ONTARIO

Legislature of Ontario

Debates

OFFICIAL REPORT—DAILY EDITION

Third Session of the Twenty-Seventh Legislature

Wednesday, May 5, 1965

Speaker: Honourable Donald H. Morrow

Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

WEDNESDAY, MAY 5, 1965

The House met at 3 o'clock, p.m.

Prayers.

Mr. Speaker: We are always pleased to welcome visitors to the Legislature and today we have as guests, in the west gallery, members of the women's Progressive-Conservative association, Elgin riding, and students from Western technical-commercial school, Toronto; and in the east gallery, students from Galt collegiate institute, Galt.

Presenting petitions.

Presenting reports by committees.

Motions.

Introduction of bills.

THE SURROGATE COURTS ACT

Hon. A. A. Wishart (Attorney General) moves first reading of bill intituled, An Act to amend The Surrogate Courts Act.

Motion agreed to; first reading of the bill.

Hon. A. A. Wishart (Attorney General): Mr. Speaker, for the information of the House, there are two amending sections: One provides that surrogate court judges who presently operate within the confines of a county or district may be directed by the chief judge of the county and district court, as occasion requires, to serve in counties other than that to which their appointment presently obtains; the other amendment provides for the appointment of the staff of a surrogate court registrar to bring the procedure in line with present practice.

THE SECURITIES ACT

Hon. Mr. Wishart moves first reading of bill intituled, An Act to amend The Securities Act.

Motion agreed to; first reading of the bill.

Hon. Mr. Wishart: Mr. Speaker, there are also two amendments proposed by this Act. One will provide that the commission may now consist of a chairman and not more than four additional members, whereas the Act presently reads "a chairman and not more than two additional members." This will enable the commission to be brought up to the strength of not more than five personnel which, in the light of some of the recommendations and the work the commission will be called upon to do, is the necessary strengthening of the personnel of the commission.

The other amendment provides that the chairman shall devote his full time to the work of the commission, the way the Act was originally designed. It was changed when the late Mr. Lennox died, but last year the chairman was directed to carry out his duties and to devote his full time to them, so this brings the procedure into line with the present situation.

Mr. V. M. Singer (Downsview): The hon. Attorney General is certainly shaking things up this afternoon.

THE POLICE ACT

Hon. Mr. Wishart moves first reading of bill intituled An Act to amend The Police Act.

Motion agreed to; first reading of the bill.

Hon. Mr. Wishart: Mr. Speaker, there are some 15 sections in the proposed amending Act, mainly concerned with recommendations which were set forth in the police commission report recently tabled; some are from the report tabled last year, having to do largely with administration and matters of amalgamation of police forces, and providing also for the responsibility of municipalities in certain matters where torts are committed by the members of police forces—generally, administrative amendments.

THE PUBLIC SERVICE SUPERANNUATION ACT

Hon. J. N. Allan (Provincial Treasurer) moves first reading of bill intituled, An Act to amend The Public Service Superannuation Act.

Motion agreed to; first reading of the bill.

Hon. J. N. Allan (Provincial Treasurer): Mr. Speaker, at the present time civil servants on the probationary staff contribute to the public service retirement fund. This fund was created as a compulsory savings to provide that when a civil servant was appointed to the regular staff his contributions would be transferred to the public service superannuation fund and he would not have to be concerned about arrears of contributions for the period, while ineligible to contribute to the superannuation fund. This bill will provide that any civil servant, whether probationary or regular staff, shall contribute to the superannuation fund and thereby remove any element or suggestion of discrimination.

The retirement fund, having outlived its useful purpose, will be transferred into the public service superannuation fund. It will benefit the probationary staff in that contributions will be deductible from salary for income tax purposes and will provide also that eligibility for benefits will be the same as for the regular staff.

Teachers on appointment to the probationary staff now may exercise an option to contribute to the teachers' fund, if eligible, or to the retirement fund. This bill will permit the option to continue in the teachers' fund or to contribute to the superannuation fund. The option is also extended to inspectors and supervisory staff in The Department of Education.

THE PUBLIC SERVICE ACT, 1961-1962

Hon. Mr. Allan moves first reading of bill intituled, An Act to amend The Public Service Act, 1961-1962.

Motion agreed to; first reading of the bill.

Hon. Mr. Allan: Mr. Speaker, the purposes of these amendments are first for certain clarification purposes; and second, for providing for the establishment of plans for group life insurance, medical-surgical insurance or long-term protection insurance; also prescribing the duties and procedures of the joint council, the Ontario provincial police negotiating committee and the civil service arbitration board and excluding matters on the agenda of the joint council.

THE RACING COMMISSION ACT

Hon. Mr. Allan moves first reading of bill intituled, An Act to amend The Racing Commission Act.

Motion agreed to; first reading of the bill.

Hon. Mr. Allan: Mr. Speaker, at the present time the members currently hold office during pleasure of the Lieutenant Governor-in-council. The general trend in legislation setting up commissions is to set a fixed term for all commissioners and members of such commissions. The maximum term now shall be not more than three years; and for any person who has been appointed to the commission this provides for their reappointment.

Mr. K. Bryden (Woodbine): Mr. Speaker, may I ask the hon. Provincial Treasurer if this new provision will apply also to any member of the Legislature who may now have been or may in future be appointed to the commission?

Hon. Mr. Allan: Yes.

Hon. Mr. Wishart: Mr. Speaker, I take pleasure in tabling the report of the medical evidence committee dealing with the production of medical evidence in court in civil cases.

With respect to that report, I would say that on February 7, 1963 the then Attorney General, the hon. member for Grenville-Dundas (Mr. Cass) appointed a committee consisting of the Hon. J. C. McRuer and Mr. William B. Common, QC, who were then respectively chief justice of the high court for Ontario and deputy Attorney General of Ontario, with the object that such a committee should inquire into and determine the most efficient means of having the medical condition of the plaintiff put before the court in personal injury cases, the best method of having medical evidence brought before the court, ensuring a minimum of interference with all of the persons concerned, consistent with the best evidence procurable.

I am sure that the hon. members, and particularly those who are members of the legal profession, are familiar with the difficulties which are encountered in proving medical conditions in civil cases. And I am sure they are also familiar with the difficulties which may be incurred, not only for the doctors but also for the parties to the cases and the courts. It seemed most desirable; therefore, that we arrange with the law society of Upper Canada and the Ontario medical association to review the methods

that are utilized in the United Kingdom, the United States, and other countries, for the orderly and effective presentation of medical evidence in civil cases before our courts.

Mr. McRuer and Mr. Common, by virtue of their great experience in these matters, were eminently qualified to consider the problem with representatives of both professions. The report which I have just tabled represents a very exhaustive analysis of both the problems and the solutions, as they have been found in other countries, together with some very constructive suggestions and recommendations insofar as the laws of Ontario are concerned.

The committee recommends that more medical reports and records should be made available to the doctors and the solicitors for all of the parties in order that they may all be fully advised before the trial, so that any possibility of settlement may be thoroughly canvassed in the interests, not only of the administration of justice, but also of the individuals who may be concerned. These exchanges of information must, of course, be devised so as to adequately protect the interests of the parties to the litigation, and the doctors and the hospitals who are also vitally interested in the matter.

Similarly, the committee recommends that medical reports should be exchanged by the solicitors for the parties prior to the trial, and that a medical report should be agreed upon for the use of the court if at all possible. In order that no party to an action may be taken by surprise, it is suggested that where a doctor is going to be called as a witness at the trial, his report should be given to the other side in advance of the trial; and that in those cases where the doctor's report has been provided to all the parties and where the parties have agreed, the report should be accepted in evidence before the court without the necessity of calling the doctor as a witness.

The committee devoted considerable time to the problem of the psychiatric examination of a plaintiff in an action and it came to the conclusion that, because of the nature of psychiatry it is inadvisable at this time to compel a plaintiff to undergo such an examination even though this might be in the interests of the defendant. At the present time physical examinations of plaintiffs may be directed by the court but the psychiatric examination is of such a different nature that it is not, in the opinion of these gentlemen, in the best interests of the administration of justice that it be made the subject of such an order.

Recommendations are made for the amendment of The Evidence Act of Ontario so that records that are made in the ordinary course of business may be admitted as evidence before our courts. It would appear that The Federal Business Records Act of the United States has provided a pattern which may well be an acceptable basis for any revision of our laws in this respect. In the same area it is recommended that hospital records should be made available to the medical advisers, and the solicitors for parties who are engaged in litigation where such records are relevant, unless the court might otherwise direct.

The committee has also recommended that a permanent committee, made up of representatives from the law society of Upper Canada and the Ontario medical association, should be established in order that it might resolve those problems arising from the necessity for evidence to be placed before the court in medical malpractice cases.

It will be recognized that there are many areas of difficulty in introducing recommendations such as these because of the necessity for finding that proper balance between the rights of the individual parties and the proper administration of justice. Similarly, the doctors, who have been most co-operative in the production of the report, must be consulted through their association so that nothing will be done that might infringe upon the relationship between the doctor and his patient. While these matters are important to the administration of justice, they are not such that they require the immediate attention of the Legislature; we will therefore ensure that the report gets a wide circulation throughout the medical profession and the legal profession so that comment may be received and any legislative action may be prepared for the future consideration of this House.

Mr. Singer: Mr. Speaker, I wonder if the hon. Attorney General would permit a question on this? I have glanced very quickly through the report and I have listened with great attention to the hon. Attorney General's remarks. On the surface it seems like a most commendable report, but I just cannot understand why he says there is no urgency. I would have hoped that, having introduced it, he would have felt there was urgency and perhaps we could have looked forward to some legislation.

Hon. Mr. Wishart: Mr. Speaker, I say there was no urgency, in my view, requiring the presentation of legislation at this session,

which is well along at the moment. On the nature of the report—which, my hon. friend will admit, is very comprehensive and covers a wide field on something that poses quite a few somewhat new problems in many areas—our view is this: Since the medical profession is, of course, very clearly and definitely involved and very greatly interested—

Mr. Singer: They will be delighted with this.

Hon. Mr. Wishart: Well, I hope they will be. And yet there is some evidence that they do not like an invasion of the—

Mr. Singer: Well, the malpractice!

Hon. Mr. Wishart: No, not only that, but of the relationship which exists between a doctor and his patient in the revealing of matters which are presently clothed in the greatest secrecy—the same as a lawyer and his client. These things are privileged.

Mr. Singer: Will not most of them be delighted to have an excuse not to go into court?

Hon. Mr. Wishart: I trust so. But there is also the area of the hospital records of the patient which, to this point, have been very closely guarded. Only in very special circumstances, and to a limited degree, may such records be taken by order, or as of right, and used in court. We have to deal with a very prominent, very eminent, very capable profession, in the medical profession; and I think it is only fair, the report only having just been received, that they be given an opportunity to study it and discuss it in their associations. If they are pleased, as I think they will be, it will not take us long to get legislation forward; but I did feel that we should not attempt to bring legislation in on the heels of this report without giving them an opportunity for full discussion.

Mr. Singer: The fact that it has been introduced indicates that there is urgency about it.

Hon. Mr. Wishart: I did not say that there was no urgency; I said there was not such urgency that I felt I could bring in legislation immediately.

Hon. J. Yaremko (Provincial Secretary): Mr. Speaker, I beg leave to present to the House the following reports:

1. The report of the board of governors for the University of Toronto for the year ending June 30, 1964.

2. The report of the president of the University of Toronto for the year ending June, 1964.

3. The Ontario college of art annual report for the year ending May 31, 1964.

4. The annual report of the Lakehead college of arts, science and technology, for the year ending June 30, 1964; and

5. The annual report of the teachers' superannuation commission for the year ending October 31, 1964.

Hon. W. G. Davis (Minister of Education): Mr. Speaker, before the orders of the day, I have a very brief announcement to make for those people who are vitally concerned with the administration aspect of education. I think hon. members will realize that one of the great problems that is facing the school principals and administrators at the present time is in the field of timetabling, particularly in the composite high school programme in this province. Many of the principals, together with several members of staff, devote anywhere from two weeks to two months during the summer to preparing timetables for the ensuing year. Some 18 months ago I asked Dr. Jackson and his staff at the department of educational research at the Ontario college of education to try to find some way to utilize the potential of a computer in the problem of producing the complex and diverse timetables required by the modern secondary schools operating in Ontario.

This work was financed by grants from The Department of Education and carried on in conjunction with Dr. Gottlieb of the institute of computer science at the University of Toronto and KCS Limited.

Dr. Jackson informed me as recently as yesterday that they have now achieved a breakthrough in this area. The results will benefit the secondary-school principals and the timetable committees in Ontario and, we think, perhaps in many parts of the world.

One significant aspect of the work is that the techniques that have been developed are not tied to any particular brand of computer. The process will be made available to any group interested in timetabling, so that a local school board may use any firm it chooses to help solve its timetabling problems.

The computer method for the production of school timetables is designed to prepare a timetable to meet the normal requirements encountered in the majority of secondary schools in this province. These requirements specify the classes each teacher must meet, the number of meetings per week and,

frequently, the room that must be used. They often involve additional conditions requiring two or more teacher-class meetings to take place at the same time, or specify that certain teacher-class meetings must be for two or three consecutive periods.

Using computers, the researchers believe that they can now automatically process the requirements of a school and print the timetables for classes, teachers and rooms in the form to which the schools are accustomed. Present plans call for experimental runs with actual school data to start in June of this year and to continue for perhaps three to four months, or even longer. During the later runs it is expected that some training of school representatives will be undertaken. If the results of these experimental trials are satisfactory, the production of some actual timetables for the academic year 1966-1967 will be undertaken early in 1966.

To the best of our knowledge, Mr. Speaker, the system we are using is an improvement upon any available anywhere, and certainly well in advance of programmes used south of the border and in the rest of Canada. I think Dr. Jackson and his colleagues are to be commended for their excellent work in this field.

Some hon. members: Hear, hear.

Mr. Bryden: Mr. Speaker, before the orders of the day I would like to ask the hon. Attorney General why it was necessary to have at least three provincial police and several Metropolitan Toronto police on hand when 20 or 30 attendants from the Oak Ridge hospital at Penetanguishene were demonstrating peacefully in front of the Parliament Buildings this morning.

Hon. Mr. Wishart: Mr. Speaker, ordinarily there are four or five Ontario provincial police at a time at the Parliament Buildings. This morning, as it so happens, there were three on duty. One of the officers was notified by the parking attendant when the persons demonstrating came to the front of the building. The officer went to the front of the building to observe the size and nature of the demonstration. While he was there an officer who had been on escort duty—I believe escorting a messenger with some cash and valuables—returned from duty and simply joined his fellow officers to inquire as to the occasion. He was there for a moment or so and then went about his other duties, I understand that the officer in charge of the detachment in the building came out to inquire what was afoot and for a moment there were three Ontario provincial police officers there;

they were together in that situation for perhaps two or three minutes and then went about their separate ways. Ordinarily there are four officers—

Mr. Bryden: Why were the metropolitan police there too—

Hon. Mr. Wishart: Although I did not make specific inquiries of the Metropolitan Toronto police officials myself, I am told that these officers attended at the scene and when it was learned that there was no interference with the flow of traffic, they departed. There was no special assignment to this situation at all.

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, before the orders of the day, I would like to table the answers to questions number 51 and number 102.

The hon. Prime Minister tabled answers to questions as follows:

51. *Mr. MacDonald*—Inquiry of the Ministry—With regard to Table X, pages 64-67, in the 85th annual report of the superintendent of insurance, dealing with auto insurance in Ontario for the year 1963: 1. What was the total amount of gross premiums, less premiums returned through cancellation, written on auto insurance during the year? 2. (a) What was the total amount of reinsurance ceded; (b) how much of the reinsurance ceded was placed with insurance companies outside Ontario (c) how much of the reinsurance ceded with the companies outside Ontario was placed with parent, subsidiary or affiliated companies? 3. What were the net losses incurred in respect of the ceded reinsurance not reported in Table X? 4. (a) What amount of the gross premiums written was paid out in commissions, advertising, legal and litigation, administration expenses, taxes, and so on; (b) what amount was retained by the insurance companies for reserves, profits, and so on?

Answer by the hon. Attorney General:

1. \$152,787,264.

Note. This is the total shown in Table X for all companies. Net premiums written for individual companies consist of: (1) Premiums written directly with insured. (2) Add: Reinsurance premiums received from other companies in Canada. (3) Deduct: Reinsurance premiums ceded to other companies in Canada. Premiums ceded by one company in Table X are added by another company as reinsurance premiums,

so the total of (2) and (3) are equal. Companies not operating in Canada are not included in this table and reinsurance ceded to such companies is not deducted from premiums written. Consequently, the total for all companies in Table X show the premiums and losses before any reinsurance and the loss ratio is the ratio of all losses in Ontario to all premiums in Ontario. Reinsurance between companies will affect the loss ratio of individual companies, but not the loss ratio of the business as a whole in Ontario.

2. (a) Figures not available.
 (b) Figures not available.
 (c) Figures not available.

Note: (a) British and foreign insurance companies only report in their annual statements their business in Canada. Consequently they do not report or deduct from premiums written or losses incurred, premiums ceded to companies outside Canada or losses recovered from such companies. (b) and (c) Because of (a) the answers to (b) and (c) are not available. In any case, it would not be possible to segregate insurance companies outside Ontario because most companies operate in Ontario and other provinces.

3. Figures not available.

Note: For the same reason as in 2 (a) above.

4. Figures not available.

Note: Nearly all insurance companies do fire and general casualty insurance business as well as automobile insurance and also operate in other provinces as well as in Ontario. General administration and other expenses cannot be specifically allocated to individual lines of insurance and to individual provinces, but individual surveys are made on as accurate a basis as is possible. These surveys have established that, on an average, 37 per cent of the premium dollar is required for expenses which would include a profit margin of not more than 2.5 per cent.

102. *Mr. Singer*—Inquiry of the Ministry—Will the Attorney General advise: (a) how many vacancies at present exist in the province of Ontario for those offices: (i) the appointment to which he is required to approve, (ii) the appointment to which he personally makes, (iii) the appointment to which is made by the Lieutenant Governor in council on the Attorney General's recommendation; (b) the names of each such office and the number of vacancies

now existing in regard to each; (c) In each particular instance, how long has each vacancy existed?

Answer by the hon. Attorney General:

(a)	(i)	(ii)	(iii)
(b)	No. of Vacancies	(c) Vacancy Existed	
Office			
Supreme Court of Ontario	1	1 month,	5 days
Criminal Law Division, Assistant Crown Attorney (at large)	1	4 months,	5 days
Magistrate District of Manitoulin	1	4 months,	5 days
County Court Clerk and Local Registrar, Ontario County	1	2 months,	21 days
Registrar of Deeds, Brampton, County of Peel	1	2 months,	21 days

Mr. Singer: Does the hon. Prime Minister have to make a special request—

Hon. Mr. Robarts: Mr. Speaker, in view of the amount of work that was done by the civil service of this province in order to answer the questions put by the hon. member for Downsview, I do not think his last remark lies very well.

Some hon. members: Hear, hear!

Mr. Singer: Mr. Speaker, if the hon. Prime Minister is not prepared to carry on the work of this House, it is time he moved away and let somebody else do it.

Interjections by hon. members.

Mr. Speaker: Orders of the day.

Clerk of the House: The fifteenth order. House in committee of supply; Mr. W. E. Sandercock in the chair.

ESTIMATES, DEPARTMENT OF THE ATTORNEY GENERAL

Hon. A. A. Wishart (Attorney General): Mr. Chairman, it has been just over one year since I first assumed the responsibility and privilege of the portfolio the estimates of which I will shortly place before this House. I believe that the comments which I made in the course of the estimates for this department

last year indicated my awareness of the complexities of the operation of the department, and may I say that they have been most challenging over the past year. In carrying out the responsibilities of government to which all the members of this House are dedicated, we have all had an opportunity of assessing the principles of democracy and some of us have had an opportunity to bring them into operation in a practical and, I suggest, effective way. Over the past year I have given searching consideration to the principles relating to the administration of justice in this province and the function of The Department of the Attorney General in carrying out its responsibilities to the courts, the public, and this House.

I believe that it would be of material assistance to the hon. members of the Legislature in considering my estimates if I prefaced that presentation with a review of the department and the responsibilities which it has discharged over the past 12 months period.

The hon. member for Downsview (Mr. Singer) on February 9 of this year, presented to this House his views on the department and the administration of justice generally within this province. Mr. Chairman, I received his comments and constructive criticism with great interest, however, I am sure that he will understand if I must disagree with some of his views. At the risk of being somewhat controversial, Mr. Chairman, I feel that I must place before the hon. members some of my own views which are reflected in the operation of my department.

Under The British North America Act, with which we are all so familiar, the province is invested with the administration of justice including the constitution, maintenance and organization of provincial courts of both criminal and civil jurisdiction. It is hardly necessary for me to point out to this assembly the distinct separation that must always exist under our system of government. It is inherent in our constitutional system that the legislative and judicial responsibilities of our society be completely separate in order that the independence of our judiciary may be preserved. This separation of responsibility is perhaps one of the most important single features of our judicial system. I consider this concept to be most important and I feel that two distinct principles must follow from this basic premise if it is to be continued as one of the foundations of justice in this province.

The first principle I would suggest is that the administration of justice in Ontario must

not be associated with any political considerations but that it must at all times be maintained above and beyond any implications of political association. I would suggest, Mr. Chairman, that no hon. member of this Legislature would wish to have our judicial system dealt with on a political basis and I would suggest further, Mr. Chairman, that this segment of our responsibility, above all others, should be maintained completely independent of any suggestion of politics.

The second principle, which I would suggest must flow from the separation of the legislative and judicial function, is that any review of the judicial discretion must be carried out by the appropriate judicial remedy, i.e. an appeal to a higher court or such other processes and remedies as may exist in the nature of an appeal and as recognized by our laws. It is not unusual for members of the public to suggest that I should intervene in some judicial proceeding that is presently before the courts or that I should intervene to act as a court of appeal from decisions of our judiciary. I hope that in such cases I have been able to assist these individuals in understanding that this is not the function of the Attorney General, nor is it the function of any agency of the government but rather a function of our higher courts.

In approaching my estimates, Mr. Chairman, I would therefore point out that I do not at any time consider that they should be assessed upon purely political considerations nor do I feel that my department should interfere with the judicial decisions of those judicial officials for whom I may, as Attorney General, in some measure, be responsible.

During the course of my introductory remarks last year, I indicated that the reorganization of the department would be demonstrated in the revised form of the estimates. In approaching the same subject matter this year I submit that the department has and will continue to recognize that the changing needs of our society require a co-ordinated approach by The Department of the Attorney General in its revised form. It was to meet this changing society that we last year embarked upon a reorganization of our department which would result in a division of responsibility that will help us to provide those services which I feel are essential to the administration of justice and the protection of the public.

Prior to this reorganization there were over 20 branches of the department, all of which were directly responsible to the deputy Attorney General. Many of these branches represented comparatively modern functions that had developed to meet the changing

needs to which I have already referred. Branches such as probation services, the forensic laboratory, the supervising coroner and the emergency measures organization, had all been created as the government promoted the development and expansion of new concepts in these areas of our collective responsibility. However, as these responsibilities developed, so did the necessity for the revision of the manner by which they might best be administered.

In 1963, the then Attorney General, the hon. member for Grenville-Dundas (Mr. Cass), undertook a study and review which was designed to bring forward a plan for the consolidation of the various branches into divisions which would truly represent the main areas of the departmental responsibility. By the end of 1963, the new organization was introduced and over the last year it has been established in a practical working form with seven major divisions reporting through senior civil servants to the deputy Minister. These seven major divisions are as follows: 1. criminal law division; 2. administration of justice division; 3. legislative counsel division; 4. civil law division; 5. public safety division; 6. Ontario securities commission; 7. administration and finance division.

Within these seven major divisions we have brought together those branches of The Attorney General's Department which have similar responsibilities so that their operations may be co-ordinated in the common purpose of better serving the courts, the government, and the public. Common administrative services such as personnel and accounting branches have been provided in order that uniform policies and controls may be provided in all areas together with such economies as may be provided where duplicate services have been eliminated. While there are obvious benefits which we will realize in the administrative field, the most significant purpose of the new structure is that we may more adequately provide for the continuing improvement of the services which represent our responsibility.

In addition to the seven major divisions which are responsible through the deputy Minister we have the superintendent of insurance and the Ontario police commission, each of which are responsible directly to the Attorney General. The Ontario provincial police force, under the commissioner, continues to be responsible to the Ontario police commission.

In view of some of the comment which had been made in this House with respect to the department and the various matters

associated with it, I feel that a more detailed description of the divisions within the department will indicate a marked similarity to some suggestions that have previously been made and at the same time assist all of the hon. members to recognize the significance of the financial aspects of the estimates which will shortly follow my general comments.

The criminal law division now brings together, under the director of public prosecutions, all of the Crown attorneys of the province and the director of criminal appeals whose counsel act for the Crown in all criminal appeals both in our own court of appeal and in the Supreme Court of Canada. All of the hon. members are familiar with the work of the Crown attorney who is the law officer responsible for the maintenance of the peace and the enforcement of the laws in the counties and districts throughout the province. At the present time, we have 48 full-time Crown attorneys, with 29 full-time assistant Crown attorneys, while these officers are assisted from time to time by other members of the legal profession who may be appointed for particular purposes at particular times. In our estimates we will be seeking the approval of this Legislature for additional moneys to provide at least six new assistant Crown attorneys, two of whom will be located in our main office to provide experience and flexibility in meeting special demands at various points throughout our province as the need arises.

I believe it is significant, Mr. Chairman, that during the calendar year 1964, the counsel in this division of the department represented the Crown in over 500 criminal appeals before our own courts and the Supreme Court of Ontario. Certainly, this represents a very heavy responsibility that, in my opinion, has been ably discharged.

The civil law division, which is responsible for all of the civil litigation and advisory opinions, is now under the direction of the senior Crown counsel. Unlike the other divisions of the department it is difficult and perhaps unadvisable to make any special division of the services which are provided by the lawyers who carry out these responsibilities. This particular division operates very much as does a private law office, except that its clients consist solely of government departments, boards, and commissions. In other words, Mr. Chairman, we endeavour to provide through this division all of the legal advice and counsel that might ordinarily be available to a client from his own solicitor.

There are, of course, several departments which have specialized legal branches devoted

to the operation of the individual department, but those matters relating to the government as distinct from the department, and those departments which do not have specialized legal services, all have access to the solicitors of The Department of the Attorney General for such legal advice as may be necessary. In that item of the estimates relating to this division it will be seen that we are requesting additional funds to provide for two new law officers to be added to the staff in this area so that we may meet the demands that are being placed upon this developing law practice.

In view of the interest that has been shown in the salary ranges for our law officers, may I briefly make reference to the present arrangements for the legal officer classifications? The junior solicitor entering the public service with my department may be started at a salary of from \$5,500 up to \$6,300, depending on his particular qualifications. This salary range is certainly competitive with any of the major law firms in this province and it is, in my opinion, more favourable than may be said to generally exist within the profession.

One of the most recent solicitors starting with the department has been called to the Bar with honours and has done post-graduate work in areas of the law which we consider to be most significant in the work he will be doing with the government. In his case, he will be recompensed at the top of the range to which I have just referred. Under the arrangements with the civil service commission, which has been most co-operative in providing these classifications, we may recognize the highly qualified solicitor as well as those solicitors who bring a wealth of experience that may be of assistance to the government.

The solicitors who enter the public service in the junior classification may progress through that classification from one to two years, after which they may be appointed to the legal officer 2 classification where their progression may be as fast or as slow as is consistent with their own ability and their acceptance of responsibility. The salary range subsequent to the junior period is from \$7,500 to \$15,000 per annum, depending on the responsibilities of the individual lawyers and the nature of the work which they are undertaking.

Mr. Chairman, these salaries are, in my opinion, attractive. We have had no difficulty in recent months in arranging for compensation that has been satisfactory to the lawyers who have entered upon careers with the department, but I would hasten to add that we must always strive to ensure that persons in

this area of public service are compensated, so as to maintain the highest calibre of legal adviser for the service of this government.

The division of the legislative counsel is well-known to all of us and I need not elaborate upon the nature or the quality of the advice and assistance which is so readily available to this House. While these law officers are the servants of the assembly, they are associated with my department because of the intrinsically legal nature of their duties. The organization of this office has not been altered other than to ensure that the senior legislative counsel and his staff have all the facilities necessary for the fulfilment of their duties.

The functions relative to the administration of the courts are now placed under the authority of an assistant deputy Attorney General, who has supervision over the centralization of those services which provide the judiciary with all the supporting services. Included in this complex is the responsibility for The Land Titles Act, and the registry system of recording titles to property. All of these aspects of the administration of justice are co-ordinated so that they may function as a whole in fulfilling their responsibility. It will be seen, from the increase in this year's estimates for this division, that substantial salary revisions were introduced over the last year which will represent, perhaps, the largest portion of the increase in the estimates.

The upward revision of certain classifications are particularly relevant in certain areas. In addition to the provision for several roving magistrates who will assist throughout the province, we should note that salary revisions have been introduced for several major groups of judicial officers.

The magistrates of this province represent to the people of the province the administration of justice, for it is in these courts that we find the great bulk of all criminal prosecutions. Since so many people see these courts as the total view of justice, I deem it most important that the courts be conducted in a manner consistent with the traditions of justice that are basic to all of our rights. There has been much comment upon individual cases, and upon this particular area of the administration of justice, but I must say, sir, that some of this comment has failed to recognize many of the facts relating to both the individual cases and the general situation.

The trial of an accused person is dependent on the facts, and the guilt or innocence of such a person must be determined from these facts and their relationships to our laws. When

comment is therefore made upon judicial proceedings it is exceedingly important that all of the facts be made known if a complete misrepresentation of justice is to be avoided. To comment upon and review a trial on the basis of inaccurate or non-existent facts is doing a great disrespect to our courts and must, by its nature, bring the administration of justice into disrepute. I realize that no responsible person would wittingly do anything prejudicial to the administration of justice but I must stress, sir, that great care is necessary to prevent the unwarranted destruction of the public confidence in a system of justice of which we are all entitled to be proud.

In some cases, it is right, proper, and even desirable, that the public be made aware of facts that might represent a miscarriage of our system, but I urge the constant review of such presentations to prevent those abuses to which I have made reference. I assure this House that any complaints, in respect of matters over which I have jurisdiction, have been and will be investigated; and that, where necessary, transcripts of evidence will be perused in order that any appropriate recommendations may be made to those persons charged with particular responsibilities.

I make mention of the new judicial office, which was introduced by this Legislature at its last session, and I would advise the hon. members that Chief Magistrate A. O. Klein, QC, is actively engaged in this new area of responsibility. Over the past year, conferences of the magistrates have been held at which many principles have been reviewed in the light of their common experience. Included in at least one of these conferences was a review of the principles of sentencing, and a review of the approach which may be taken in particular types of cases. It is our intention that such conferences will not only continue but will be increased on a regional basis to ensure the greatest possible interchange of mutual experience among our magistrates.

In dealing with the matter of sentencing, I would point out that the centre of criminology at the University of Toronto, which was established just over one year ago with the assistance of grants from this government, is now undertaking a sentencing project designed to provide our magisterial bench with a review of sentencing principles as demonstrated in practical cases through our courts. This project will take well over one year to complete and will require not only the co-operation of the magistrates and the law enforcement agencies, but also the dedicated work of several research associates who will

be engaged by the centre in this continuing endeavour.

We will be looking forward to the results of the project and the assistance which the ultimate information will provide to the bench. Reference might also be made, of course, to the national conference on sentencing which was held last fall at the centre of criminology, and which was devoted to this very real and practical problem of our judiciary.

In reviewing this part of this particular division, I originally intended to refer to the increasing of the salary of these judicial officers, which has, I believe, recognized the responsibility which they carry out. The four additional magistrates who will be provided under these estimates will, together with the salary revisions, explain the great increase in salaries within this area.

As in the past, it is intended that the new magistrates will sit with their more experienced brothers on the bench in order that they may obtain a deeper insight into the problems before assuming their own responsibilities in their own areas. These men will also, of course, benefit from the continuing conferences which I have already described. The maximum salary of \$15,000, which is now provided for the magistrates, is again an improvement over the previous salary, and while I would not suggest that it is the ultimate answer to our problems, I would certainly submit that it is a proper and suitable salary which will attract capable and dedicated men to this area of public service.

The municipalities have continued to provide the magistrates' courtroom facilities, as they are required in law to do, and I say, sir, that they do so with great consideration for the demands which we must place upon them. In providing these facilities the municipal councils have to consider the burden which will be placed upon the ratepayer within their municipalities. I am sure we would all agree that the province must also be cognizant of the demands which may be placed upon the same ratepayers by our requests for courtroom accommodation. In reaching the solution to this problem, we must realize the balance which has to be maintained between the ability of the taxpayer to meet his obligation and the necessity for providing adequate courtroom space. In this capital city, the situation of the city hall in Toronto has been discussed most thoroughly and the provision of further magistrates' courtrooms is under review by a joint committee of Metropolitan Toronto and provincial representatives. The report of

this committee has not yet been received, but it will, no doubt, ultimately reflect the problems and, we hope, the solutions to the problems. I know that at that time we will be able to provide those facilities which are so necessary for the proper determination of the many cases now coming before these courts.

Mr. V. M. Singer (Downsview): What time is that?

Hon. Mr. Wishart: Soon.

I expect that many of the hon. members have noted the appointment of three judges to the county court bench in this province, and I am sure that they are familiar with the provisions of The Judicature Amendment Act which has been passed at this session of the House and which makes provision for an additional two judges on the high court of justice of our Supreme Court. Our requests for these extra judicial services have all been met by the government of Canada although, of course, there are some slight attendant delays arising from the legislative programme of Parliament.

Once again we are asking this House to recognize the importance of probation services by granting to us an increased provision for additional staff and increased salaries. This service, so essential to our courts and our society, was instituted just over ten years ago. It has now expanded so that we have 187 well-trained probation officers serving the province in 14 different areas which cover all counties and districts. The increase which we now seek will allow us to add eight new probation officers to our staff to meet the needs of our courts and, at the same time, reduce the caseload presently placed upon these officers. The hon. leader of the Opposition (Mr. Thompson) has a professional understanding of this situation and would, no doubt, wish to see the caseloads still further reduced. But I am sure that he, as well as others, will realize that trained personnel in this field are difficult to locate, even if unlimited funds were available. I note, Mr. Chairman, that the staff development programme that has been introduced in this branch has assisted greatly in the training of our officers in the development of our whole probation programme.

The two-year in-service training scheme which we have introduced is designed to give to the new probation officer the best opportunity to develop his talents. While undergoing an orientation period in the field, he carries on prescribed studies under a prepared syllabus. With assistance from his

supervisor, he comes to understand the problems of his profession while preparing himself with the theoretical background desirable in this work. After approximately one year in the field, he is eligible for a four-week intensive training course, held in Toronto, which deals with many phases of this work. Following this course, the officer returns to the field where his practical and theoretical training is brought together under the tutelage of his field supervisor. Within six months to a year after the course, he will have completed his development programme and he would at that time probably be considered as well prepared for his service with less supervision. I suggest that this in-training programme is most thorough in its application and well-developed in its conception; I feel that we are deriving great benefit from the work which is being performed through this branch of the administration of justice.

I have already announced to this House the appointment of Mr. Foster Rodger, QC as senior master of the Supreme Court, and the appointments of Mr. D. D. McCrae and Mr. W. E. McBride as masters of this court. These gentlemen are eminently qualified in their profession and will fill the vacancies which were created by retirements in the master's office in recent months.

The balance of the increase in the estimates for this division is represented mainly by salary revisions and adjustments in other branches, the details of which may be noted in the copies of the estimates before you.

The public safety division now co-ordinates those responsibilities of the department that represent various protection and investigation services, such as fire protection, emergency measures, coroners, laboratories and licensing agencies. Many of these duties were unknown to the early law office of the Crown, but they are now an expanding area of our responsibility, all designed to assist and direct in their respective specialized functions.

Under the direction of the Ontario fire marshal, the fire protection branch carries out an extensive programme of fire protection training and fire investigation throughout the province. After seven years of operation, the Ontario fire college at Gravenhurst last year provided courses to over 500 students, representing 116 municipal fire departments and five of our sister provinces. Courses were also given which were attended by students from departments of the federal government and from other countries, including India, Ghana and the United States. The field training programme carried out by travelling instructors from this branch provided instruction

to over 5,000 firemen in their own localities, and at the convenience of the municipalities. This expanding programme of training assists the municipal fire departments of the province in establishing well-trained and efficient fire protection services. I mention this programme because it illustrates a policy which has been adopted by the department in all areas of its responsibility, to develop and encourage new techniques and provide educational facilities for persons engaged with us in the area of public protection and law enforcement.

The fire marshal and his staff have continued to provide technical advice through the engineering section of the branch and fire education programmes to many agencies throughout the province. Over 700 fire investigations were carried out during the year, which resulted in 166 prosecutions and 139 convictions. The positive ratio of convictions demonstrates the thorough nature of our investigations, which demand much of the investigators' time because of the serious nature of the occurrences.

While it is not necessary at this time to provide for any increase in the staff of the fire college, we are seeking additional funds to provide for an additional engineer and two additional fire safety inspectors who will be required to carry out the programme of fire inspection of plans and buildings now under way for schools, hospitals, and liquor licensed premises, and other buildings to which the public have access.

The Attorney General's laboratory continues to expand and develop to meet the needs of law enforcement throughout the province. The significance of this facility is illustrated by the fact that, on the average, since 1951 its work load has increased by 25 per cent over the previous year. In 1964 the biology section of the laboratory, which is primarily concerned with evidence in homicide cases, was faced with a 33 per cent increase in its cases, while the toxicology section had a 40 per cent increase in cases dealing with poisons. The documents section and the fire-arms section had even greater increases in their case loads. All of these increases are due to the increased use of the scientific approach to crime detection and the increasing efficiency of law enforcement agencies throughout the province. While we are proud of the facilities which have led in the development of forensic science and scientific detection of crime, we take greater satisfaction in the improved law enforcement that is reflected by the expanding work in the laboratory.

However, this expansion of the use made of these facilities would not be so important if it was not accompanied by a related ex-

pansion of new techniques and original research. It is here that we find many of the qualities that make ours one of the foremost criminal detection laboratories in the world. Scientists here are developing a neutron activation analysis technique for the analysis of hair and other materials that may be as significant as fingerprint analysis in identification problems. Research work has been done to develop methods of classification of soils; these have already been utilized in several cases. Our toxicology laboratory is so well recognized for its advanced work that an undergraduate course is taught here in co-operation with the department of pharmacology of the University of Toronto.

A recent addition to the work of the laboratory has been an extensive drug assay programme undertaken for The Department of Health. Here, the scientists develop specifications for drugs to be used in government hospitals throughout Ontario. Tenders for these drugs may now be called since we are in a position to assay all drugs supplied to ensure compliance with specifications. Quality may thus be maintained with the economics of competition obtained by the tenders system. This programme will no doubt be of greater value as government services develop in future years.

We are asking for additional assistance to allow us to hire 13 scientists and technicians to cope with the increased work of the laboratory. We have led in the development of scientific crime detection and we have made our facilities available to all the police forces of the province. In doing this we have created a demand which is heavy, but which is also fundamental to the protection of the public.

We intend to meet this demand with the additional funds we seek in this vote.

The registration and examination branch of this division reflects a further increase in our estimates with the introduction of the used car dealers section, which has now been established to administer The Used Car Dealers Act which was enacted by this Legislature last year. While the section was established last fall, this is the first year when provision must be made in the estimates for the new section.

I am sure the hon. members are already familiar with the work of this branch in the area of supervision over real estate brokers and salesmen, mortgage brokers, collection agencies and, more recently, bailiffs. When this Legislature saw fit to introduce the licensing of used car dealers and salesmen it seemed logical to extend this branch to administer the new area of responsibility.

The registrar of used car dealers, who is the head of the section, assumed his duties last fall and has since been recruiting suitable staff to carry out the expressed intention of the legislation.

Eighteen persons have thus far been employed to deal with the work of this section, which is now engrossed in the licensing of dealers and salesmen. It is estimated that there are approximately 5,000 used car dealers employing approximately 10,000 salesmen throughout the province, and the complete registration and licensing of this group is taking some time. As was anticipated, there were procedural difficulties to be overcome and I would not be so impractical as to pretend there will not be further problems to be resolved as this programme continues. However, I must say that our task has been made much easier by the wholehearted and unselfish co-operation we have received from the Ontario and Toronto automobile dealers associations. Their advice and the constructive suggestions we have received from them have been objective, practical and helpful.

This new section will ultimately require 21 persons to fulfil its duties next year and this is provided for in the vote for this division. Nine of these new public servants will be inspectors whose duty will be to see that dealers and salesmen comply with the new laws and who will investigate, and we hope in many cases resolve, justified complaints. While the investigation we carried out which led to the enactment of The Used Car Dealers Act did not reveal any cases where crimes had been committed, it did indicate areas of abuse which will be overcome by the legislation and the amendments thereto. I assure the House that these men will be dedicated to carrying out the intention of the House as set forth in the legislation.

The 405 coroners of the province last year investigated approximately 15,000 cases of accidental or violent deaths. As a result of these investigations, over 1,000 inquests were held, bringing forth over 800 recommendations made by the coroners' juries. Through the office of the supervising coroner, over 300 of these recommendations were implemented. This has been made possible through the central filing system maintained in Toronto by this office. This system was first introduced three years ago and it has since been of invaluable assistance to the police, the coroners and the hospitals. No substantial increase in funds is necessary for this office to continue its co-ordination of and assistance to the coroners of Ontario.

My reference to the emergency measures branch may evoke some comment from the hon. members at a later time, but I wish to affirm that through this branch the government may and does give leadership and direction to municipalities in their programmes to cope with natural emergencies. This conception of EMO is shown by the assistance given in the purchase of fire pumpers, where both the federal and provincial governments subsidize municipalities in the purchase of additional pumpers. The increase in this item of the estimates is primarily for this particular purchasing programme, which is a source of municipal assistance. The development of plans for emergency government headquarters at provincial and municipal levels is one responsibility of the branch which leads to related municipal projects where the bulk of this item is expended. These projects include radio equipment, fire equipment, emergency government headquarters and planning projects to provide government in time of national or natural emergency.

As part of the estimates for the department, I introduce for the first time a specific request for the Ontario law reform commission, which has been established under the provision of the legislation enacted by this Legislature at its last session. The commission is now operating most actively under the direction of the chairman, the Hon. J. C. McRuer. The members of the commission are the Hon. R. A. Bell, QC, of Ottawa, W. C. Poole, QC, of London, W. G. Gray, QC, and Dean H. A. Leal, QC, both of Toronto.

This commission is one of the important phases of our reorganization. It is to provide us with an independent and objective forum which may not only review and report upon matters of law reform referred to it by the Attorney General but, just as important, it may act on its own volition to study and report upon matters of law reform of whatever nature it deems important to the public. Although the commission has not yet been in operation for a full year it has undertaken many studies, some of which were instituted by the Attorney General and some by the commission.

Mr. Chairman, we have already received the report on the rule against perpetuities and legislation has been introduced as a direct result of that report, which will alter the law and introduce a modern principle more consistent with our society. The whole field of the law of domestic relations is being studied under a detailed project which will be guided by a research associate from the

Osgoode Hall law school. This study in depth will not be completed this year, but will be of great significance in this area of our jurisprudence when it is completed. At my request, the commission has reviewed several proposed bills and has undertaken several more detailed studies. The Personal Property Security Act has been given a most careful and considered scrutiny, while the wages amendment Act has also been reviewed before presentation to this House. The Mechanics' Lien Act and the other remedies similar to it are presently under review by the commission on my request. There are other matters also presently before it, but I believe you will already have a grasp of the significant contribution which we may make to law reform in this province through the Ontario law reform commission.

I commend this vote to your attention as a demonstrable phase of our living law. I hope this vote will expand and flourish as this new area of the department develops.

The hon. members are already familiar with the report of the committee on securities legislation and the recommendations which it contained. We are now engaged in a review of these recommendations in order that some of these significant matters may be engrossed into legislation for the consideration of this House at its next session. The committee did confirm a necessity which the department and the commission had recognized, that further staff is required to meet the increasing responsibilities which are being placed upon this office. Not only have the existing duties led to an increased work load, but the introduction of new duties as recommended in the report will further tax the existing personnel.

I therefore bring forward a request for an increase in the amount of vote 209, which is attributable to the revised staff requirements of the Ontario securities commission and the branch which it operates. This increase will provide for a full-time chairman who will be able to devote all his attention to the policy aspects of this vital work. The department recognized last year that it would be desirable to relieve the chairman of the day-to-day administration of the office and many of the functions which fall upon the commission under The Securities Act. The reorganization of the department and the amendment of the legislation at the last session led to the creation of the office of the director of the securities branch so that this official has now assumed many of the duties previously placed upon the commission. The validity of this revision of responsibilities is confirmed by the report and should greatly

assist in the implementation of the recommendations.

It is also proposed that the commission have a securities analyst, who will advise upon the economic aspects of securities administration, and that five additional auditors and financial analysts be employed to further assist in the examining and investigation of the matters relating to the work of the commission. A further solicitor will be added to the legal staff, while some clerical and secretarial assistants will also be required for these new positions.

The superintendent of insurance, who is responsible for the administration of The Insurance Act, The Loan and Trust Corporations Act and certain other Acts, continues to be directly responsible to the Attorney General under the revised organization of the department. In the examination of 199 Ontario and extraprovincial insurance companies, the licensing of over 19,000 insurance agents and adjusters and the examination of 39 loan and trust companies, the superintendent and his staff are acting to promote the protection of both the industry and the public. The increase in the estimates for this office reflects the necessity for additional accounting staff to act as examiners in carrying out the duties imposed by the various statutes.

The reorganization of the Ontario provincial police force, which was undertaken just over two years ago, is well on its way towards completion. This has accomplished more effective policing and the best use of existing personnel and I assure this House that the morale of the force has never been at a higher level. While there have been many significant changes in the administration of the force, there are perhaps a few to which I will make specific mention at this time.

The intelligence branch has been established and is working in close co-operation with municipal forces, the RCMP and the FBI. This and other special branches, such as the criminal investigation branch, carry on quietly and efficiently in connection with the investigation of major crime. Other branches of the force, such as the records and identification section and the car theft section, to mention two, are closely engaged in assisting municipal and other forces in areas where the rapid, but complete, dissemination of information is basic to efficient law enforcement. All of this is greatly facilitated by the development of the communications system which, with the Telex system, will put our police communications in the vanguard of this area of our responsibility.

Specialized training of the members of the force continues in many of our sections; this is co-ordinated with the courses of instruction provided at the Ontario police college to which I have already referred.

The increase in the estimates for the Ontario provincial police force reflects its increasing size and the improved salaries of the men and officers who make this organization one of which this House may be justly proud.

Before closing these comments on the organization of the department, Mr. Chairman, I would like to refer to a practice which we have adopted and which, in my opinion, is most germane to the administration of not only the department but the government.

With the unselfish and devoted service of many public-spirited citizens, we have been able to bring into our programmes the views and experience of many areas of our society by forming committees to consider and report upon matters which are ultimately presented to this House for consideration. I refer, of course, to committees such as those that have dealt with securities legislation, legal aid, and ambulance services. All of these committees have been constituted in part upon the services of altruistic men and women from outside the government service, representing many professions and industries as well as the law schools of our province. I feel that our programmes have benefited greatly from these independent opinions and that the public in turn will be well-served by these public-minded volunteers who served gratuitously for the general weal. To these people we all owe a debt which I am sure we all recognize. To those who have thus joined, at least temporarily, our faceless public service, I extend my most sincere appreciation.

In the same area, Mr. Chairman, may I stress the assistance which we have received from, and the full use that we have made of, the schools of law. This influence and assistance is most notable in the Ontario law reform commission, where I am now advised that arrangements are being made for the special research assignments to be carried out by the associates on these many fine faculties. Meetings have already been held with the deans of these schools to establish this arrangement.

This trend, Mr. Chairman, demonstrates that The Department of the Attorney General is taking every advantage of the best sources available to continue the development and improvement of our ability to properly serve and ensure the administration of justice in Ontario.

In closing these remarks, Mr. Chairman, I think it proper to note and acknowledge that many of the changes we have effected and things which I would call accomplishments have come about, in part, as a result of suggestions offered and constructive criticisms made by hon. members of this House, and not least by hon. members of the Opposition parties. This, Mr. Chairman, is as it should be. I have indicated that I do not regard the administration of justice and the enforcement of law as being political matters and I have accepted criticisms and suggestions in that attitude, which I shall strive to maintain as we discuss and examine the estimates of this department.

Mr. Singer: Mr. Chairman, the hon. Attorney General is a most difficult man to become angry with. He is very polite, he is very pleasant, and he is very co-operative; above all, he says nice things about us over here, which happens very seldom—the sort of words we hear all too infrequently from so many of the hon. Ministers on the other side.

Hon. H. L. Rowntree (Minister of Labour): We are very fond of him.

Mr. Singer: I am very fond of him, too. I think he is a very nice man and he has been most helpful to me in various inquiries; but I expect, Mr. Chairman, before I am through, that I am going to say some things with which perhaps the hon. Attorney General might not agree. Perhaps I might reflect on some of the methods which I believe are wrongly approached in the running of his department.

I am unhappy and I am very disappointed, having listened carefully to this speech, at its complete and utter lack of new ideas. It is a reasonable summary of what has been done. It indicates, to some extent, some new departures, some timid new departures which have been embarked upon; but it fails, sir, to chart any new course for the administration of law in this province.

I would have hoped, by this time, with this Attorney General, that we could have looked forward to a new direction for the administration of law in Ontario. I would have hoped that he could have dealt perhaps more specifically with some of the constructive criticisms I put forward, and which my hon. leader (Mr. Thompson) put forward earlier in this session, and would have suggested to us some of the reasons why either the ideas we advanced were good ones which he would be prepared to adopt in the course of time or why they were not ideas he found acceptable. But unfortunately, Mr. Chairman,

as I say, this is not referred to, and is hardly touched upon, except in the broadest of general terms, in his review of the activities of his department.

I am just going to make a few comments on specific references the hon. Attorney General made in describing the criminal law division. He points out that counsel within the department represented the Crown in over 500 criminal appeals. I think he would have been interested, as well, in finding out how many outside counsel had been brought in, in this regard.

Then he comes to the civil law division and says, "We endeavour to provide through this division all of the legal advice and counsel that might ordinarily be available to a client from his own solicitor." As I tried to make clear in earlier remarks in the House, and as my hon. colleague from Sudbury (Mr. Sopha) has tried to make clear, we believe this is the sort of objective that the hon. Attorney General's department should have, that the civil law division should have. Unfortunately, we do not think that the hon. Attorney General has been all the law to all of the departments in the province of Ontario, and it is with some regret that I must point out that several important questions still remain unanswered on the order paper.

In dealing with this specific point, where the hon. Attorney General says, "We endeavour to provide through this division all of the legal advice and counsel that might ordinarily be available to a client from his own solicitor," I must point out, Mr. Chairman, that question number seven—which was posed in order to find out just how many outside lawyers had been retained, how much had been paid, which departments retained these outside lawyers, and which firms were retained for these purposes—this question remains unanswered.

I grant you, Mr. Chairman, that this is a long question to answer, and it requires the civil servants to do a lot of work to put the answer together, but I say, sir, that this question, together with the others which stand in the names of my colleagues and myself, were not put on the order paper lightly. We considered very carefully the sort of questions we should ask. These questions are put there in a genuine desire to seek information and to suggest alternative methods to government. So when we come to these estimates our hands are tied behind our back in our effort to properly criticize general statements that the hon. Attorney General makes.

As I say, he says we endeavour to provide through this division all of the legal advice

that counsel might ordinarily make available to a client from his own solicitor. I say that this is a fine general principle and this is as it should be. But I suspect, in fact I say, this is not the way it is. I say this is not the way it is, and the extent that it is not the way it is can only be revealed in detail when the answer to that question number seven is placed on the order paper.

We had a similar question on the order paper in other years, Mr. Chairman, and that question, when answered, did reveal in very round figures, and we have not got the figures at the moment, that the government of Ontario spent well over half a million dollars in retaining outside lawyers to do its legal work—well over half a million dollars. How high the figure is this year, I have not any idea, because the answer is not before us.

It might be double that by now, but we have no way of telling. That is the sort of information that I would have expected would have been available so that we could intelligently present criticism at this time. I may point out, Mr. Chairman, that this question has been on the order paper the better part of three months and it still is not answered.

We did get a partial answer to it in The Department of Highways and that is the only one. The only reason we got that, Mr. Chairman, was that my hon. colleague from Sudbury and I sit on the public accounts committee and the highways department came before the public accounts committee and we were able to ask specifically of the highways department the information required in question number seven. What did The Department of Highways tell us? The Department of Highways told us they have a legal staff of six lawyers of their own.

The Department of Highways is a pretty big department. It spends a third of the provincial Budget. It has a legal department of six lawyers of its own. But in addition to all that, they saw fit to farm out some \$50,000 of legal work and the report of those transactions runs through some nine pages. It is interesting to note that of the slightly less than \$50,000 of legal work they farmed out, some \$40,000 was split between three firms and the balance was left for the other lawyers in the province.

I think it would be of substantial interest and importance to the people of the province of Ontario to know what the total figures are for all of the government departments and all of the government boards and all of the government commissions; and why it is necessary at all. If the civil law division is

doing the job the hon. Attorney General says it is supposed to do, that it is endeavouring to do, to provide through this division all of the legal advice and counsel that might be ordinarily available to a client from his own solicitor, why is it necessary to embark on this kind of an expenditure?

Then, sir, I think it might be most interesting to ascertain just which legal firms are getting this sort of business; because it has come to my attention that one firm has recently been receiving a substantial portion of this type of government business which it did not receive in the past. It has been suggested to me that perhaps it is not quite co-incidental that this firm has been receiving this business when it now has as one of its partners a former member of this government. Now I cannot give you any detail on this until the answer to the question is tabled, but I had hoped that answer would be here before us so that I could give chapter and verse on it.

In addition to that, sir, I would refer the hon. Attorney General to question number 37, which I would think would be a fairly simple question. I simply ask there who are the lawyers who are working for the government, what are their names, how old are they, what salaries are they getting and how much are they being paid?

The hon. Attorney General in broad phrases says we have got lots of young lawyers coming in. They are bright and they are happy with our salaries. Well, tell us who they are, how many you have, what salaries are being paid. The question has been there for close to three months, or more than three months. Surely that is a simple question and it does not involve upsetting the civil service the way the hon. Prime Minister (Mr. Robarts) was perhaps suggesting earlier this afternoon. These are things that I think are of importance to the functioning of the Legislature. These are matters of which I think the public should be made aware, but we have not got the answer to that one.

There are a couple of other questions that are of importance in regard to police procedures, which is the second vote under these estimates. How many police officers are there? That is question 56. And the promotions, question 57. A substantial number of the police questions have been answered, but the story is not complete and in order to allow us to make a full and proper and responsible criticism, we are entitled to and we should have this information; but unfortunately it is not here this afternoon.

Now, insofar as the police are concerned,

and let me digress just for a moment, Mr. Chairman if I may. I should compliment the hon. Attorney General for a reasonable piece of footwork this afternoon when he introduced at the proper time amendment to The Police Act, 1965. For a horrible moment I thought it might have some resemblance to its ill-fated predecessor. But on reading it, it is not nearly that bad.

Unfortunately, sir, I am going to suggest that the person who drafted the explanatory notes did not read some of the sections of the statute too carefully. If those gentlemen who write about what is in statutes that are not produced refer only to the explanatory note, it is highly possible that they might be misled if they do not refer very carefully to what the statute in fact says.

For instance, and this is of no great significance, section 2 of the explanatory note says the amendment requires a board of police commissioners in all local municipalities; the word in the statute is may. It is not a requirement. The word in the statute as I read it here, is may.

More serious is in subsection 6, which appears to be a provision for municipal liability for damages caused by a police officer in the course of his employment. Now just take that phrase out and it sounds as though the government has embarked upon a new policy. Perhaps they had in mind the unfortunate citizen in Sudbury who was severely beaten by a police officer.

Hon. Mr. Wishart: Mr. Chairman, I have a point of order I should draw to my hon. friend's attention. He referred to the explanatory note with respect to section 2 of the amended Police Act. If my hon. friend will look at the section, he will find it reads:

Notwithstanding any special Act, every local municipality that provides and maintains a police force and that has a population of more than 15,000 according to the last revised assessment roll, shall have a board.

Mr. Singer: And: "may by bylaw constitute a board."

Hon. Mr. Wishart: No; there are other types of municipalities which then may by bylaw do things, but the word "shall" appears here.

Mr. Singer: Shall applies to a part, but the word may is down at the end.

Hon. Mr. Wishart: I think perhaps the hon. member will agree that when you are passing legislation and using the word shall,

which is mandatory, demanding that things be done, that is the important thing. Permissive legislation has not nearly the significance of shall. The explanatory note is quite right in drawing the attention of this House to the fact that there is a mandatory section there requiring the establishment of a police force, at least in my view.

Mr. Singer: Well, with great respect, the word may is in the last line of his—

Hon. Mr. Wishart: I agree with that.

Mr. Singer: So it is mandatory in a sense, but it is permissive in another sense.

In any event, as I said, that section is of no great moment. But I am somewhat surprised, Mr. Chairman, with this broad general statement in connection with section 6, the last line. It sounds as though the department, or the government, has embarked on a new course, and there is going to be a system of compensating people who suffer damage for actions caused by police officers in the course of their employment, together with procedures for recovery. As I say, I hoped when I read that explanatory note that the government might have had in mind the unfortunate gentleman from Sarnia who was severely beaten by a police officer. I do not think anyone suggested that he acted in the course of his duty. In due course, this gentleman, who completely lost all of his mental faculties, apparently, as I read the new accounts, sued the police officer responsible, got a very substantial judgment from him and the police officer put on his hat and left the country. The family of the injured man have a piece of paper that says they are entitled to some money which they are unlikely ever to get.

Hon. Mr. Wishart: I am familiar with the case.

Mr. Singer: I am sure that the hon. Attorney General would be. I would have hoped when I read that explanatory note that this was the sort of direction in which the government was moving. But let us read what the statute says here. These are sections 22 and 23 and 24. The chief constable can be sued—

Hon. Mr. Wishart: Mr. Chairman, I wonder if I might make this observation? I have introduced a police bill today, The Police Amendment Act. I presume it will be fully debated in this House on the principle of the bill on second reading. It will be referred to committee, it will be back before

the committee of the House. I would like to suggest to the hon. member that since I am in my estimates and there will be the fullest opportunity to debate new legislation, that perhaps we should not get into that area today.

Mr. Singer: Well, Mr. Chairman, the hon. Attorney General has not grasped my point yet.

Hon. Mr. Wishart: I cannot restrain him, Mr. Chairman; whether or not you can I do not know.

Mr. Singer: My point is simply this. I complimented the hon. Attorney General on a clever bit of footwork in introducing, on the day his estimates were to come in, a bill to amend The Police Act; I am suggesting to him now that the explanatory notes do not correspond with what is in the Act. The explanatory notes indicate, as his opening remarks did not, that the government is embarking on a brand-new approach for compensating victims of police officers. I will not go into any great detail on it; we will go into it on second and third reading. But in sections 22 and 23 and finally subsection (4) of 23, they say the law is exactly the same as it was in the beginning. You get down to the council of a municipality which may, in such cases as it sees fit, pay any damage or cost that might be awarded. So that notwithstanding the fine-sounding explanatory notes, which I suspect were somewhat designed to indicate that the government was embarking on some brand-new programme of reform, when you look at this Act the government is not really suggesting reform in the amendments to The Police Act, nor is there anything in the hon. Attorney General's remarks that suggests any real reform, or the sort of reform that we had been looking for.

Now then, Mr. Chairman, I thought it would be worthwhile spending a few moments to refresh my mind, and perhaps some others who may be interested, in some of the ideas that we put forward earlier in the debates—remarks that were made by the hon. leader of the Opposition and the remarks that were made by some of my hon. colleagues and by myself insofar as major reforms were suggested in the administration of law.

The hon. Attorney General will recall that we suggested a major reorganization of the hon. Attorney General's department; that was spelled out in some considerable detail. Suggestions were made about the introduction of an administrative code and a method

of dealing with the question of appeals from administrative bodies. I know the hon. Attorney General will tell me that Mr. Justice McRuer is conducting a commission and an inquiry into this sort of thing and we are going to have to sit and wait until Mr. Justice McRuer comes in with recommendations. But we seem to have a plethora of commissions, committees and investigating bodies which are always viewing with interest, inquiring into, discussing and wondering about any reforms that are suggested. It seems to me that such matters as the provision of an administrative code and method of dealing with appeals—a resolution to this effect is on the order paper—could well have been dealt with by this House in advance of the calling of these particular estimates, so that when we came to the hon. Attorney General's estimates we would have had, as the final discussion in this session of the Legislature, a summary and a clean-up of the whole discussion that we had had on all the fields of administration of law.

I am forced to conclude, Mr. Chairman, that these estimates are put in before we have seen any major legal legislation introduced and before we have seen any discussion on any of the important resolutions and private members' bills which stand on the order paper. The general discussion will be almost without a direction, because the hon. Attorney General provides no direction in his remarks and the House has not been allowed to fully discuss all of these other matters that have been previously raised—the creation of an office of ombudsman or parliamentary commissioner, for instance. A bill standing in my name has been on the order paper for some months now and there has been no interest on the part of government to call that bill for debate. The legal aid report, a very good report, has, in fact, been tabled, but we have not heard that any implementation of this report or portions of it are going to be undertaken by government in this session of the Legislature. We have not even heard the government's views. Does the hon. Attorney General think, for instance, that the government is concerned with the whole question of legal aid? Do they agree with what Mr. Common and his colleagues have suggested? I think this is most important, because in this field of legal aid, we obviously have a system that cries out for reform; again, the government has in hand the report that spells out methods whereby that system of reform can be brought about.

I was interested in one remark that the hon. Attorney General made when he introduced The Police Act amendment Act that it

reflects, to a large extent, suggestions made by the police commission in its report tabled in the House. The hon. Attorney General tabled a report in the House yesterday. He was very co-operative—he made copies available to us within a few hours after tabling it, and told us that this report had not been held or delayed by him. But I suppose it is nothing more than a co-incidence, Mr. Chairman, that we have before us today a statute on a report that was tabled yesterday. I commend the officials who were responsible for drafting the statute, because in this particular field they worked with the utmost despatch; in so many other fields the hon. Attorney General says: "Let us not rush; you would not want us to make a mistake by drafting legislation too quickly." But here, within hours, apparently, if I interpret the hon. Attorney General's remarks correctly, we have a statute. We have it here, all ready to go.

As for compensation for victims of crime—that has been discussed and there is a resolution to this effect on the order paper. I say that there is an apparent attempt to deal with this in the amendments to The Police Act, but I think it falls far short of that.

Suggested alternatives to dealing with family law and family problems and a thorough discussion of matters such as separation agreements and the treatment of offenders—we have a reference that that has been referred to the law reform commission and in due course we will get a report

I suppose that we could digress for a moment. The single achievement of the law reform commission has been the introduction of the report on the law against perpetuities and—

Hon. W. G. Davis (Minister of Education): That is why I left law school.

Mr. Singer: My friend, the hon. Minister for Education says that this is why he left the law school.

My friend, the hon. member for Sudbury has often remarked that they talk little else in Sudbury than about the effects of the law against perpetuities; it is the sort of thing that people just stop you on the street and constantly ask questions about. As my friend, the hon. Attorney General knows, there is one gentleman in this province who is the foremost authority on it—he is the gentleman who, in fact, wrote the report and wrote the statutes and whose remarks deal with all the changes in the law against perpetuities. He is the foremost legal scholar I had the privilege and pleasure of being one

of his pupils at one time. I am quite prepared to accept that if he feels that these changes against perpetuities should be enacted, then let us have them. But what did the hon. Attorney General need the law reform commission to do that for? Dean Wright was available to him without all this nonsense of saying the law reform commission sat down and puzzled about the law against perpetuities; he could have had Dean Wright doing it on his own. He did it on his own, anyway; surely this is no great mark of achievement? It is the sort of thing that I think we should be getting from the law reform commission, and getting it in short order—reports dealing with family law, divorce and separations and this sort of thing are things that intimately concern the affairs of the people of Ontario. Mr. Chairman—I must ask the question while I am referring very briefly to the law reform commission—just how much time does Mr. Justice McRuer have to do both of his very important jobs? He is doing an outstanding job, in my opinion, in his approach to the civil rights commission that he is chairing; he is spending hours and hours listening to briefs and asking questions of people who submit briefs. I had the privilege, on Friday afternoon last, in sitting before him and for some two hours we discussed the submission that I was making. I am sure he gives equal care and attention to all the other briefs. But while he is doing this, sir, what time does he devote to directing the law reform commission? The commission, if properly conceived, could be, and should be, doing a most important job for the people of the province. But I suspect, sir, that since they seem to think that their major achievement is bringing in amendments to the law against perpetuities, they have become bogged down somewhat in some of the high ideals that are sounded for them.

Study of the bail system is something we have said is long overdue, and I notice that Mr. Common, in his report dealing with legal aid, while he apologizes for straying into this field because it is beyond his terms of reference, has several very important and pertinent remarks. There have been a lot of people who have been talking about the inadequacies of our bail system; surely we should have heard today that the hon. Attorney General has some idea about changing the system, which is antiquated and unfair, and which does real injustice. There is hardly a day now that one can pick up the newspapers that someone is not setting out, in chapter and verse, the real hardships that our present system of bail visits upon citizens who have come into conflict or into difficulty with the

law. But we have not heard a word of this from the hon. Attorney General this afternoon and this, sir, is why I say I am most disappointed, and I think the people of the province are going to be most disappointed, in the remarks of the hon. Attorney General in connection with the performance of his department and in connection with the future goals of his department.

Mr. Chairman, I thought I would deal for a while this afternoon with one of the particular aspects of the administration of justice which concerns the hon. Attorney General and which, perhaps, demands the most urgent attention. That, generally, sir, is the functioning of the magistrates' courts, both so far as the physical facilities are concerned, and in so far as the conduct of the people who run those courts is concerned.

I noticed in the newspaper a day or two ago that the senior county court judge of the county of York, Judge Robert Forsythe, was addressing the magistrates' association. I presume that the hon. Attorney General was there, but his closing remarks caught my eye and I think that they are worth quoting and making part of the record. He said:

Unless you are kindly, patient, and full of dignity—

he is addressing the magistrates:

—and courteous to the people who come before you, they will get a bad view of the administration of justice.

The tenor of the honourable judge's remarks was that perhaps the magistrates—all persons charged with some sort of responsibility for the administration of justice—have to do a little more than is presently being done to make sure that people respect the system whereby we administer justice. The hon. Attorney General touched on this in his remarks this afternoon—as a matter of fact, he spent quite some time in talking about whether or not the system of the administration of justice should be criticized and how it might be criticized. I say in all seriousness that we who come here and assume the responsibility of being members of the House, have a duty upon us to point out any shortcomings that we see in any branch of our governmental affairs that we feel is inadequate. We have the responsibility, while doing this, of making sure that we are not reckless or careless in our statements. But where we see facts which indicate to us either inadequate administration procedures, or inadequate conduct by any public official, we have a duty and a responsibility to bring these facts forcefully and fairly before this Legislature, before the government and before the people of Ontario.

I am going to suggest that our courts, particularly the magistrates' courts which the hon. Attorney General talked about in the municipality of Metropolitan Toronto, are inadequate. They are overcrowded, and dirty, and the atmosphere creates in the minds of the people who have to come into them a sense of injustice. No idea of the majesty of the law or the fairness of the law is imparted at all, and I suggest that the casual remarks that have been made from time to time, and that the hon. Attorney General made this afternoon, are not nearly good enough.

The hon. Attorney General is condemned in this aspect by one of his own senior officials—Chief Magistrate Klein—who was appointed not many months ago. He is the chief magistrate for the province of Ontario. I have a copy of his report and I think it is worthwhile reading into the record just a few pages of his remarks. Here is what this senior governmental official has to say about magistrates' courts in the city of Toronto; this is not just picking idle newspaper comment, and I think that is the implication from some of the hon. Attorney General's remarks this afternoon, this is the report made by the newest shining light, apparently, in the hon. Attorney General's escutcheon.

Hon. Mr. Wishart: Mr. Chairman, I think the hon. member might say in his remarks that I made the report available to him. I first read it and made it all available to him. I think it is a good thing that my chief magistrate has seen this situation, is studying it, is reporting upon it to me; and I have made it available to my hon. friend.

Mr. Singer: I may say, sir, this is quite correct. I may say, now, since my hon. friend has introduced this, that I had very great difficulty in getting this report. I have forgotten whether I have written six, or was it eight, notes to the hon. Attorney General; but he did get it for me and I would not have it here this afternoon, unless it came from him.

Hon. Mr. Wishart: I was studying it.

Mr. Singer: Yes; I know; he told me he was studying it.

But there is a principle that perhaps lies in this, and I am glad the hon. Attorney General interrupted at this point. Surely, Mr. Chairman, when a public official of the province of Ontario makes a report and that report is released to the newspapers, any member of the Legislature should be entitled to get a copy of that report just as easily as snapping his fingers. It should not take weeks

or months until the report is given to a member of the Legislature.

If this was a secret report, then it would not have been in the newspapers; but there were long newspaper stories about what is said in this report, and it took me many weeks to get it. I thank the hon. Attorney General for giving it to me; but if reports are going to be released by public officials to the newspapers, then at least the hon. members of the Opposition are entitled to have those original reports and read them at full length and comment on them.

Now let me read what Chief Magistrate Klein says about the courts in the municipality of Metropolitan Toronto.

The courts in the old city hall have for some years been so overloaded they have been unable to deal with their cases in the normal course without delay.

D court, for example, has so many cases piled up now that when for some unavoidable reason it becomes necessary to adjourn a case the earliest date that can be fixed is some two months ahead, whereas if there were adequate courtroom facilities it should be possible to fix a date within a week. The other courts in the old city hall have for some years been so busy that their lists are filled up for approximately a month ahead.

For example, the homicide squad advises that on November 23, 1964, there were two capital murder cases in which the prosecution wanted to get a date fixed for preliminary hearing before the magistrate, but the earliest dates available were December 22 and December 23.

Imagine, Mr. Chairman, in a case of the seriousness of a homicide case, where the Crown wants a preliminary hearing, they are unable to get a courtroom available for a month. The accused had been arrested in one case, on November 5 and surely it is in the interests of the administration of justice that he be brought before the courts, that there be a preliminary hearing, just as quickly as is humanly possible. Because of our inadequate and ridiculous courtroom accommodation, this just cannot be done. Moreover, the magistrate goes on:

Under the present conditions many cases have to be tried piecemeal on various days and at various intervals because of the lack of courtrooms where it should be possible to put the longer cases in separate courts and to hold the trial of cases continuously from morning till afternoon, or from one day to the next if necessary.

In 1962 there were four criminal offence courts in the city hall and on December 31,

1962, there were 1,689 adjourned charges still pending in those courts. In 1963 there were five criminal offence courts and on December 31, 1963, there were 2,119 adjourned charges still pending.

Some of the cases would have had to be adjourned in any event, but at a conservative estimate it would probably take two full months of steady going in each of the five present courts in the old city hall to clean up that backlog alone.

Mr. Chairman, can there be any greater condemnation of our system of administration of justice than lies in those words written by the chief magistrate of the province of Ontario?

What are we doing about it? We are looking at it. We are having another conference. If the courtroom facilities are not there and people are being denied what they are entitled to, they are being denied a fair shake before our courts. They are not getting what we understand is British justice.

In light of the experience and on the basis of the statistical data available it is estimated that an average of 5,000 criminal cases a year constitutes a full load for any one magistrate's court. In 1963 there were 62,000-odd criminal charges and liquor charges, 20,000 vagrancy and drunk charges; so that there were 42,000 criminal and liquor, other than drunk charges dealt with in the five courts in the city hall.

The chief magistrate estimates it is a reasonable work load to have 5,000 cases in a court, and in Metro they are working on 8,000 and there is a two-month backlog. What kind of justice do you call that, Mr. Attorney General? Where is your solution, and how long does this situation go on?

The Metropolitan Toronto police court bureau points out that at the present work load, the court detectives in the court bureau have to work right through their lunch hour every day because there is not enough time to make phone calls and to attend to all other matters that are necessary in connection with the cases being tried in court. You would think that the hon. Attorney General would be concerned about the work that the court detectives have to do. I think they are entitled to have a lunch hour the same as anybody else, but our system of courts and our system of the administration of justice does not allow it.

In 1964, up to the end of October, a period of 10 months, 7,042 criminal charges were disposed of in A court, or in round figures around 700 charges a month, or 8,400 a year.

This is one of the questions we will come to later when we get to that particular branch of the estimates.

One of the questions I asked was about average loads, and the figures that came up did not indicate anything quite as bad as we have here in Chief Magistrate Klein's report. His estimate, I point out again, is 5,000 as a reasonable work load; and here is A court working at 8,400 a year. What kind of justice do the people who have to appear in that court get? In a year, 365 days, with 200 working days, how many cases go before a court and are dealt with in a day?

Mr. Chairman, I would like the hon. Attorney General to tell us how any magistrate can possibly bring his attention and his thinking, no matter how fair he is, no matter how hard he tries to work, to this sort of a case load? How he is going to dispense justice reasonably to the people who have to come before these courts. Mr. Klein goes on:

For some years the situation has been such that there are often as many as three or four adjournments in a single case, simply because on each day on which the case comes up in court the list is so crowded and the prior cases take so much time that the case is not reached and has to be adjourned.

For example, in a period of 10 days, from September 9 to 13, and from September 16 to 20, 1963, in A, B and C courts alone, there were 82 separate criminal cases involving 108 charges that had to be adjourned because they were not reached. Where the accused were on bail or under summons, their cases had to be adjourned for anywhere from two to four weeks in order to find a date when it appeared that the list might not be too crowded.

Just think of that one for a minute, Mr. Chairman; just think of that last statement. In those three courts, in the period of ten days, there were 82 separate criminal cases involving 108 charges that had to be adjourned because they were not reached. What happens to the accused in that period? What happens to the time they lose, to their families, to the nervous strain and stress of the time off work; those are the ones who are fortunate enough to be out on bail. What happens to the ones who cannot get on bail—either because they have not sufficient finances, and are not going to be released on their own recognizance under the present system, or because of various other reasons? What happens to the people who are held in jail—through the fault of the system of administration of justice

of which unfortunately they have run afoul. They have to stay in jail, because the courts are too busy to deal with their cases, for varying periods.

Magistrate Klein sets this out, and what do we get this afternoon? We get no encouragement. There is no encouragement that there are going to be adequate magistrate court facilities in this, the largest municipality in the province; in this, the capital city of the province; in this, the municipality which has a third of the population of the province of Ontario. We are having another conference. The municipal officials and the provincial officials are going to sit down and talk about it, and soon—I asked the hon. Attorney General this when he was making his remarks—we might have an answer. And the mayor of the city of Toronto, who is trying to keep his tax line as low as he can, says, “I haven’t got any money in my budget to build a new magistrates’ court building”—and I cannot blame the mayor of the city of Toronto for this. He feels—and, I think, rightly so—that the responsibility for providing adequate court facilities is and should be a provincial responsibility.

Is the province going to make the mayor a whipping boy in this? It would not surprise me at all; there has been this implication. The responsibility for the administration of justice in the province of Ontario, Mr. Chairman, lies with this government, and lies with this hon. Minister. And when his own senior officials can make a report like this, then I suggest that that responsibility is not being accepted, I do not think it is even being noticed; or, if it is being noticed, then it has been passed by as being not worthy of consideration.

There is another aspect—and I do not think this is too important, but it is worth mentioning: The Metropolitan Toronto police court bureau estimates that, on the basis of a minimum average of two witnesses a case, at \$6.75 per witness-day, there has been a loss in witness fees alone of \$1,097 a day. This would mean a minimum loss in witness fees of approximately \$25,000 a year, or an average of \$8,125 per court for these three courts alone. So, if for no other reason, Mr. Chairman—and the other reasons are far more important if you have any love at all for the system of administration of justice under which we think we live—than a practical saving of money, this bringing in witnesses and having to pay them fees and not using them, then calling them back a few weeks later, is another motivation.

But, Mr. Chairman, we hear nothing about this. There is no brave, new, bold scheme

to provide a proper system of administration of justice in this, the largest municipality in the province of Ontario. And this is the capital city, the area in which one-third of the people of the province lives.

Magistrate Klein goes on and says:

It even appears that, because of the delays, inconvenience, and loss of time and money that would be in store for them, a number of persons are discouraged from laying charges that should be laid, and thus offenders go free.

And this is another very serious reflection on our system of courts and our system of administration of justice.

People are not anxious to become involved with the law when it results in loss of pay, in substantial inconvenience, in being cramped up in miserable quarters, in having no facilities available for them, in disrupting their family life, and so on. Surely, Mr. Chairman, our duty in this regard is simple and it is obvious? Surely, Mr. Chairman, we are entitled to a proper system of magistrates’ courts in this municipality of Metropolitan Toronto?

Mr. A. E. Thompson (Leader of the Opposition): Hear! Hear! Let us have action.

Mr. Singer: And he goes on; he makes some suggestions on additions to the present five courts in the old city hall. There should be at least three more courts to take the overload, and to make possible for magistrates’ courts to function in a proper manner.

His estimates contemplate that the courts will be working at full capacity, as under normal conditions, and any increases in crime will require additional courts and court facilities. He talks about facilities for justices of the peace. And listen to this, Mr. Chairman:

At present there are two offices occupied by justices of the peace who hear complaints. There is no waiting room. Frequently when a complainant or police officer is interviewing a justice of the peace in order to lay a charge, or to take out a search warrant, the interview has to be erupted because of other people coming and going.

What could be more obvious to anyone concerned with the administration of justice than that an important official, a justice of the peace, should have an office where he can talk to people privately? And Magistrate Klein says this is not so.

For the present volume of work there should be, on a conservative basis, four

separate offices for the justices of the peace hearing complaints, together with space for a receptionist and a waiting room.

And that is not there. Well, enough for Magistrate Klein.

But, Mr. Chairman, can there be any greater condemnation of the disrepute into which our present system of justice has fallen than this criticism from a senior official of the hon. Attorney General's department?

I want to turn to something more specific insofar as the conduct of a certain magistrate is concerned; and it is with no pleasure that I feel I have the responsibility and the duty, Mr. Chairman, to lay these facts before this assembly. It does not come lightly to the lips of a lawyer to stand in this assembly and to say that a person occupying a judicial office needs and deserves public criticism. But in this case, and one I will refer to later, it is my very carefully considered opinion that both these gentlemen need and deserve public criticism.

It has been suggested, apparently in the press, that it would have been far better had I come to the hon. Attorney General privately concerning Magistrate Robert Dnieper. I am not going to deal at any great length on my private discussions with the hon. Attorney General but let it suffice to say that, both before the question went on the order paper and while it stood there unanswered, the hon. Attorney General and I had several discussions. He knows about them as I do and it was not my desire to rush into print or to publicly embarrass anybody that brought this matter to this point, Mr. Chairman.

The fact is that I felt it was my duty to put these questions on the order paper and the answers are there. I am going to read them, and then I am going to outline to hon. members some of the reasons why I thought it was important that these matters come up for public discussion. I asked:

(a) Has the Attorney General, or any of the officials of his department, received any written or oral complaints concerning the activities of Magistrate Dnieper as a magistrate since his appointment?

(b) If so, how many such complaints have been received?

(c) If so, what generally has been the nature of such complaints?

(d) If so, have any such complaints been received from the law society of Upper Canada, any legal organization in the province of Ontario, or any police body?

(e) If so, what action, if any, has the

Attorney General taken, or does he propose to take in the future, in connection with such complaints?

And the answers by the hon. Attorney General were these:

(a) Yes.

(b) Seven.

(c) Critical comments of the magistrate during court proceedings.

(d) Yes.

(e) The complaints have been drawn to the attention of the chief magistrate and the magistrate concerned.

Well, Mr. Chairman, I am not satisfied that the action taken is sufficient. Let me outline some of the reasons why I am not satisfied.

I have a file here full of clippings and editorials reporting on the activities of this gentleman as he sat on the bench. In a Toronto *Telegram* editorial dated February 25, 1965, the writer says:

Magistrate Robert Borden Dnieper disapproves of drinking by people under the age of 21.

So do most of us. That is why the laws of our province forbid youths under 21 from taking drinks containing alcohol.

As magistrate in the city hall's E court—or liquor court—Magistrate Dnieper occasionally encounters the young person charged with offending this law. Naturally, he has to deal with these cases according to the regulations prescribed by the Legislature and makes findings according to the evidence and sentences according to his conscience.

However, one must wonder about the magistrate's set of standards. Should a person too young to be allowed a drink be obliged to answer charges in court without the aid of counsel?

On at least two occasions Magistrate Dnieper has refused remands in the cases before him, remands which would have enabled the accused to have obtained counsel. Last year the magistrate sentenced a 20-year-old boy to a fine of \$100 or a 30-day jail term on a drinking offence. It was the boy's first offence and an emergency had prevented his counsel from appearing.

He was refused a remand.

Now, this week, he has sentenced a 19-year-old to 30 days in Mercer reformatory on a similar charge.

I am skipping a few words here, and I read the concluding paragraph:

Sentencing under-age persons not represented by counsel is a denial of reasonable justice.

I am not criticizing, Mr. Chairman, the findings of any magistrate insofar as the facts before him are concerned. When it comes to the question of who he is going to believe or disbelieve, he is in the position to make these decisions because the persons appointing him had some faith in his ability to be fair and reasonable. I agree with the hon. Attorney General when he says that we in this assembly cannot sit in judgment on how a magistrate exercises that kind of discretion and I agree that it is not up to us to bring into this Legislature every question of whether a sentence should have been greater or less, unless it is so outstandingly unusual. I do not think that sort of thing is proper to be discussed, but I do think, sir, that when a pattern emerges, as it does in this case, that it is worthy of serious and careful public consideration and public discussion.

There is a series of comments on the magistrate, and the magistrate in Oshawa tells the accused to tuck his shirt in; asks the accused if he was properly dressed when he appeared before the courts, and there are a series of editorials commenting on this—some of them taking a very serious view of it.

There is a story of this magistrate deciding that he was going to hold court in a police cruiser at 4 a.m. on the highway, and he did it. How can the people of Ontario believe that we have a reasonable system of justice when early in the morning a magistrate takes it upon himself to hold court in a police cruiser on the highway?

There is the story of the magistrate concerning himself with the guilty pleas by two doctors who were charged with an offence under, I suppose, The Drug Act or The Narcotics Act. The magistrate refused a guilty plea and he told the lawyer, according to these press reports, that he had been cute and that he was being dishonest by misleading the court.

Some 24 hours later there was a public apology. Surely this sort of thing should not be expected in our courts?

There is a story that this magistrate told a young man who appeared before him at Oshawa, and whom he was sentencing on another offence, that he was lucky that he was not looking at a rope. The sentence was 30 days.

There is the story that this magistrate

asked police yesterday to consider a perjury charge against a minor who was found asleep in a car with an open case of beer. In quotation marks in this story, the magistrate is quoted as having said:

Without the slightest compunction I could have you charged with contempt of court and you could rot in jail until you decided to give truthful evidence.

Is this the sort of thing, Mr. Chairman, that we can expect from our magistrates sitting on the bench?

These clippings are quite extensive, and there was no difficulty finding them.

There is the editorial comment of the Kingston *Whig Standard* made on November 29, 1961, and the concluding paragraph dealing with the magistrate's comment in relation to dress of people appearing before him. It reads:

This sort of thing, when it reaches the public, does nothing to confirm the dignity and wisdom of the courts and we suggest that there are certain areas into which the magistrates of this province could profit from some firm and authoritative direction.

The magistrate is quoted in another story in 1961 of suggesting to an accused that he was a wise guy, a big hero, and a smart Alec. I do not think the magistrates are supposed to feel called upon to make this kind of remark. When accused come before them, they are supposed to listen to the evidence and, if they find the accused guilty, they are supposed to sentence them.

The Chatham *Daily News*, June of 1961, in an editorial headed "Clothes in Court" said:

The recent incident in which Magistrate Dnieper, Whitby, criticized a defendant who came to court in his ordinary working clothes has drawn a lot of comment, most of it apparently in support of the magistrate. With all due respect for the magistrate, we feel compelled to dissent. The young man, who explained that he had come to court directly from work in a factory, appeared wearing a blue shirt with sleeves rolled up and jeans turned up at the cuffs. "Go home and change" the magistrate commanded, and threatened to hold the man in contempt if he was still attired in his work clothes when he returned. So the accused had to drive five miles home, change his clothes and return five miles. What, anyway, is wrong in a man wearing his work clothes in a court of law, provided they cover him adequately? Like magistrate and counsel, he

wore his work clothes in court. The difference was merely one in the quality and cut of the material. So far as we are aware, there is no prescribed uniforms for civilians necessarily making court appearances. We do think the man might properly have turned down his sleeves and his trouser cuffs. But the question remains, what would have been the situation if the clothes he wore were his only clothes? We are not too sure the magistrate's action was not a contravention of the Bill of Rights.

The Toronto *Daily Star* has an editorial entitled, "Snob Justice." Its concluding paragraph reads this way:

After all, justice as classically represented, wears nothing but a blindfold and robes of the simplest cut and design. Perhaps Magistrate Dnieper ought to blindfold himself mentally to the grade of clothes which are worn.

The Kingston *Whig Standard* again, and I do not think I read this one before, Mr. Chairman:

If the accused man had rechanged his clothing, could he not then have had a lawful excuse? On the face of it, it is difficult to see how the magistrate's views could be supported in law if not in the realm of common sense.

In other words, the obvious reply to this question of "What right?" would seem to be "Every right in the world."

Well, I agree with the hon. Attorney General that there is frequently a misleading concept to be obtained by reading only press clippings and coming to positive conclusions without examining transcripts of evidence. But I suggest that it is no secret that the hon. Attorney General's two predecessors received substantial complaints concerning this gentleman, and that the present deputy Attorney General and his predecessor received substantial complaints about him. And I suggest, sir, that it is no secret either that, not too long ago, when this magistrate was sitting on the bench in Oshawa, a delegation from the Ontario county law society, a law association, appeared before him—not this gentleman, but one of his predecessors—and suggested to the then Attorney General that if this magistrate was to continue to sit on the bench in that county the members of the Bar who practised law in that county would be most reluctant to continue to appear before him. And I suggest again, sir, it is no secret that, as a result of that complaint, that magistrate was then moved from Oshawa to Toronto.

I think it is important to follow this through with a record, and I have here in my hand a transcript of evidence. And I will say quickly, before the hon. Attorney General points it out, that I have this transcript of evidence because the hon. Attorney General made it available to me.

This transcript of evidence—

Mr. G. Bukator (Niagara Falls): A fine fellow.

Mr. Singer: He is indeed, and I said that and I mean it; he has been very helpful to me and most co-operative in the things I have asked him for.

Mr. Bukator: Do you think he will be today?

Mr. Singer: This is a transcript of evidence taken in magistrate's court E in the city of Toronto, and the case is the case of Her Majesty the Queen against Leslie Charles Harrow. The transcript was taken by L. Wayne Robinson, official court reporter, on November 20, 1964. I am going to read a substantial portion of this transcript into the record as I think it is very important that we be aware—

Hon. Mr. Rowntree: Why do you not table it?

Mr. Singer: No, it is more important. The effect of tabling it, I feel, addressing my remarks, Mr. Chairman, to the hon. Minister of Labour, would perhaps be to obscure some of the reasons why I feel I must complain about the conduct of this magistrate. And I am sure that the hon. Minister of Labour, as a lawyer, as a good lawyer, will be shocked with me as some of these portions are read.

I am starting to read here on page 3. And I may say that Mr. Martin Kelso is the Crown attorney in this case. Mr. Kelso introduces the matter and says:

Perhaps to clear the air—

page 2—and this is the sort of normal procedure. Court lists are run by pages; and to identify the case to the magistrate, it is referred to by the page as a method of showing which case he is calling. Page 2—Leslie Harrow; and Mr. Shaw. I am not sure, perhaps the hon. Attorney General can tell me, if Mr. Shaw at this date was a lawyer or a law student.

Hon. Mr. Wishart: I am not certain either. He was counsel anyway.

Mr. Singer: He was counsel in any event. It is not necessary, Mr. Chairman, in magis-

trates' courts, for accused to be represented only by lawyers. Occasionally the magistrate allows students to go on. In any event, I would suggest that, if Mr. Shaw was a practising lawyer, very possibly at the time he appeared he was reasonably new to the practice of law. So, either he was a junior lawyer or he was a law student, and I cannot state—

Hon. Mr. Rowntree: Or an agent.

Mr. Singer: Yes. Well, I think his remarks indicate he has some familiarity with the law, in any event.

Hon. A. K. Roberts (Minister of Lands and Forests): May I ask the hon. member: Is there not a proper place for the airing of this sort of thing other than the Legislature? Is there not a proper procedure laid down by statute for this?

Mr. Singer: No, Mr. Chairman, there is not. I am interested in the remarks of the hon. Minister of Lands and Forests, and I refer him to The Magistrates Act, section 3, which describes how a magistrate can be dealt with for misbehaviour or inability to perform his duties properly—only if the circumstances respecting the misbehaviour or inability are first inquired into, and the magistrate is given a reasonable notice of the time and place appointed for the inquiry, and is afforded an opportunity by himself or his counsel of being heard, and cross-examining the witnesses, and so on. So this contemplates certainly that the only person who can do this is the Lieutenant Governor in council.

I would have hoped, as a result of my private discussions of this subject with the hon. Attorney General over several months, that perhaps it would not have been necessary to make these remarks here. But, as I say, when I read my question and my answer—that the complaints had been drawn to the attention of the chief magistrate and the magistrate concerned—I am not satisfied with the answer. I believe that the only alternative I have is to bring these facts to the attention of this body.

Mr. Kelso says:

Perhaps just to clear the air, page 2, Leslie Harrow.

Mr. Shaw: Your Worship, I have been asked to speak to this case and I ask for a remand for two weeks.

The court: —

And the court in this case is Magistrate Dnieper:

The Court: Why, sir?

Mr. Shaw: I must confess I am not just as familiar with this fellow, Your Worship, as I was just called in by legal aid and I expect that they want to have sufficient time to have a solicitor to attend.

And that was why I asked the hon. Attorney General if he knew whether Mr. Shaw was a solicitor, and I suspect that question indicates that perhaps he was not.

The Court: I am sorry.

Mr. Shaw: I have just been told that the reason is that Mr. Mintz—

And I may mention that Mr. Mintz is a solicitor who is part of the legal aid setup in Metropolitan Toronto:

—is handling the case and he is at the hospital where his father is in an extremely serious condition.

The Court: On the contrary, sir, I spoke to Mr. Mintz and Mr. Mintz said he was not handling this case. The case goes on and it goes on right now. Mr. Harrow told me yesterday that Mr. Mintz was handling this case and Mr. Mintz, in very clear terms, instructed me that he was not.

Mr. Shaw: I am sorry. I have been misinformed then, Your Worship.

The Court: Either you have been misinformed or I have been misinformed. I spoke to Mr. Mintz.

Mr. Shaw: Fine.

The Court: Sir, come on. You appear for this man in this case. You will have to request withdrawal from the case.

Mr. Shaw: Your Worship, I was just going to speak to a person who is representing legal aid. Might I ask if the case stand down for several moments in Your Worship's discretion to allow me to receive some instructions? I had never spoken to the accused in this matter.

The Court: Do you wish to withdraw from this case or do you wish to represent this man?

Mr. Shaw: Well, I must confess, Your Worship, I am not aware of whether or not it would be proper for me to handle the case as I was just called in and I would prefer if the case could stand down for several moments to receive instructions from the accused and/or the representative of legal aid.

The Court: Well, whatever it is, it is bad for you, whilst a case is going on, for counsel to turn his back on the court and walk out.

Mr. Shaw: I apologize, Your Worship, I was just going to the third pew. I was not intending to leave the courtroom, I am sorry.

The Court: Mr. Kelso, I do believe we should have a recess at this time and call this case immediately after recess.

Mr. Shaw: Thank you, Your Worship.

The Court: I can tell you now, this case is going to be heard today.

Now the criticism there is obvious, Mr. Chairman. Here is a young man appearing in court and charged with two offences. There is a request for a remand and the magistrate comes to the conclusion, because of some conversation he had with a lawyer the day before, that a particular lawyer is not representing this accused and the magistrate says in clear and unmistakable terms: "I can tell you now this case is going to be heard today." Is that reasonable justice?

RECESS. UPON RESUMING

Mr. Kelso: Leslie C. Harrow.

There is no question, it goes on that day.

The Court: Mr. Shaw, I might inform you that this man yesterday told me that Mr. Mintz was acting for him, whereas Mr. Mintz was not. He said it was because Mr. Mintz was appearing in another court, and Mr. Mintz told me he was not appearing in another court. No, Mr. Mintz was available; and no, Mr. Mintz was not acting for the man.

Let me interrupt again, sir. What particular concern has the magistrate in whether Mr. Mintz or Mr. Sopha or Mr. Smith or Mr. Rowntree was acting? Surely the court should be concerned with whether or not the accused man has a reasonable opportunity of defending himself; and the court is not concerned, obviously, in this case, with that fact.

Mr. Shaw: Your Worship, I was in the legal aid office when a telephone call came through and apparently Mr. Mintz was on the other end and he said he was calling from the hospital and that he had a case in E court with Mr. Harrow and that his father had a relapse or something to this effect and that he could not be here because he had to be in the hospital. As I was in the office, Miss Rainwood—

I think Miss Rainwood is a secretary in the legal aid office:

Miss Rainwood asked me if I would speak to the case and get a remand and when I came down I did not realize that it was not Mr. Mintz.

Obviously at this point, this young man, Mr. Shaw, is feeling his neck and is unhappy and uncomfortable; and not being a lawyer, as I think we can presume, is not too sure about how he can best proceed to act in the best interests of the accused.

I just thought that it was at large and I was to ask for a remand. The time I was stated to ask for was three weeks, and it was on this basis. I did not realize that Mr. Mintz was involved in this, and so when I said that I wanted to have time to investigate I found that this was the case and that he had just come in. When I turned around to speak to Miss Rainwood she informed me Mr. Mintz was in on the case and unfortunately could not get down from the hospital. This was the extent of my knowledge of the case.

The Court: Then, Mr. Mintz should have better co-operation in his office. However, the case will go on.

The court is concerned about co-operation that a lawyer has with his office; but come what may, that case is going to go on, and it does.

Mr. Shaw: Thank you, Your Worship.

Clerk of the Court: Leslie Charles Harrow you are charged within three months ending on the 14th day of November, 1964, to wit, on the 13th day of November, 1964, unlawfully did being a person under the age of 21 years consume liquor in contravention of The Liquor Control Act of Ontario. How do you plead?

Now, that is a very serious charge.

How do you plead, guilty or not guilty?

The Accused: Guilty!

Clerk of the Court: You are further charged on the 13th of November, 1964, that you were found in an intoxicated condition in Annette street public school at 10.15 p.m. How do you plead to this charge, guilty or not guilty?

The Accused: Not guilty.

Mr. Kelso: We will deal with the charge of being intoxicated. I call PC Thompson.

Police Constable, Raymond Thompson, the witness, having been called and duly sworn testified as follows:

Direct examination by Mr. Kelso, counsel for the Crown.

Q. You are a metropolitan police constable?

A. I am.

Q. It is part of your duties to enforce the provisions of The Liquor Control Act?

A. It is.

The reason, Mr. Chairman, that I am reading this evidence in detail is because as the evidence progresses the action of the court in regard to some other witnesses, I think, is most significant.

Q. Would you tell the court what you observed of the accused and his condition on November 13th of this year?

A. Your Worship, on November 13th I had occasion to answer a call at 269 Annette Street, which is Annette Street public school. On arriving there, Your Worship, I observed the accused, Leslie Charles Harrow, in the foyer of the public school in a drunken condition. At the time I saw him he was staggering in the foyer trying to get out the front door of the school which was locked. There was a dance in progress and I took hold of the accused and brought him out to the back of the school yard and at that time his breath smelled strongly of alcohol and when I asked him a few questions I had to repeat them a few times. I placed him in the squad car, took him to the station where he was charged with drunk in a public place and minor consume.

Q. Would you point out the accused, the person you refer to?

A. I am sorry, sir, it is the accused right here.

Mr. Kelso: Indicating the accused, have you any questions you wish to ask him?

Mr. Shaw: Yes.

Mr. Shaw cross-examines.

Q. PC Thompson, do you know what was going on in the school at this time?

A. Yes, there was a school dance.

Q. Do you know whether or not the accused had been dancing prior to the arrest?

A. No, I do not know.

Q. You said he was staggering. Did you observe any other symptoms which immediately led you to believe that he was drunk or were you some distance away?

A. I was the distance of this room away.

Q. At a distance of this room away, you come to the conclusion that he was drunk?

A. Yes, and when he walked towards the door I could see that he staggered towards the door; when I got hold of the man I knew he was drunk.

Q. You formed the opinion in your mind just from seeing him from a distance of this room away?

A. No, not immediately. When I got hold of the boy first I formed the opinion that he was drunk. I talked to him and took him to the scout car. I did not form this opinion just by seeing him.

Q. You smelled liquor on his breath?

A. Yes.

Mr. Shaw: Thank you.

The Court: Thank you.

The next witness, PC Molner.

Police Constable Horace Molner, witness, having been called and duly sworn testified as follows:

Direct examination by Mr. Kelso, counsel for the Crown.

Q. You are a metropolitan police constable?

A. Yes, sir.

Q. Would you tell the court what you observed with regard to the accused's condition on November 13th of this year?

A. On November 13th, a Friday, at approximately 10.25 or 10.30 I was on duty at the station. I observed PC Thompson and the accused person walking down a hall towards me. There was another youth with them at the time and I noted that the accused was swaying and weaving down the hall. He had to be supported and as he passed I noticed his eyes were blood-shot and slightly glazed and I could smell the odour of an alcoholic beverage on his breath.

Mr. Kelso: Any questions you wish to ask this witness?

Mr. Shaw: Yes.

Cross-examination by Mr. Shaw.

Q. PC Molner, did the accused tell you what he had been doing before he was arrested?

A. I had no conversation with the accused.

Q. You had no conversation with the accused? All right, thank you.

Mr. Kelso: That is the evidence for the prosecution on the charge of being intoxicated.

And now we come to the defence evidence and I think it is most significant.

Mr. Shaw: Call Wilfred MacDonald to the stand, please.

Remember, Mr. Chairman, that at this point there are in court the magistrate who is conducting the hearing, Mr. Martin Kelso representing the Crown—an experienced, capable man who has been doing this work for years and does it very well—and Mr. Shaw, a young law student, I gather. Mr. Shaw calls as a defence witness, Mr. Wilfred William MacDonald.

Q. Mr. MacDonald, do you know the accused?

A. Yes, I do.

Q. You were with him at this school on the night in question?

A. Yes, I was.

Q. Do you recall what Mr. Harrow was doing immediately before or some time shortly before the arrest in question?

A. Well, shortly before he was arrested, he was dancing.

By the Court: What kind of—

“By the court”—just in the introductory evidence, under direct examination by defence counsel, the court has started its interruption. You can see the direction in which this magistrate goes—

By the Court: What kind of a dance was it?

A. It was just a school dance; they play records.

And still by the court—

Q. A public school?

A. Yes.

Q. Does the accused go to the public school?

A. No, Your Honour, it is not just for people who go to that school; it is for anybody; it is for anybody who wants to go there.

Q. Who runs the school?

A. Yes, sir, I think so.

Now Mr. Shaw managed to get in one more question—

Q. Do you recall the length of time the dance had been going on? Or how long you and the accused had been at the dance?

A. We were at it since it started from 8 o'clock.

By the Court:

The magistrate just cannot resist getting into this—

Q. How old are you?

A. Seventeen—16, pardon me.

Q. Well, how old are you?

A. Sixteen.

Q. Why did you say you were 17?

A. I will be 17 in March.

The magistrate has inserted himself into the evidence given by a defence witness; taken it away from defence counsel and is now berating this defence witness, and the defence witness really has not said anything yet that is controversial!

Q. Why did you say you were 17?

A. I will be 17 in March.

Q. You will be 85 in a few years now, too, but you do not give that answer.

Interjections by hon. members.

Q. How old is the accused?

A. Twenty.

Q. Did you go there by yourselves or did you bring your girl friends?

This is the court still asking questions:

A. Well, our girl friends were supposed to be there but they did not show up.

Q. This dance—was it mostly composed of the children who go to the school?

A. No, sir, it was children from all different schools who go there.

Q. What, public school children?

A. Well, high school children, too.

Mr. Shaw happens to get in one or two questions:

Q. Is it a community dance?

A. It is a community dance, Your Worship, I understand.

Q. Mr. MacDonald, what sort of dancing?

Now the court is back in again:

Q. Just a moment, I am not finished with this man. Does the accused go to school?

A. No, sir.

Q. Do you go to school?

A. No, sir.

Q. What does the accused do for a living?

A. He works, I think.

Do not forget, Mr. Chairman, this accused is being charged with being drunk in a public place. What right does the magistrate have to insert himself into a trial in this way and berate a 17-year-old youth who is giving evidence?

Q. Do you have a criminal record?

The court to the witness. The witness really has not given any evidence of importance at all:

Q. Do you have a criminal record?

A. Yes, sir.

Q. Sing it out, please.

A. Pardon?

Q. Let us have it.

A. I was in for breaking and entering.

Q. When?

A. October 30.

Q. Your sentence, please.

A. Eighteen months, probation.

Mr. E. W. Sopha (Sudbury): Completely illegal.

Mr. Singer: Can you imagine in our courts today a magistrate taking over a defence witness and conducting, with a 17-year-old youth, this kind of an examination—

Mr. Sopha: Contrary to The Canada Evidence Act.

Mr. Singer: Mr. Shaw continues:

Q. Mr. MacDonald, are you under oath here?

I guess the magistrate resented Mr. Shaw getting in at all, for the court reminded him:

It is improper for counsel to remind the witness he is under oath.

Suddenly the magistrate realized that something in that court could be improper. Mr. Shaw replied: "Thank you, Your Worship," and continued to question the witness:

Q. Mr. MacDonald, what dances were being conducted that night? What sort of dances were there? Tango or waltzes, or what?

A. Fast and slow, rock and roll.

Q. Was the accused dancing? Engaged in these dances?

A. Yes.

The court continued:

Q. You mean those dances where they all stand in one place and shuffle their feet?

Now there is a fine contribution by the magistrate:

A. No, the twist, too—you know, you twist all around the room.

By Mr. Shaw:

Q. Did the accused dance most of the dances?

A. Not most of them, but he danced some of them.

Q. I have no further questions of this witness, Your Worship.

I guess they figured they might as well let the Crown attorney in and do a little cross-examining. So Mr. Kelso now comes in. Mr. Kelso is known to any member of the profession who comes in contact with him as a gentleman and as a responsible lawyer who handles himself well and properly in court. Mr. Kelso conducts a reasonable and normal cross-examination:

Q. Were you drinking with the accused?

A. No, sir.

Q. Are you sure?

A. Yes.

Q. The accused was drinking?

A. Oh, yes.

Q. You knew he was drinking?

A. No, I did not know he was drinking, but I found out.

Q. He consumed quite a bit?

A. Pardon?

Q. He consumed quite a bit of liquor?

A. I do not know.

Q. You do not know what he had?

A. No.

Q. Did you see him there when he was arrested?

A. Yes, sir, I was with him when he was arrested.

Q. You were with him?

A. Yes, sir.

Q. Were you arrested?

A. I was taken to the station with him, but I was not arrested, I do not think.

Mr. Kelso is the Crown attorney acting in that case. He asked the questions—with drinking and so on. With the police evidence there is probably enough for the magistrate to convict. I am not concerned, Mr. Chairman, about whether there was a conviction or whether there was an acquittal. I am concerned with what the record reveals in this case by the court. Now he is back again:

Q. What is a 16-year-old doing going out with a 20-year-old?

A. I cannot see anything wrong with it.

Q. You may be right.

Mr. Kelso continues:

Q. And the accused was making a bit of a nuisance of himself at the dance, was he not?

A. I would not know about that.

Q. I did not think you would know about that. Now get out of the box.

Mr. Shaw, call Robert Bonneville to the stand, please.

This is the second defence witness, Robert Arthur Bonneville. The witness having been duly called and sworn, testified as follows. Direct examination by Mr. Shaw, counsel for the accused:

Q. Mr. Bonneville, do you know the accused?

A. Yes, sir.

Q. You were with him on the night in question?

A. Yes, sir.

Q. Did you observe him some time prior to the arrest?

A. Yes, sir.

Q. Did he take part in any of the dances?

A. Yes, sir.

Q. What nature of dancing was going on?

A. Rock and roll, modern music, folk songs.

Q. Was the accused able to dance these?

A. Yes.

And now the court:

This is your witness; do not lead him.

Mr. Shaw: I am sorry, there are no further questions.

Cross-examination by Mr. Kelso, counsel for the Crown.

Q. Had you been drinking?

A. No, sir.

Q. What were you doing at the dance?

A. Dancing.

Q. And what was the trouble with the accused to be in the condition he was in?

A. Nothing that I could see.

Q. Was he acting in a normal manner?

A. He wasn't doing nothing.

Q. Was he acting in a normal manner?

A. Dancing, yes.

Q. After, when he was not dancing and he was trying to get out of a locked door, you did not see that, did you?

A. No, I was on the dance floor.

Q. Well, you do not know anything about what you are talking about. The accused had too much to drink, had he not?

A. I do not think so, sir.

Q. You do not think so?

A. No.

And here he comes again:

By the Court: Do you know him?

Hon. Mr. Rowntree: There is obviously more material and we can continue tomorrow.

Hon. Mr. Rowntree moves that the committee rise and report progress.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of supply begs to report progress and asks for leave to sit again.

Report agreed to.

Hon. H. L. Rowntree (Minister of Labour): Mr. Speaker, in moving the adjournment of the House, I would simply say that the order of estimates will be to continue with the hon. Attorney General's department first, then The Department of Public Works, and thereafter The Provincial Treasurer's Department.

Hon. Mr. Rowntree moves the adjournment of the House.

Motion agreed to.

The House adjourned at 6 o'clock, p.m.



ONTARIO

Legislature of Ontario

Debates

OFFICIAL REPORT—DAILY EDITION

Third Session of the Twenty-Seventh Legislature

Thursday, May 6, 1965

Afternoon Session

Speaker: Honourable Donald H. Morrow
Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, MAY 6, 1965

The House met at 3 o'clock, p.m.

Prayers.

Mr. Speaker: We are always pleased to have visitors to the Legislature and today we welcome as guests, students from the following schools: in the west gallery, Swansea public school, Toronto, and Welland South public school, Welland and in the east gallery, Vincent Massey public school, Oshawa, and Topcliff Avenue public school, Downsview.

Presenting petitions.

Presenting reports by committees.

Mrs. A. Pritchard (Hamilton Centre), from the standing committee on education, health and welfare, presented the committee's report, which was read as follows and adopted:

The committee begs to report the following bills with certain amendments:

Bill No. 87, An Act to amend The Schools Administration Act.

Bill No. 88, An Act to amend The Public Schools Act.

Bill No. 89, An Act to amend The Separate Schools Act.

Bill No. 90, An Act to amend The Secondary Schools and Boards of Education Act.

Mr. Speaker: Motions.

Introduction of bills.

ONTARIO INSTITUTE FOR STUDIES AND EDUCATION

Hon. W. G. Davis (Minister of Education) moves first reading of bill intituled, An Act to establish the Ontario institute for studies and education.

Motion agreed to; first reading of the bill.

Hon. W. G. Davis (Minister of Education): Mr. Speaker, due to the rather important

nature of the bill, I intend to give a slightly longer explanation, if the House would agree. I think, really, it is necessary to give some of the history behind the bill and to name some of the factors which have shaped the thinking on this particular subject.

The idea of educational research is far from new in Ontario. Informal studies by individuals and larger scale investigations by commissions have demonstrated that the solution of problems may be facilitated by a systematic assembly of facts. Egerton Ryerson conducted innumerable surveys of education in Ontario and other jurisdictions, and on the basis of the facts obtained and opinions expressed, devised a system of elementary and secondary schools and post-secondary institutions, so modern and advanced for that day that it served as a model for the most of the rest of Canada.

One early inquiry was conducted under the direction of G. W. Ross, the Minister of Education who, in 1885, introduced the first regulation requiring that English be taught in every public school of the province. In 1906 a commission was appointed to collect information on the cost of textbooks in our province and elsewhere and the best means of publishing them.

I guess the most noteworthy commission was, of course, the Royal commission on education in Ontario, which was appointed in 1945 under the chairmanship of the late Mr. Justice J. A. Hope. The commission's treatment of some of the basic problems of Ontario education will continue to exert a constructive influence for some years to come. It is of interest here to note that the report of this commission recognized in print for the first time the part that research must play in the educative process.

It was in 1931 that the department of educational research of the Ontario college of education of the University of Toronto was formally set up under Dr. Peter Sandiford. The early function of this department was to adapt U.S. tests of intelligence and achievement and to construct new ones for use in

Canadian schools. With a moderate growth in staff, research activities were expanded into the areas of finance, the nature of learning, and experimental methodology.

Under the direction of Dr. R. W. B. Jackson since 1957, the department of educational research has assumed several important roles and functions. While remaining a branch of the university, it has also become a research organization for The Department of Education, an independent centre originating its own projects, a data processing unit, and a consultative authority for other organizations in the province. Dr. Jackson's department has demonstrated the value of research and has provided worthwhile guidance for educational decision-making at all levels of government and among voluntary agencies. It has pointed the way toward sound educational investment. It has given us an indication of what may be expected from a combination of scholarly activity and practical involvement.

Graduate studies and research, of course, go hand in hand. Graduate studies without research is a contradiction in terms. Staff members of the department of educational research played a major part in the work and the education of the school of graduate studies at the University of Toronto, which is provided through the Ontario college of education. During the years, increasing numbers of candidates have graduated with masters' degrees and doctors' degrees in education. They have gone on to posts of leadership in Ontario and in other provinces of this country.

All of the provincial departments of education in Canada, and almost all of the major colleges and faculties of education throughout this country, number among their key officials, holders of advanced degrees from the Ontario college of education, University of Toronto. A recent count showed that 137 staff members of Ontario teachers' colleges hold at least one such graduate degree, as do three of every four municipally employed Ontario directors of education.

But with the explosion of knowledge in all fields, together with an unprecedented expansion of our total educational enterprise, it has become urgent to have substantial expansion in resources for graduate study in education. The time has therefore come to build a greater structure on the foundation of the department of educational research and the school of graduate studies of the Ontario college of education.

The proposed legislation will enable the Minister of Education to name a board of governors for the Ontario institute for studies

and education. Members of this board will represent the major educational enterprises and interests in the province, including the teachers, trustees, universities and The Department of Education. The institute will be largely supported by public funds.

It is this government's view that such an institute will provide an atmosphere where first-rate scholars will conduct investigations into educational problems of all kinds. In the tradition of the department of educational research, they will be aware of the needs of the educational system at every level. They will be able to devote themselves to the improvement of education, both through basic research and through the application of their efforts to questions of immediate practical interest.

The institute will be organized into several divisions. One division will concentrate on studies of the characteristics of the learner and of the nature of the learning process; another will be concerned with the discovery and evaluation of the most effective instructional techniques and practices. Still another will deal with administrative and financial problems. A planning division will project school enrolments into the future, and will determine the supply and demand for teachers from kindergarten to university. It will also look at social, economic and cultural changes and attempt to determine their impact on education. A measurement division will be concerned with the development of an increased range of aptitude, achievement and personality tests for school use. An information division will study the implication of recent developments in data systems, and the historical and the philosophical, sociological and anthropological foundations of education will also receive attention.

Field services will be provided so that expert knowledge can be supplied to school boards and other agencies undertaking educational research projects. An information service will be developed in which the most modern techniques will be used to make educational information available to all who need or can make use of it.

As resources of staff are added by recruitment from other provinces and countries, as well as by internal training, a rapid expansion of the programme of graduate studies will be possible.

Students with a master's or doctor's degree in education will be able to work in close association with expert researchers and to relate their own projects to a comprehensive pattern of study. Thus research and instruction will be combined under the best possible circumstances. More highly educated teachers,

principals; inspectors and officials will ensure a continuing elevation of educational standards and aspirations to meet the growing demand placed by society on our educational programme.

Arrangements are being made whereby the University of Toronto will supervise the programmes of graduate instruction and award the postgraduate degrees. Eventually the institute may move from affiliation with the university for this purpose to complete independence. Whether or not it has organizational independence, the institute is expected to co-operate closely, not only with the University of Toronto, but with all Ontario universities as well as with secondary and elementary training institutions.

Staff exchange for varying periods will be arranged, and frequent consultation will ensure an interdisciplinary approach to the solution of educational problems.

It is expected that the new institute will make sufficient appeal to the Ontario curriculum institute that a merger can be arranged. We understand that the latter body would welcome such a development.

During the immediate future provincial funds for the support of educational research and postgraduate study will be concentrated in the one institute. The most urgent task is to develop a single, strong centre for these activities rather than dissipating resources among a number of institutions.

It will be one of the objectives of the institute to help set up and to recognize courses that fit into its own instructional programme in whatever parts of the province qualified instructors may be found. Eventually these may be the first steps in the development of independent programmes, if the number of students justifies such a development.

As a means of implementing its research findings, the institute will lean heavily on publications. It will also develop a programme of seminars, workshops, short courses and other forms of in-service training. These will supplement formal pre-service training and will establish the means for teachers to engage in continuous professional improvement.

The first director—of course, if this bill is passed—will be Dr. R. W. B. Jackson, who is widely known as the most outstanding educational researcher in Canada. The availability of a man of his calibre and reputation, I think provides one of the best possible guarantees of success of the institute during its formative years. Under his leadership, Mr. Speaker, the institute should become one of the main pillars of education in Ontario and I would suggest perhaps, in fact, in all of Canada.

Some hon. members: Hear, hear!

Mr. F. Young (Yorkview): Mr. Speaker, may I ask the hon. Minister a question?

Mr. Speaker: It is not really the time to do so, but I will allow the hon. member a short question.

Mr. Young: Thank you, Mr. Speaker.

This question is, does the hon. Minister expect this institute to be set up this year, and if so, what budgetary provision is being made for it?

Hon. Mr. Davis: Yes, Mr. Speaker. We can get into this in some detail on second reading, but we anticipate that it will be set up this year and it will mean a substantial financial contribution as far as the government is concerned.

THE ONTARIO WATER RESOURCES COMMISSION ACT

Hon. J. R. Simonett (Minister of Energy and Resources Management) moves first reading of bill intituled, An Act to amend The Ontario Water Resources Commission Act.

Motion agreed to; first reading of the bill.

THE FINANCIAL ADMINISTRATION ACT

Hon. J. N. Allan (Provincial Treasurer) moves first reading of bill intituled, An Act to amend The Financial Administration Act.

Motion agreed to; first reading of the bill.

Hon. J. N. Allan (Provincial Treasurer): Mr. Speaker, there are three major amendments to The Financial Administration Act.

The first two amendments have been suggested by an investigation of the organization and methods services branch of The Treasury Department on the instructions of the Treasury board. These amendments concern internal practices of The Treasury Department with respect to financial administration. They will tend to bring The Financial Administration Act into line with current practice.

The amendment to section 34, also in accordance with the recommendation of the Treasury board, increases the amount of delivery on hand with the Queen's printer from \$650,000 to \$1 million. This is really a provision for inventory.

Section 62 of The Financial Administration Act was amended to enable Ontario to recognize the claims of the government of Canada against persons to whom Ontario owes money,

and to extend the context to the Crown agencies. This amendment has been necessitated for several reasons, one of which is the fact that the federal government collects the provincial income tax. This amendment is pursuant to the recommendation made by the Treasury board meeting last June.

THE CORPORATIONS TAX ACT

Hon. Mr. Allan moves first reading of bill intituled, An Act to amend The Corporations Tax Act.

Motion agreed to; first reading of the bill.

Hon. Mr. Allan: Mr. Speaker, the major amendment to The Corporations Tax Act reflects the changes in the federal Income Tax Act as they apply to the taxable income of corporations for the current fiscal year.

In addition, the Act provides that the same measure of incentive be given to corporations in what are referred to as "designated areas," as has been provided under the federal Income Tax Act. The areas covered by this legislation would be identical with those provided in the federal tax regulations.

THE LOGGING TAX ACT

Hon. Mr. Allan moves first reading of bill intituled, An Act to amend The Logging Tax Act.

Motion agreed to; first reading of the bill.

Hon. Mr. Allan: Mr. Speaker, the only amendment to The Logging Tax Act is one concerning its administration. Section 34 of the Act is amended to permit the communication of information obtained under this Act to either federal or provincial jurisdictions on a reciprocal basis. That is, as long as information communicated is used by such jurisdictions for purposes of administration of its taxing statutes, and as long as similar information is available to this jurisdiction, such information can be exchanged.

THE INCOME TAX ACT, 1961-1962

Hon. Mr. Allan moves first reading of bill intituled, An Act to amend The Income Tax Act, 1961-1962.

Motion agreed to; first reading of the bill.

Hon. Mr. Allan: Mr. Speaker, beginning with January 1, 1962, all Canadian provinces imposed a provincial tax on income of in-

dividual residents in the province. The rate of the provincial tax is a percentage of the federal tax payable as computed under the federal Income Tax Act. The rate for Ontario was 19 per cent of the federal tax for 1965 and 21 per cent for 1966.

Section 33 of the federal Income Tax Act provided for a deduction from tax payable, equal to the tax paid to the province. In 1964, section 33 of the federal Act was amended to permit a deduction of 21 per cent of the federal tax payable for 1965 and 24 per cent for 1966. The amendment to The Income Tax Act now being introduced increases the rate to coincide with the federal abatement. The tax burden on the individual is not in any way increased by the proposed amendment, although the net revenue to the province is.

THE RETAIL SALES TAX ACT, 1960-1961

Hon. Mr. Allan moves first reading of bill intituled, An Act to amend The Retail Sales Tax Act, 1960-1961.

Motion agreed to; first reading of the bill.

Hon. Mr. Allan: Mr. Speaker, several amendments have been made to The Retail Sales Tax Act, although they are all of a minor nature and deal primarily with administration. There has been no increase in the tax, although further exemptions have been made under it. Sections have been clarified to indicate exactly what is required by a vendor or purchaser.

An exemption has been granted to the Ontario cancer treatment and research foundation, so that it can purchase hospital equipment free of tax.

An important amendment to the Act is the exclusion of tobacco products. The Tobacco Act will be introduced at the current session and will pick up this exemption.

THE SUCCESSION DUTY ACT

Hon. Mr. Allan moves first reading of bill intituled, An Act to amend The Succession Duty Act.

Motion agreed to; first reading of the bill.

Hon. Mr. Allan: Mr. Speaker, the amendment in this bill has six purposes: To ensure that superannuation, pension and death benefits, and the whole amount of group insurance proceeds will be taxed on a uniform basis; to exempt from duty, retirement savings plans registered under the federal Income Tax Act

and trust deed investment funds where the deceased dies domiciled outside Ontario; to extend the exemption at present given to charitable organizations that carry on their work in Ontario, to charitable organizations that carry on their work in Canada; to increase from \$1,500 to \$2,500 the amount which may be paid without the Treasurer's consent out of the deceased's bank account; to extend the time in which a refund of duty may be made, after an amount purporting to be in full settlement of the duty has been paid, from one year to four years.

Mr. K. Bryden (Woodbine): Mr. Speaker, before the orders of the day, I would like to direct the following question to the hon. Minister of Health (Mr. Dymond):

Is the salary scale for attendants at Oakridge hospital at Penetanguishene lower than that for custodial officers at Guelph? If so, why? Are there any plans for increasing the salary scale at Oakridge?

Hon. M. B. Dymond (Minister of Health): Mr. Speaker, the answer to the first part of the hon. member's question is, yes, the salary scale for attendants at Oakridge is lower than that of custodial officers at Guelph.

The remainder of the question, sir, I am not in a position to answer, since these matters lie within the purview of The Department of Civil Service. My department, as I am quite sure the hon. member knows, has not the responsibility to set wage and salary scales. This is done by The Department of Civil Service and the question should rightly be directed to that department.

Mr. Speaker: The member for Scarborough West had a question and was not present. Would he care to ask it today?

Mr. S. Lewis (Scarborough West): Mr. Speaker, I had a question of the hon. Minister of Health, relating to government policy on collective bargaining in the nursing profession. I wonder if the hon. Minister has reached a decision on that matter?

Hon. Mr. Dymond: The answer, Mr. Speaker, is no. The matter is still under consideration.

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, before the orders of the day, I would like to introduce to the House a man who is sitting under the press gallery, the Hon. Menachem Begin.

Mr. Begin is leader of Israel's second largest political party. He is leader of the Opposition in the Israeli government. He has a long

record in the history of Israel. He was one of the most active leaders in the war of liberation and it is said that he is the inspiration for the leading character in that famous book and film known as *Exodus*.

I think it is fitting that we recognize Mr. Begin this afternoon, because today is the 17th anniversary of the founding of Israel, that bastion of democracy—if I may put it that way—in the Middle East. I am sure all hon. members of the House would join with me in offering to Mr. Begin, and his country, continued success in the life of this very young and very new and very important country of the world.

Mr. Speaker: Orders of the day.

THE CHILD WELFARE ACT, 1965

Hon. L. P. Cecile (Minister of Public Welfare) moves second reading of Bill No. 119, The Child Welfare Act, 1965.

Mr. F. R. Oliver (Grey South): Mr. Speaker, is there any great urgency in putting this bill on today? It is comparatively new on the order paper.

Hon. J. P. Robarts (Prime Minister): Copies came up yesterday and the Opposition, of course, has had a copy since the bill was introduced last Friday. I am in no particular rush to push on with the bill. On the other hand, I thought it was logical in the development of the business of the House for it to be given second reading at this time. It will, of course, have to go to committee some time next week. If this is going to cause the Opposition any embarrassment, I would be quite prepared to put it over for consideration at some more convenient time.

Mr. Oliver: I would say, Mr. Speaker, that under the circumstances it does cause the Opposition embarrassment and I wish my hon. friend—

Hon. Mr. Robarts: I am always prepared to recognize the embarrassment of the Opposition. We will recall that order of business.

Mr. Oliver: Knowing something of it himself, he is prepared to recognize it in others.

Mr. Speaker: Order!

Hon. Mr. Robarts: It was printed and in the books yesterday.

Mr. Oliver: The ink is not dry on it yet.

Hon. Mr. Robarts: Mr. Speaker, just to set the record straight, I do believe the bill was

printed and placed in the bill books yesterday. I do not press the point, because I think it is a very good piece of legislation and I hope it will be well and thoroughly debated here. I have no wish that it receive anything except the fullest treatment by the hon. members of this House, so I am quite pleased to leave it over, if this is what the hon. member wants.

Mr. S. Lewis (Scarborough West): Mr. Speaker, I would merely point out that I believe the hon. Prime Minister was out of the House at the end of the day yesterday. It is customary procedure to advise the members of the House of second readings that are imminent. I do not believe that was done at adjournment yesterday and that is why it is perhaps an embarrassing situation. We would be ready if there was so much as an indication a day ahead.

Hon. Mr. Robarts: Mr. Speaker, I asked that it be mentioned yesterday. I was not in the House at the end of the business session. If it was not mentioned, then I can perhaps understand the Opposition's embarrassment.

Mr. Speaker, I would then like to call the fifth order, which is second reading of Bill No. 44.

POWERS OF EXPROPRIATION GRANTED TO UNIVERSITIES

Hon. A. A. Wishart (Attorney General) moves second reading of Bill No. 44, An Act to make uniform the powers of expropriation granted to universities.

Hon. A. A. Wishart (Attorney General): Mr. Speaker, perhaps I could save some time. I would like to say at this time, as information to the hon. members that when the bill comes to committee of the House I propose to add two additional universities to those set out in the bill, namely, Ottawa university and Waterloo university.

Mr. R. F. Nixon (Brant): Mr. Speaker, I am glad to hear the words of the hon. Attorney General, saying that the bill will be amended to include these two universities, because it is on this basis that we had been prepared up to this time to speak against the bill, because certainly no bill that purports to make anything uniform for universities and does not include these two well-established universities is something that we simply could not support. I do feel that this would be a good opportunity to bring to your attention, Mr. Speaker, the fact that the Waterloo Lutheran university particularly is very sadly

in need of powers of expropriation. I am informed that there are large areas which are privately owned that intrude right into the campus itself and have become very much inflated in value because these powers have not been available up until this time.

Now, we have already discussed in the Legislature the fact that the government is not consistent in its dealings with Waterloo Lutheran. We know that the hon. Minister himself has admitted this inconsistency when he refused to go along with certain moneys that would assist Waterloo Lutheran university in establishing a much needed school of social work.

The impression we get here, and that was certainly carried very strongly in the bill as it was originally worded, was that there seems to be a programme to interfere with the development of the university. It is one that is very difficult to understand indeed. Nevertheless, we are assured by the hon. Attorney General that Waterloo Lutheran and the University of Ottawa will be included by amendment. With this in mind we would not object to the passage of the bill.

Mr. E. W. Sopha (Sudbury): May I inquire, as a matter of principle, from the hon. Attorney General: Since apparently only municipalities are put in a dominant position with respect to universities in the exercise of expropriation powers, how does he conceive that where a municipality owns the land desired by a university, the university will acquire it against the wishes of the municipality?

Hon. Mr. Wishart: I would think, Mr. Speaker, that if the university is the initiating corporation or body seeking expropriation it will proceed as this Act will provide, by the use of The Expropriation Procedures Act. It is, in this situation, the expropriating authority. If it is a municipality which has proceeded to expropriate, it has certain legal provisos now covering its methods of procedure, of which there are, I believe, three. I see no difficulty and no conflict here.

Mr. Sopha: The hon. Attorney General did not understand my question.

Hon. Mr. Wishart: Perhaps I did not understand it.

Mr. Speaker: I would remind the member for Sudbury that this is not the time for questions and answers. We are debating the principle of a bill.

Mr. Sopha: Yes, that is why I began by referring to it as a matter of principle.

Mr. Speaker: The member will please be seated.

The better time to discuss this particular subject matter between the member and the Attorney General would be during the committee stage of the bill or when it reaches the committee to which this bill is referred. This particular time, the second reading, is for debate of the whole bill in principle. I am afraid I cannot allow a question-and-answer period to be conducted.

Mr. Sopha: Sir, I bow in obedience to your wishes. I was just so overwhelmed by the ambiguity of section 2 that I was anxious for an answer.

Motion agreed to; second reading of the bill.

Clerk of the House: Twenty-first order, House in committee of supply; Mr. W. G. Noden in the chair.

ESTIMATES, DEPARTMENT OF THE ATTORNEY GENERAL

(continued)

Mr. V. M. Singer (Downsview): Mr. Chairman, when the debate adjourned at 6 p.m. yesterday evening, I was in the midst of discussing the conduct of a magistrate, which I was indicating to the House was not my idea of the method or the manner in which our courts should be conducted. At the particular time when adjournment was moved I was quoting at some length from a transcript of evidence in the case of Leslie Charles Herrell and I had reached the point in reading from that transcript the point at which a witness named Bonneville was being cross-examined by Mr. Kelso, who was counsel for the Crown.

Perhaps, sir, just so that the House will have the continuity of it, I will revert back just a few lines to the beginning of Mr. Kelso's cross-examination. Mr. Bonneville had given his evidence-in-chief and then Mr. Kelso begins his cross-examination:

Q. Had you been drinking?

A. No, sir.

Q. What were you doing at the dance?

A. Dancing.

Q. What was the trouble with the accused to be in the condition he was in?

A. Nothing that I could see.

Q. Was he acting in a normal manner?

A. He wasn't doing nothing.

Q. Was he acting in a normal manner?

A. Dancing, yes.

Q. After, when he was not dancing and he was trying to get out of a locked door; you did not see that, did you?

A. No, I was on the dance floor.

Q. Well, you don't know anything about what you are talking about. The accused had had too much to drink, hadn't he?

A. I don't think so, sir.

Q. You don't think so?

A. No.

Then the magistrate inserts himself back into the picture again and takes over the cross-examination:

The Court: Do you know him?

A. Well, the kind of dances we were doing he would have been falling all over the floor, Your Honour.

Q. Do you know this man?

A. Yes, sir.

Q. Does he usually stagger when he walks?

A. No.

Q. Does he usually walk straight?

A. Yes, sir.

Q. Then if two police officers stand and swear in the witness box that this man was staggering, would you say this is normal for him or would you say this is not normal for him?

A. Not normal.

Q. You heard the officers give their testimony?

A. Yes.

Q. Are you suggesting that the officers are mistaken or lying?

A. No, sir.

I pause at this point, Mr. Chairman, to remind you that this is not the cross-examination by Crown counsel. The Crown counsel, a very capable man, as I explained yesterday, has just been pushed aside and the magistrate has taken over the cross-examination.

Q. Do you have a record?

A. No, sir.

Q. How old are you?

A. Sixteen.

Q. Do you go to school?

A. No, sir.

Q. All right.

The Court has concluded its cross-examination of the witness.

Mr. Shaw: No further witnesses, Your Worship.

The Court: Thank you.

Mr. Chairman, as we go through the last few pages of this transcript, for those in this House who may be at all familiar with legal proceedings I am sure we will see just how irregular and how unusual is the manner in which this trial is being conducted.

Mr. Shaw: Might I address the Court as to the evidence, Your Worship?

The first witness for the Crown, PC Thompson, testified that he observed the witness at a distance of this room away; he saw him stagger; he went over to him and saw the witness and smelled liquor on his breath and on the basis of this he came to the conclusion he was drunk.

PC Molnar said that he saw the witness—
And at that point the Court comes back in again.

The Court: I would appreciate, sir, that when you are summing up the evidence and asking the Court to come to a conclusion on the evidence, you do not misstate the evidence.

Poor young Mr. Shaw! Mr. Shaw had at that point been able to get six lines across in direct context and the magistrate interrupted him and told him that he was misstating the evidence.

Mr. Shaw: I am sorry, Your Worship, I did not intend to.

The Court: The arresting officer said when he saw him across the distance of this room away that he noted that he was staggering. You asked him if he had formed an opinion that the man was drunk at this time and the answer was no, and he stated, in fact, that the time he did form the opinion that the man was drunk was when he had taken hold of the lad and had noted the smell of alcohol, his eyes, and had spoken to him and noted that the man could not give an answer to his questions until they were repeated several times. Now that this is understood, please continue.

So the magistrate not only has conducted the cross-examination, he is conducting the summing up for the defence counsel, and I am sure the defence counsel must have been most appreciative.

Mr. Shaw: My understanding of this, with respect to this court—I do not wish to misconstrue the evidence—was that PC Thompson stated that he smelled liquor on his breath and I do not recall him saying that he engaged in conversation, but if I am mistaken—

And that is as far as he got on this occasion; the magistrate is back in again.

The Court: Thank you. Constable Thompson.

At this point the magistrate interrupts the defence counsel's summing up and calls back into the box a witness who had already given his evidence and had been cross-examined on it. Surely, if there was any doubt, the magistrate should have adopted the procedure that is usual in any court that I have ever been in—if there is any doubt as to what the evidence was, there is a reference made back to the reporter. There was a reporter in this court, because here is a transcript of the evidence. But not with this magistrate—"Stop, Defence Counsel. I am not interested in your summing-up. Bring the witness back and we will ask him some more questions." So back into the box comes PC Thompson.

The witness having been previously called and duly sworn, was called and testified as follows:

And guess who asks him a question? The magistrate, naturally.

Q. You are still under oath, sir. Did you, or did you not, in this witness box, tell us that you came to the conclusion that the accused man was drunk after you took hold of the lad and had spoken to him and he was unable to give an answer to the question and that you repeated the question several times?

I cannot think of anything more improper that can or should be done in a trial than this sort of thing. The evidence was in and there is no way of reopening the evidence at this stage in a trial. If there was any doubt about what the evidence was in anybody's mind, all he had to do was ask the reporter to refer back to his notes and have it read over again. Then the magistrate puts this five-line question to the witness. What do you think the policeman said?

A. Yes, sir.

Mr. Shaw: I stand corrected, Your Worship. I would state that PC Molnar, in his testimony, stated that he did not at all speak to the accused but he formed his conclusion on the basis of the manner in which the accused was walking.

Mr. Shaw did pretty well that time; he got in four-and-a-half lines.

The Court: And?

Mr. Shaw: His eyes. Right?

The Court: Right.

Poor young Mr. Shaw could not get half a sentence out without the Court telling him what to say and how to say it.

Mr. Shaw: I would say that after several hours of rock and roll dancing, and the accused has pleaded guilty to the charge of a minor consuming liquor, that it would be quite understandable that a person's eyes might be bloodshot after him being on the dance floor for several hours. I would state further that the officers did not testify that they asked the accused to perform any of the standard tests.

The Court: What standard tests?

Mr. Shaw: Such as walking a straight line.

The Court: Standard tests for what? Do you mean the standard tests to determine drunkenness?

Mr. Shaw: Yes.

The Court: It would seem to me that since the man was charged with being drunk in a public place—

It would seem to me that since the man was charged with being drunk in a public place, this was a reasonable reference that Mr. Shaw was making, but not in the the court's mind.

The Court: Or do you mean to determine the evidence brought before a court on a charge of driving while one's ability was so impaired by the use of alcohol or of drugs?

What a fatuous statement that one is! The essence of the test in this sense of the case, whether used on an ability impaired charge or a drunken driving charge or being drunk in a public place, is whether or not the individual charged was drunk or under the influence. Here the young law student suggested that there were no tests and the magistrate took great exception.

They are not standards to decide whether a man is drunk, or if they are standard enough to decide on a charge for drunken driving or ability impaired, why are they not standards when a man is being charged for being drunk in a public place? They are not standards to decide whether a man is drunk, on a charge of being drunk in a public place, or I have not heard of these tests on such a charge.

I think he gave the answer himself; there are many things that this gentleman has not heard of.

Mr. Shaw: I would state simply, Your Worship, that in conclusion, the evidence is not contradicted. The accused was on

the dance floor for some length of time and was able to perform the dances.

The Court: Do you wish to say anything, Mr. Kelso?

Mr. Kelso: No, but if he had been drinking it would have made him drunker much faster.

The Court: Stand up. There will be a conviction on both charges.

Mr. Kelso: Apparently no previous record.

The Court: Sentence.

Mr. Shaw: Your Worship, might I ask that since the accused has pleaded guilty to the charge of consuming liquor, and this being apparently the first offence, he not be given a serious fine too burdensome on a youth of his age?

The Court: Twenty years old.

Mr. Kelso: He is not a baby.

Mr. Shaw: He is not a baby, but he does not have any criminal record and this is his first offence and I would ask that he be treated as such.

The Court: What?

Mr. Shaw: This being a first offence I would ask that he be treated as a first offender.

The Court: He will be treated as a first offender.

Mr. Kelso: I just wanted to remark on one thing. I have no sympathy for these people, these youngsters who go to school dances and mess up the dances by drinking.

Mr. Chairman, I would ask you to pay particular attention to the Court's next remarks:

The Court: Mr. Herrell—

that is the accused:

—you will have to explain to this court some very good reason why you were drinking at a public school dance, because right now, sir, you are going to get an extremely heavy penalty.

The accused, as is his right and in the presence of counsel, has gone through the trial and not gone into the witness box, and here in plain and simple words, the magistrate instructs him to go into the witness box. Look what happens to him when he goes in:

The Accused: Well, Your Honour, I went to the dance and I had a couple of drinks there, and I went into the dance and we were supposed to meet our girl friends

there, and they didn't show up until later, and so we were dancing and we came back and they came down to the dance later on and we started dancing with them.

The Court: Who came in?

The Accused: My girl friend and one of the witnesses' girl friend.

The Court: The other witnesses said they never showed up.

They are having a second trial. The trial has already taken place. The magistrate has found the accused guilty. He has forced the accused into the witness box and now he is cross-examining him apparently in relationship to sentence. What right has any magistrate to do this?

The Court: The other witnesses said they never showed up.

The Accused: They showed up later on in the night because they were there then when we got arrested by the arresting officer.

The Court: All right.

The Accused: There were a couple of fellows there sitting on the bench. They called the girl I was with.

The Court: Why were you drinking at this place and why were you at this place in the first instance?

With the greatest respect to the magistrate, what business was it of his? The accused was there, he was charged with being drunk in a public place—the sort of case that any magistrate deals with, particularly in Metropolitan Toronto, hundreds of times a week. The standard fine is \$10 or ten days, and look at the production that is made of it.

The Accused: Well, sir, we go to all the dances there.

The Court: You do. And do you drink at all the dances there?

The Accused: No.

The Court: Are there public school children at these dances?

The Accused: Well, pretty well all 15 years of age and over.

The Court: And you are 20?

The Accused: Yes.

He has already pleaded guilty himself, to drinking under age. The evidence has already indicated that he is 20.

The Court: When I was sitting, in the middle of winter, there was a dance; and

by reason of wise guys coming there and drinking there was a 13-year-old girl found lying spreadeagled naked in the snow on a night that the temperature was 18 degrees, and that was the last dance ever held there. I can tell you Mr. Herrell that I am going to set this down for sentence until I hear another case, because it may very well be that the sentence on you might be excessive. Get in that box there.

I do not think that any words of mine can add to the words of the Court. There is a reference to a very serious and a horrible incident that took place in another jurisdiction at another time and His Worship sees fit to bring this up in his remarks when the only charge he is dealing with is a charge of being drunk in a public place—two charges—and the charge of drinking under age.

There is no evidence—I have read the record, the complete record—there is no evidence at all that there was any fighting or quarrelling or attacking of girls or bothering of girls. All there is, is evidence of drinking.

Hon. A. K. Roberts (Minister of Lands and Forests): Some people do not think drunk—

Mr. Singer: I quite agree with my hon. friend. Some people do not think drunkenness should even be an offence at all.

Mr. E. W. Sopha (Sudbury): It would get some of our best citizens.

Mr. Singer: To continue with this case:

Upon resuming:

Mr. Kelso: Maybe we could deal with Herrell now.

The Court: Any further representations, Mr. Shaw?

Well, I am glad he recognized Mr. Shaw was still around.

Mr. Shaw: I have nothing further to add, except that I might ask that the court ask Mr. Herrell what he can pay. This is perhaps a little bit irregular, Your Worship, but since time cannot be allowed in the circumstances, he has come with as much money as he can raise.

The Court: The amount of money in the prisoner's pocket is not a valid procurance for the setting of a sentence.

On the charge of drinking under age you are fined \$100 or you are going to jail for 15 days. On the charge of being drunk you are fined \$30 or ten days, consecutive.

I can only say, that you should be thoroughly ashamed of yourself.

There, Mr. Chairman, is the transcript.

Mr. S. Lewis (Scarborough West): Mr. Chairman, on a point or order, would the hon. member permit a short question?

Mr. Singer: Yes.

Mr. S. Lewis: Did the case go to appeal, and if so, what was the result?

Mr. Singer: I am not aware whether or it was appealed and I do not know.

The record is a court record and it speaks for itself. As I went through this transcript, Mr. Chairman, you will recall that the magistrate passed this case on for trial, apparently, the first time. There is no mention in the transcript that the accused had ever appeared before the court before. He was denied a remand.

The accused was being defended, I would think, by a very young and inexperienced law student who was not too sure how he should approach or deal with the magistrate. There was a refusal, completely without justification, for the remand.

There was this simply onerous and fantastic sentence for a first offence. A fine of \$100 for drinking under age; and a \$30 fine for being drunk in a public place.

There was a complete and utter neglect of courtroom decorum. There was a complete and absolute ignoring of respect for the law, interruptions and remarks and cross-examinations by the magistrate. Questions as to whether or not the witness had criminal records. Sing out your criminal record, he said. Sing it out. There were his interruptions in the summing up of the defence counsel, taking it over; his recalling witnesses, his leading the witnesses in question and not referring back to the record.

Hon. A. A. Wishart (Attorney General): I think I should at this time interrupt my hon. friend to set straight one remark that he has just made. In all fairness to the magistrate on the remark that the magistrate forced this hearing on for trial, the record is that the accused, Herrell, was charged and he appeared on November 14. He was remanded. He had no counsel. He was remanded to November 19, when he returned again and was remanded—he was again without counsel—he was remanded to the 20th and that remand was peremptory.

So I think that whatever may be said of the

magistrate's conduct, we should have the facts correct. This accused did appear on the 14th, he was remanded to the 19th. He did not have counsel on either date. Whether he was able to obtain counsel or not does not appear. He was then told that his case would be heard on November 20 and that was made peremptory, which meant he must be ready to go on. So let us at least keep the record straight.

In answer to the question that was asked by the other hon. member, as far as I have been able to ascertain no application was ever made for appeal.

Mr. Singer: Mr. Chairman, I think my remark was that insofar as the record indicates this was the first appearance. I was not aware of the additional information that the hon. Attorney General has given and I accept that as being correct. But there is nothing in the record that indicates this was anything more than the first appearance.

The lack of respect for the law, the interruptions of counsel when he was summing up, taking over of witnesses, the berating of witnesses; and above all the inexcusable reference, the completely inexcusable reference, to an incident that had happened in another place, which had absolutely no bearing, could have no bearing on the case with which His Worship was dealing; and the severity of sentence are the points I question.

Here was a young man, he made a mistake. He pleaded guilty to drinking under age and probably there is enough evidence to find him guilty. I am not arguing that and I do not think this is the place to argue whether the finding is correct or incorrect. I think the sentence speaks for itself.

There is the record, and it speaks for itself.

I may say, Mr. Chairman, that since this matter has begun to be talked about in the press I have received numerous phone calls from many citizens who have come into contact with this gentleman. Some of the stories they have told me are simply hair-raising. I am not going to repeat anything I got over the phone, because I would not have had an opportunity to check nor would I be able to satisfy myself that the person I talked to was not perhaps making up a story.

But I have received some letters and I am just going to read an extract from this one, without mentioning the lady's name. Her name is here and the hon. Attorney General can see the letter if he wants, but here is what she says:

I am writing you this letter that you requested—

As I say, Mr. Chairman, as I received these phone calls I asked the people phoning me to write to me about it so that I would have the statement in their own writing and with their own signature on it. This action is in regard to Magistrate Dnieper:

Last summer as we were walking up on our street after parking our car, this man, that resides near us came up to us for no apparent reason and hit my husband. It seemed that he did not agree with the place that my husband had picked for parking his car. He claimed that we were obstructing the driveway. It was not his driveway.

The attack was unexpected and very savage. We called a police officer and he then told us to charge him with assault.

So the next day we went to room 55 at the city hall. Then came the court day my husband was called up to testify. He showed the cuts on his eyes and his chin, but Magistrate Dnieper seemed not to care at all about the case.

Then my husband said I had witnessed the attack. Well, he just mentioned for me to go up. I told of what I had seen and also that the man was quite drunk. Then, as I was speaking, Magistrate Dnieper hollered—

and it is underlined twice:

—at me and said: "I've seen you appear before me many a time for different things. I know you quite well."

I then said: "I am sorry, Your Honour, you are making a mistake."

But he interrupted me and said: "Don't tell me that." And then I stepped down. I was so ashamed I could have died.

Then she relates to evidence that is given by other people and the disposal of the charge which I do not think is important. She tells me who she is and her relationship to several prominent people in this city. I am not going to mention that.

We have three children, two in school. My husband—

She tells me his job and what she does.

One consolation about this case was that it was not publicized because of my family connections.

But one thing about this Mr. Dnieper, after watching three cases before ours going before him, this man does not belong on the bench at all. This man laughs openly at people appearing before him. He was slouched in his chair, playing with a pencil.

After being in that courtroom I stopped believing in justice.

Then she concludes by saying:

I am not bitter any more about what happened to us, but I cannot help but think of the injustices caused by the irresponsible magistrate.

And she talked to me at some length in our telephone conversation. This was the first time she had ever been in court in her life.

I have a copy of a long telegram here from a gentleman, sent to a former Attorney General, not to this hon. gentleman, dealing with a similar series of complaints. This one seems to touch more on the evidence and the magistrate's opinion of the evidence, but his comments about the magistrate are quite bitter. I am not going to bother to read that into the record at length.

Mr. Chairman, let us leave Magistrate Dnieper for the moment.

Hon. Mr. Roberts: Are you not going to make some sort of a charge yourself, surely after all that—

Mr. Singer: My hon. friend, if you will be patient, before I sit down I will have several suggestions to offer to the government in connection with this and with the second matter about which I am going to speak. I thought, rather than hear the same summary twice, the hon. Minister of Lands and Forests would like to hear it only once, because the summary will be the same in connection with both cases.

The second matter I want to deal with is the action in one particular incident of Magistrate O. C. McClevis, who is the magistrate sitting in magistrates' court in the county of Bruce. The hon. Attorney General is fully aware of this matter. Correspondence has been exchanged with him; I have copies of that correspondence. The information I have here is known to the hon. Attorney General.

This incident begins with a fatal accident which took place in the county of Bruce on September 7, 1963. Two vehicles came into collision. At least one person, possibly two, were killed as a result of this collision. The driver of one car was killed, the driver of the second emerged apparently unhurt. He was charged—the driver of the second car, Francis Noah Strader—was charged with careless driving as a result of the accident.

The trial came on before His Worship Magistrate McClevis on August 10, 1964, in the county court house at Walkerton. I have the transcript here in my hand. I am not going to bother to read it into the record

at length. I am just going to make some brief references to it, but the transcript is here.

The Crown's evidence consisted of the evidence given by two witnesses. One was Constable Andrew Shepski, a provincial police constable who was the police officer who investigated the accident after it had taken place. As a result of the accident he had been summoned. He made the usual investigation, took the usual measurements, took photographs and so on, examined the vehicles and he gave his evidence as to what he found as a result of his examination.

The only other evidence that came before the court was that given by the widow of the driver of the other vehicle, who stated that she really could not recall what had happened at the time of the accident. On the basis of the evidence, as he saw it, the magistrate convicted the accused of careless driving and fined him \$300 and suspended his licence for the period of one year.

Mr. Strader was advised by his counsel—and I should say Mr. Strader was defended by counsel at that trial—Mr. Strader was advised by his counsel that in his counsel's opinion the magistrate should not have convicted and he recommended to Mr. Strader that he bring an appeal in the usual way to the county court judge.

Mr. Strader thought that this was a reasonable idea, but he wanted some time to consider it. Mr. Strader was most concerned, being a farmer and being engaged, as I understand it, in the trucking business to a minor extent—he hauled gravel and that sort of thing. He was most concerned with the suspension of his licence for the period of a year. I think this bothered him very seriously, because he felt that his ability to earn a living would be seriously curtailed.

An affidavit setting out the facts of this incident, dated September 29 and sworn by Mr. Strader, was forwarded to the hon. Attorney General on October 7, 1964. I am not going to read the whole of the affidavit into the record, but substantially it outlines the details that I have already given you and it indicates that on August 17—I may say, sir, there is one portion of the transcript that I should read. I can summarize it perhaps equally as well.

Magistrate McClevis actually dealt with this matter on two occasions. First on August 10 when he found the accused guilty and gave him the sentence which I have mentioned. Then when the suggestion was made that there be time given to pay, the magistrate said: "I am reversing the sentence, he will be remanded one week for sentence."

On August 17, the then guilty man came back and the same sentence was, in fact, given. The magistrate had given the sentence, reversed it, remanded the guilty man one week for sentence and on August 17 confirmed the original sentence.

Mr. Strader, on August 17, when he appeared before the magistrate with his counsel, gave his chauffeur's permit to Police Officer Andrew Shepski, "who requested it from me for the purpose of handing it to His Worship, Magistrate McClevis." That particular incident is of some substantial importance.

Then, as I say, discussions took place about the advisability of an appeal and Strader expressed his great concern about his loss of a licence and began to wonder if there was any way the loss of the licence could perhaps be changed. A series of discussions took place. There were interviews with the magistrate, and with other people, and on August 28 Mr. Strader was given back the licence, this document—

Hon. J. W. Spooner (Minister of Municipal Affairs): On August 28, that was 11 days after sentence.

Mr. Singer: That is right. That is exactly right.

Hon. Mr. Spooner: If the licence was suspended for one year why would he give him back the licence?

Mr. Singer: The hon. Minister is getting to the point of the story very quickly. These are the questions that puzzled me very much.

The licence came back into his possession. It is a very interesting licence, because on the first line—and all of you gentlemen have licences; you, Mr. Chairman, I am sure must have examined yours. Inside there is a little place where, if you are unfortunate enough to have been convicted, there is space for details of it to be written down. I am sure it would not happen to you, sir, but if it happens to other people, this is how it works.

If you look at this particular licence, and it is here, there was writing on the first and second lines on the back of it. The writing has been rather amateurishly erased and it takes very little ingenuity to discover that the words that were erased are "17 August, 1964," under conviction date; under offences, "Section 60(a)," and under court location, "Walkerton."

Having received his licence back, Mr. Strader went to his counsel and said, "No point going on with the appeal, I have my

licence back. Why go to the extra expense?" His counsel said, "Well, let's have a look at the licence." At this time the discovery was made of the writing and the erasure.

His counsel said, "In my opinion this is a most unusual procedure. I don't think it is a proper procedure. It is my opinion that you would be well advised not to drive because your licence has in fact been suspended and you might well be in breach of some of our statutes if you drive on the road while you are under a year's suspension."

Well, Mr. Strader, rightly worried about it, talked with officials of The Department of Transport; he talked with some friends of his on the metropolitan police force. They confirmed his view, that this was a most unusual procedure, in fact they had never heard of it. The suggestion was made that someone investigate with The Department of Transport and see if they had a record of the conviction. Lo and behold, it comes to light that on September 15, there was forwarded from Walkerton to The Department of Transport, notice of the suspension of Mr. Strader's licence for the period of a year. It was there and it was on the record and I imagine it was still on the record until it was subsequently dealt with.

As I say, this caused some real concern in the mind of Mr. Strader's counsel and he prepared for Mr. Strader this affidavit setting out these facts prior to the appeal being heard and he said to the hon. Attorney General, "Mr. Attorney General, in my opinion there has been a serious irregularity in this case and I would ask that you do something about it."

The next point in the chain of events—and that letter went forward on October 6, it is important to note—before His Honour Judge P. S. McKenzie, who is the county court judge of the county of Bruce, the appeal was brought against Andrew Shepski, the respondent informant. He was the police officer who laid the complaint. The appeal was made by Francis Noah Strader. And the order of His Honour Judge P. S. McKenzie is this:

Upon motion made under this court on this day by way of appeal from, and to set aside, the conviction of the appellant for operating a motor vehicle upon a highway, carelessly on or about September 3, 1963, contrary to the provisions of Section 60 of The Highway Traffic Act, made by His Worship McClevis, magistrate in and for the province of Ontario, on August 17, 1964, at the town of Walkerton, in the presence of counsel for the appellant and

the informant, upon reading the information of the said conviction now on file with the clerk of this Court, upon hearing the evidence adduced and counsel aforesaid:

1. This Court doth order and adjudge the said conviction be, and the same is hereby, quashed and that this appeal be, and the same is hereby, allowed without costs.

2. And this Court doth further order and adjudge the fine and costs paid by the appellant in the magistrate's court and the deposit paid as security for appeal be forthwith paid to the appellant—

That is Mr. Strader.

—and suspension of the appellant's driving privileges is lifted.

Now mark you, Mr. Chairman—

Hon. Mr. Spooner: I was just going to ask: Was there a period of a year or 13 months between the accident and the first court case?

Mr. Singer: No, no. This was all within a period of months.

Hon. Mr. Spooner: 1963, and then 1964, right at the heading of the judge's order.

Mr. Singer: The first trial was August 17, 1964.

Hon. Mr. Spooner: But read the heading of the document you have in your hand now—

Mr. Singer: October, 1964, just a few weeks later.

Hon. Mr. Spooner: Yes.

Mr. Singer: Well, a month and a half later. The accident was on September 7, 1963, the trial before the magistrate was on—

Hon. Mr. Spooner: 1963?

Mr. Singer: That is right. Then the trial came in August. There were many adjournments and remands and so on. The trial came in August of the next year. Then the appeal in October of 1964. Yes.

But it should be noted, Mr. Chairman, about this appeal, that there was counsel for the Crown—I would imagine it was the Crown attorney who appeared on behalf of the policeman informant—and there was counsel for the accused. And there is no mention in here—in fact, quite to the contrary, it is quite obvious in here that it was the impression of His Honour Judge P. S. McKenzie that on the date that he allowed this appeal and gave his order accordingly and this order was signed—this is the original order of the court,

and it is signed by the clerk for the county court of the county of Bruce, and entered in the usual way in the proper books. The order is that the suspension of the appellant's driving privileges be lifted. So there appears to be no question in the minds of all who were in the court that the magistrate's sentence had been to suspend the licence for a year.

On October 7 the affidavit that I referred to was forwarded to the hon. Attorney General with the advice that the appeal had been taken and allowed. And the hon. Attorney General was asked if he would inquire into the matter. On October 13 the hon. Attorney General acknowledged receipt of the letter enclosing the affidavit and wrote:

You will understand that I wish to receive some comment upon this matter by the Crown attorney and other persons associated with the matter before expressing an opinion to you. When I am more fully informed about the situation I will contact you.

On October 19 the hon. Attorney General's letter of October 13 is acknowledged and Strader's lawyer awaited the hon. Attorney General's reply after his investigation.

On November 13, a month later, a further letter was addressed to the hon. Attorney General asking him if he had any comment yet. On December 11, another letter went forward to the hon. Attorney General, pointing out that some time had elapsed since the acknowledgement was received from him and he had as yet given no opinion.

On December 15 a letter was received, signed by Mr. Dick, who is associate deputy Attorney General, acknowledging receipt of the correspondence and saying that he had discussed it in detail with Mr. A. A. Russell the assistant deputy Attorney General and inspector of legal offices who had been in touch with several of the persons involved in the matter and was continuing his investigation, and further:

I have asked him to get in touch with you as soon as he has all the material that he feels he requires to properly advise you.

A letter dated December 17 was received, signed by Mr. Russell, the assistant deputy Attorney General saying:

I have received further information concerning the Francis Noah Strader situation and have referred the complete file to Chief Magistrate Klein for his attention. He will be getting in touch with you direct.

On March 1, no further word having been heard, another letter went forward to the

hon. Attorney General suggesting, among other things, that the writer was most anxious to receive a reply as a result of the Attorney General's investigation, and commenting that he had spoken to Magistrate Klein and suggested—and this is in the letter received by the hon. Attorney General dated March 1:

Magistrate Klein then inquired of your writer as to what your writer thought Magistrate Klein should do about the situation. Your writer made certain suggestions and Magistrate Klein advised your writer that the adverse publicity concerning Magistrate McClevis would, of necessity, be harmful to the whole system of justice at the magistrate's court level and therefore was to be avoided—

and that, in any event, he did not think—because of his just having been appointed chief magistrate and therefore having a minimum of experience in that position in comparison with most other magistrates—that he was in a position to go about criticizing other magistrates on the manner in which they conducted themselves in court.

A letter was received from the hon. Attorney General dated March 15, acknowledging the letter of March 1—this was almost six months from the time the correspondence started—and the hon. Attorney General said:

I am as concerned as you are as to any misconduct on the part of any officer engaged in the administration of justice and for this reason I am today advising the chief magistrate to investigate the matter.

Now the hon. Attorney General said that on March 15, but you will recall that Mr. Russell said on December 17 that he was referring to Magistrate Klein. Now, either the hon. Attorney General was misinformed or Magistrate Klein had to get a couple of references before he moved into high gear. The letter continues:

I am sure you will agree with me that the chief magistrate should carry out this phase of the resolution of the difficulties since it would be unusual, if not improper, for me to review the decision of a judicial officer.

When Mr. Klein has completed his investigation and reviewed the material completely, I have directed him to discuss the matter with me and let me have the report, together with his recommendation. I do not feel that a meeting with you—

the writer suggested a meeting:

—at this time would be appropriate.

Then, finally, sir, on April 2, a letter dated April 2 is sent forward, signed by the hon. Attorney General which sets out his apparent view of this situation. I am going to quote at some length from this:

The chief magistrate for Ontario has now had an exhaustive conference with Magistrate McClevis and Mr. McNabb—

who figures in this to some extent:

—respecting the matters which were set out in the affidavit of Mr. Strader and other matters which you have raised in your correspondence with this department. I have considered the report of the chief magistrate and I have also considered the material which he has enclosed with his report.

Magistrate McClevis has no recollection of any writing on the back of this particular licence, and he emphatically denies that he either wrote upon the licence or, more particularly, erased any writing.

Mr. McNabb has no knowledge of any erasure and he states that he did not look at the licence nor examine it for any writing thereon.

Well, the fact remains, sir, that on August 17 the licence was handed to the police constable in the court and about ten days later it was given back. There is sworn evidence before the hon. Attorney General that when it came back it was in the condition as it now is and it is obvious that there has been an erasure on this licence. It has been a very amateurish type of erasure. If you study it quite hard you can see what the erased words were.

I am not suggesting that I know who put the writing on or who erased it; I have no idea, but I would suggest that it would have been and could have been and should have been a very simple matter to find out who did it, because it went into the hands of the policeman on August 17 and it came back to Strader on August 24. In that period of time it should be very simple for anyone experienced in investigating anything to find out where the licence went until it got back to Strader—the simplest sort of an investigation that I think that anyone trained in investigation would be required to do. The letter goes on:

It appears from the material before me on that day that following the imposition of the sentence on Mr. Strader, the accused attended upon the magistrate in his office—

and I think this is quite correct and is contained in the affidavit:

—at which time he made a most impas-

sioned plea for the return of his driving privileges—

and I think this is correct, too, but I think that the hon. Attorney General would agree with me that at this time it was too late. The magistrate had done his job; he was, as we say in law, *punctus officio*—he was finished with it. He heard the case; he gave the conviction; he made the sentence and he was through with it. If there was any further remedy it had to be done through appeal procedures as was later done.

At that time the magistrate had Mr. Strader's licence and had made no endorsement whatever on it, nor had the particulars of any conviction been typed on it.

I do not know, as I say, I have no knowledge at all of who did the writing on it. Certainly it was not typewriting, it was handwriting—you can see that, and I am not suggesting that the magistrate did it. I do not know. Then the hon. Attorney General said this:

The magistrate quite properly felt he was still seized of the matter—

and with the greatest respect to my hon. friend, I cannot see how he can make that suggestion. How can the magistrate have properly felt, or "quite properly felt," to use the hon. Attorney General's words, that he was seized of the matter? It may be the magistrate's thinking that he was seized of it, but if that was his thinking, I think, sir, and I am sure the hon. Attorney General would agree with me, and I am sure all lawyers in this House will agree with me, that the magistrate, if he felt that, was quite, quite wrong, since he had not endorsed the record. I asked the hon. Attorney General—I am not sure what kind of a record had to be endorsed in this sort of thing—what writing, what record is there? The magistrate hears the evidence, he comes to his conclusion and says, "Strader, you are guilty. I will sentence you in a week," and in a week's time he says, "Strader, you are fined \$300 and your licence is suspended for a year," and if that is the end of his docket for the day he gets up and goes home. There is no record to endorse. What record is there to endorse? The record is here in the transcript; this is what is used in the appeal procedure.

Mr. G. A. Kerr (Halton): It is sometimes on the summons—he usually endorses the sentence on the information.

Mr. Singer: He has to make a report, yes. And the report follows in due course to The Department of Transport and the Court un-

doubtedly writes something on the summons or on the piece of paper. But there it is, and here it is on the record. Approximately, on August 21, he decided to alter his decision; and I say, sir, that the hon. Attorney General knows far better than I, that on August 21 the magistrate had no right whatsoever to alter his decision to suspend the licence of the accused. He thereupon delivered the license over to McNabb who was then the solicitor for Strader. Strader, of course, is already familiar with the manner in which his licence was returned to him. The certificate of conviction and the file of The Department of Transport is dated September 15, 1964, so it is there, there is no question about it, which was subsequent to the time the magistrate was considering your client's submission in respect to the suspension of his licence.

Then he says this, which I find most puzzling:

It would appear to me that through an error in the office of the magistrate, the certificate of conviction was ultimately forwarded to The Department of Transport without the correction authorized by the magistrate having been made, insofar as it related to the suspension of the licence.

Now, I am advised, sir, that the staff in the magistrate's office consists of himself and his secretary. It is not a large staff and it is not a complicated staff and the explanation that an error was made—appearing to be a clerical error—is one that I find very hard to accept. If these facts are as the hon. Attorney General states them, can anyone explain to me, sir, how, when on October 6, His Honour Judge P. S. McKenzie heard the appeal and in the presence of the Crown attorney, His Honour Judge McKenzie ordered the suspension of the appellant's driving privileges lifted?

Surely the Crown attorney would have been amongst the first to be informed if there had been any change in the disposal of the case on August 17. Surely that matter would have been forcibly brought to the attention of His Honour P. S. McKenzie? In fact, sir, it was not.

It would appear there was at no time any intent on the part of the magistrate to be other than considerate of the particular problems of your client.

Any magistrate, I would imagine, should be considerate of all people coming before him.

But that as a result of the breakdown in the clerical machinery in his office the appropriate record was not amended to conform with the actual decision of the magistrate.

Well, I say, sir, if the hon. Attorney General really believes that sentence, then I am at a loss to understand his reasoning process. As a result of breakdown of the clerical machinery—that is either the magistrate or his secretary—the appropriate record was not amended to conform with the actual decision of the magistrate.

The actual decision of the magistrate, sir, is in this transcript, and the actual decision of the magistrate is in the order of the county court judge; and either the hon. Attorney General is quite wrong or the transcript is wrong and the Crown attorney was wrong and the county court judge was wrong. I just cannot believe that the matter proceeded to this length and to this point and all those people were wrong and this sentence in the hon. Attorney General's letter is correct.

I understand that the appeal which you undertook on behalf of Mr. Strader was ultimately allowed and the question of the return of the licence is academic insofar as Mr. Strader is concerned.

But I say, sir, it is much more than academic. Just because the original conviction was reversed, surely the procedures that took place in that court in relation to this conviction and in relation to the confusion about the records and in relation to what the magistrate decided and in relation to what was eventually done and in relation to who wrote on the licence and in relation to who erased what was written on the licence and in relation to the advice that was given to The Department of Transport about the fact of the suspension of the licence for the period of one year—are much more than academic.

I can well understand, however, your concern as to the possible alteration of records—

and here the hon. Attorney General is just touching on the nub of this thing. This is the matter which concerns me so very seriously:

—in the manner in which you felt was inconsistent with the due administration of justice.

I agree with that view. I think there can be no other possible conclusion in this matter but that an attempt was apparently made to alter records in a manner that is entirely inconsistent with the due administration of justice. The hon. Attorney General goes on to say:

However I trust that the foregoing will allay your suspicions—

Well, the gentleman who gave me this correspondence advises me that his suspicions were not allayed.

Hon. Mr. Wishart: Well, do not stop.

Mr. Singer: No, I am going to read the rest of it.

Hon. Mr. Wishart: Do not stop in the middle of a sentence.

Mr. Singer: All right.

—will allay your suspicions for I do not feel there has been any improper conduct on the part of the magistrate or his adviser, and that in fact the confusion has arisen because of his desire to give every reasonable benefit of the doubt to your client, Mr. Strader.

That is the end of the sentence. Let me go back to where I started about the words "allay your suspicions."

The gentleman who gave me this correspondence advises me that his suspicions have not been allayed, that he subsequently attended on the hon. Attorney General, discussed it with him, and that further he wrote to him again on May 4, which is just a couple of days ago, and advised the hon. Attorney General that he was not satisfied with his decision which is contained in the last paragraph of the letter. He thought perhaps there was another method of approaching this very serious problem, and I suppose I am the other method.

Now, the second part of that sentence which I think is equally important:

I do not feel there has been any improper conduct on the part of the magistrate or his adviser and that in fact the confusion has arisen because of his desire to give every reasonable benefit of the doubt to your client, Mr. Strader.

Now, Mr. Chairman, I do not think I need to tell you or any hon. member of this House that the time to exercise reasonable doubt is when the hearing is going on. Every man is presumed innocent until he is proven guilty and any accused is entitled to the benefit of any reasonable doubt. The magistrate, in his wisdom, heard the evidence and came to the conclusion. Presuming—I would certainly presume—the magistrate gave him the benefit of any reasonable doubt and came to the conclusion he was guilty. The magistrate, in his wisdom, decided he was going to impose a sentence, a fine of \$300 and a suspension of the licence for a year.

What does the hon. Attorney General mean when he says the confusion has arisen, "be-

cause of the desire to give every reasonable benefit of the doubt to your client, Mr. Strader"?

Presuming the magistrate acted in the judicial manner, he gave it to him. He found him guilty. The county court judge later disagreed with him, and I am not concerned really about whether he should have found him guilty or whether he should not have found him guilty. That is neither here nor there. The county court judge disagreed with the magistrate, as was his right.

But the fact is that at this stage, when we talk about the records, how can there be any question of reasonable doubt being exercised in favour of Mr. Strader? The magistrate had done his job, whether rightly or wrongly, and was finished with it. The letter goes on:

I have no evidence before me, nor has the chief magistrate, as to the written words that were at one time placed upon the man's licence; nor do I have any indication as to what person was responsible for the erasure of these words.

I say, sir, that here is the licence. I do not know whether the hon. Attorney General has seen it or not. If he wants to see it, he can have it right now. It is obvious that there were words on here. I have been able to interpret them and I would think that the hon. Attorney General's laboratory could very quickly bring these words out and bring them out in a fashion that the handwriting could be obvious. In a ten-day period, from the handing of the licence by Strader to the policeman until it was handed back to Strader, the simplest sort of investigation could determine whose hands it passed through and who might have written these words on it.

The very simplest kind of an explanation, and the words are there and the hon. Attorney General can have this licence and he can conduct this kind of investigation, which he should have done when this matter first came to his attention. It would be a very simple matter, in my opinion, to get samples of the handwriting of all people through whose hands this licence passed in the ten-day period, and compare them with the handwriting that was on the licence. In that way one could very simply determine who did the writing—perhaps not who did the erasure but who did the writing, in any event. The answer lies within the hands of a very few people who had this licence within that ten-day period. Any department, such as the hon. Attorney General's, that could not trace this down if it made half a try would not be able to do its job very well.

I do not believe it is necessary for me to go into the allegations and counter-allegations that have been made, since it is obvious that the views of several people as to one particular date or incident may be somewhat different. I would point out, however, that Magistrate McClevis emphatically denies making some of the statements that Mr. Strader has attributed to him.

I suggest that the hon. Attorney General was seriously wrong when he gave the opinion in that paragraph. I think it is necessary. It was necessary then and it is necessary now that the allegations and the counter-allegations in a very serious matter of this sort be thoroughly investigated, and even though there are conflicting opinions, Mr. Strader in any event has been prepared by himself to swear an affidavit—I would presume Mr. Strader is an honourable man—and the original affidavit is in the hands of the hon. Attorney General.

There is one man's version of what happened. There are other people who may have different versions, but I would suggest merely because the versions are conflicting that in a serious matter of this sort, you just do not throw up your hands and say: There are conflicting opinions and therefore let us forget about the whole thing. This is what, in fact, the hon. Attorney General says in the penultimate paragraph of his letter, and this is it:

In view of the very thorough investigation made by the chief magistrate, I would suggest, sir, for the reasons I have already outlined, I do not feel that there is anything further which has to be done in respect to the allegations that have been made, and I assure you that I am satisfied as to the propriety of the conduct of the magistrate in this particular matter.

That may be the hon. Attorney General's opinion, but I am not satisfied and I do not share that opinion. I say that in a serious charge that is made by a responsible solicitor of the Supreme Court and a member of the law society of Upper Canada to the hon. Attorney General, backed up by an affidavit by a citizen, this sort of answer is not good enough. If the hon. Attorney General states he feels there is nothing in this, then surely the hon. Attorney General had a duty to report the complaining solicitor to the law society, because the complaining solicitor must be imagining things and making charges that are irresponsible. If, on the other hand, the complaining solicitor is correct, then the magistrate or someone associated with him must be wrong.

I suggest that no proper investigation has

taken place, and I suggest that the hon. Attorney General's conclusion is not satisfactory, either to the gentleman to whom the correspondence was addressed, or to my colleagues and myself, or to the people of the province of Ontario. If Mr. Strader is lying and he has lied in his affidavit, the hon. Attorney General has a responsibility to bring this out and charge Mr. Strader with perjury. If, on the other hand, McClevis is wrong, then, surely, there must be some manner in which this matter can be satisfactorily dealt with.

Those, sir, are the facts in connection with the affair concerning Magistrate McClevis. In relation to these two matters and the two magistrates whose names I have mentioned, let me say that in my opinion they indicate that something far less than should be desired has gone on in magistrates' courts in our province.

May I say as well, sir, that it is my opinion that 99.9 per cent of the magistrates in the province of Ontario conscientiously try to do a good job. I do not always agree with their decisions, other people do not always agree with their decisions, but it is my opinion that the vast majority of the magistrates in the province of Ontario bring to their job and to their position of responsibility the best intelligence that they know how, honesty and integrity, and they make the decisions in the light of the evidence as they see it. By and large, they listen and they are respectful and they deal with accused people in proper manner, they respect witnesses, they respect counsel, and so on, and this is how it should be.

But I say, sir, in these two particular cases the situation is very different. What, then, is the answer? This is the question that my friend, the hon. Minister of Lands and Forests asked me a few moments ago. There are two possible solutions, or perhaps even three.

Let me deal with McClevis first and we will come to Dnieper in a moment. Insofar as the McClevis incident is concerned, the record, as I have it, is far from complete. If there is any answer to the various questions I have asked, and it requires further investigation, that investigation should be conducted immediately. But I would suggest that the evidence that I placed before this House this afternoon is almost impossible of answer in line with what the hon. Attorney General wrote in his letter. But if there is any more investigation to be done in the McClevis matter, let the investigation go on.

I would suggest that if the facts are as I believe they are, and as I have brought them

before this House—and I think the facts in the Dnieper matter are so overwhelming and so many incidents are involved, with the one transcript that I read into the record, and there are others, and with the complaints, the newspaper stories, the written letters, the phone calls and so on—that you must come to the conclusion with me that the administration of justice is not going to be properly looked after as long as Magistrate McClevis and Magistrate Dnieper continue to sit on the bench in the province of Ontario.

I would suggest that they both be asked to submit their resignations. In the event that they do not, then, sir, the procedure indicated in sections 2 and 3 and whatever other pertinent sections there are relating to this matter—pardon?

Hon. Mr. Roberts: The other pertinent one is the one whether it should be referred to a judge or judges. Is that not what you would want done?

Mr. Singer: I say that in the event either of these gentlemen does not want to submit his resignation, then the procedure referred to in section 3, which is the referral to a judge or judges, be resorted to and that there be a full and complete public inquiry into the charges that I have brought before this House. I say, sir, that I fully realize, recognize and accept the serious responsibility I have taken upon myself in bringing these matters to this House, and I do not enter into this kind of series of remarks without considerable trepidation, without a great deal of self-analysis and without a great deal of concern as to whether or not the end result is going to be to assist in better administration of law, or is going to hurt the administration of law.

It is my opinion, sir, that we have to guard our system of law jealously; it is a good one and it has to be well looked after. But it is my opinion as well, sir, that people concerned with the administration of law are not sacrosanct, are not above criticism. Unfortunately, on occasion—and the occasions are rare—there comes a time and there comes a place when criticisms, if they are carefully researched and honestly felt, must be brought before this assembly. I would think that the whole process of the administration of law would be encouraged and the public faith in it would be heightened, if it were made abundantly clear that when instances such as these have come about, there would be a full and complete and thorough airing of it and investigation of it, and that it would be dealt with in a manner satisfactory to the public.

In conclusion, I want to say, sir—and I quoted these remarks when I began some considerable time ago, but I want to quote again from the remarks of His Honour Judge Forsythe when he spoke to the magistrates' meeting a few days ago:

Unless you are kindly and patient and full of dignity and courteous to the people who come before you, they will get a bad view of the administration of justice.

We here must do our best to make sure, insofar as it is within our power, that people get a good view of the administration of justice, and I am convinced that we as legislators or as lawyers are not going to sweep things under the rug because on occasion they may be nasty, but, when action is necessitated, it will be taken, it will be promptly taken and fairly taken, and it will be taken without fear or favour.

Mr. J. Renwick (Riverdale): Mr. Chairman, in rising to take part in this discussion of the estimates of the hon. Attorney General's department this afternoon on behalf of our party, I would like first of all to congratulate the hon. Attorney General on the excellence of the report of the committee on legal aid which was tabled in this Legislature some time ago. It is, in my opinion, of all the reports that I have seen, one of the finest examples of a thorough, documented, well-supported study of the legal aid systems in other jurisdictions, and a thorough presentation of a proposed system for the province of Ontario, which is so immeasurably better than anything we have had to date in this jurisdiction that I find it difficult either to criticize it or to suggest an alternative approach. I accept the report and I urge that it be implemented by legislation at this session of the Legislature.

I think it is essential that legislation should be brought forward to implement that report during this session because of the kind of incident which the hon. member for Downsview has referred to in a rather lengthy dissertation. I would like to return to the remarks of the hon. member for Downsview in a few moments, but first of all I would like to comment very briefly again on the legal aid report.

There is simply no fair comparison with the report which was submitted on the securities legislation. The securities legislation report, in my opinion, is an unsatisfactory report; it is based on an analytical rather than a systematic, experiential study of what is required for securities legislation. I think anyone reading the two reports would come to the identical conclusion that I have

come to. I will refer at some greater length to the securities committee report during the particular item when that appears in these estimates.

Returning to the questions which have been aroused in everyone's mind by the two cases which the hon. member for Downsview has brought before this House, I would say that he has caused me a great deal of concern in the presentation of the first case. On the second case, either my span of attention had dissipated or I was not able to grasp all the significance of the points which he was bringing forward.

The hon. member for Downsview has indicated that it was with some concern and trepidation and soul searching that he had brought the case of Magistrate Dnieper before this House. The concern which I have is that this seems to illustrate so conclusively the attitude of the Liberal Party—of which he is the spokesman in this particular field—to law and to the administration of justice in our society. I think it is quite appropriate for any member in this House to stand up, and if there is no other way in which a question affecting the judiciary can be brought before the public then he is entitled to bring it before this Legislature. Undoubtedly the hon. member for Downsview has satisfied himself that he had no other way. But I would suggest to you, Mr. Chairman, that what the hon. member for Downsview has done is irresponsibly read into the record here a transcript, highly dramatized, of an incident relating to the administration of justice, which was shocking, I am certain, to most of the hon. members of this Legislature in the way in which he presented it. He chose to do so in the full realization that the hon. Attorney General of this province is as concerned, if not more concerned, about the particular complaints that have been laid against that magistrate than the hon. member for Downsview. Despite the full knowledge that the hon. Attorney General was so concerned about it, he chose to read the transcript into the record of this House.

This is not the only example of irresponsible statements which have come before this Legislature. The hon. Minister of Reform Institutions (Mr. Grossman) was equally irresponsible last March when in a statement before the orders of the day he alluded to and documented at some length an incident in which the hon. member for Yorkview (Mr. Young) and myself were involved relating to the Ontario reformatory at Guelph. I will refer to that matter in a different context later in my remarks.

The hon. member for Downsview docu-

mented the incidents of complaints known to him about Magistrate Dnieper. These are not new incidents, they are well known; indeed, as he stated, they were well publicized in the press on most occasions. The substance of the complaint against Magistrate Dnieper and the way in which it arose had nothing to do basically with whether or not in his court there was or was not a substantial miscarriage of justice in any given case.

The complaint started to build up about Magistrate Dnieper because he was rude, and particularly because he was rude to the legal profession. The reaction of the legal profession—and I do not dissociate myself from it at all—is a reflection on the way in which many of the members of our profession deal with the problems of society. He referred particularly to the action taken by the lawyers in Whitby. Any lawyer in this House, indeed any member of this House who was faced with this kind of problem, would not write and indicate that unless something were done—he would refuse to appear before that court. Whether he appeared before that court or did not appear before that court, people would be brought before that court to be charged.

The proper way in which the profession of which I am a member should have dealt with Magistrate Dnieper or any other magistrate in similar circumstances would have been to take every single case that was heard before that magistrate, to have defended every single person who was accused in that particular court, and in an incident such as this to have immediately taken the matter to appeal. In my view so many of those convictions would have been upset that the problem with which the hon. Attorney General is faced would have been easy of solution for him. Instead of that, the members of my profession, because they had been rudely treated—and this is the only reason, and I will explain that in a minute or two in my remarks—chose to state in Whitby that they would not appear.

When a magistrate has been appointed, the hon. Attorney General has a very difficult problem to remove that magistrate from his position. I am not familiar with the attitudes of the predecessors of the present hon. Attorney General to the questions which have been raised about Magistrate Dnieper. I am familiar with the matters which have been raised in this House today and something of the attitude of the hon. Attorney General. I have also taken the trouble to go to the court and hear Magistrate Dnieper, and I, too, was upset and concerned about his rudeness, about his interjections, about his interruptions

and about the way in which he tends not to act in conformity with the decorum, which our particular profession seems to think an essential element of the administration of justice.

Mr. Sopha: Is it not?

Mr. Renwick: I will come back to that later; it may well be.

I would take you to the same court that the hon. member for Downsview referred to. Everything else is identical in the court except the magistrate sitting on the bench. It happened that the hon. member for Lakeshore (Mr. Eagleson) was in that same court that morning. The magistrate was impeccably dressed, urbane, civilized, articulate, conducting his court in that fine tradition of the casual administration of justice which came down to us from England in the 17th century.

Mr. Sopha: Did he have spats on?

Mr. Renwick: Just about. A young girl came before that court charged with the identical offence. There was no question of her being defended in that court at all. She was 19 years of age, she had been arrested on a Saturday night or early Sunday morning for drunkenness. She was fined on a plea of guilty with no advice from anyone, and I take part in the indictment of my own profession for what happens. First offence, \$100 or 30 days.

In the same court, on the same morning a boy, 17 years of age—completely unrelated to the other incident, but the same magistrate—the hon. member for Lakeshore could correct me if he were here, but I believe in my own mind it was \$25 or 30 days.

“May I have time to pay?”

“No time to pay.”

That was the end of that case.

The third one—and I believe it was the same morning but I cannot vouch for this. It was the same offence, an older man. I do not even remember the sentence but it was not the \$10 or 10 days variety.

He said, “I have a job, Your Honour. May I have time to pay?”

“No time to pay.”

The point which I am trying to express to this Legislature is that the fault does not happen to lie with one particular magistrate who may or may not have a wider range of eccentricity than is generally accepted within our society, but the fault lies with the inability of the administration of justice in our province to provide for the defence of persons who come up in magistrates' court.

Now, I am not sufficiently naive to think for one single moment that everyone who is charged with an offence in magistrates' court should plead not guilty, nor that there should be no guilty pleas entered at all; or that necessarily a lawyer should stand up and defend that particular accused. It may not be even remotely related to the total administration of justice. But I do say—and I insist that it be done in this province if there is any way in which I can further it—that every person who is accused in a magistrate's court be advised by a lawyer as to exactly what his rights are.

I am not one who subscribes to the view that a printed notice handed to him in a jail is sufficient advice of what his rights are. I think that there should be an automatic reversal of any conviction in which it is not clearly shown by the record that the magistrate has given the accused person the right to be represented by a lawyer if he chooses to be so represented.

But regardless of that warning, I think it should become incorporated into our system of the administration of justice in magistrates' courts that each accused person should have a lawyer advise him before he pleads to the charge. Whether the accused person wishes to accept that advice, that is his privilege. But he must have that advice.

The experience which I have had—and it is not an extensive experience in magistrates' courts, but in the last while I have had some experience of the operation of those courts—would lead me to believe that the most difficult task which any lawyer is ever faced is the decision to instruct his client to plead guilty.

I think in many ways it is easy to plead not guilty and let the routine proceed. But I happen to take the view that it is not necessarily the obligation of our profession to advise everybody to plead not guilty and then go through the whole routine of the court in defence. I think there are many cases where this should be avoided and I think most lawyers in this room would probably agree with me that this is not an unrealistic way to approach cases in the magistrates' courts.

For this reason I would ask the hon. Attorney General, on behalf of this party, on behalf, I am certain, of a large number of hon. members of this Legislature, if he would not introduce, even though it may not be perfectly tidy or perfectly worked out, if he would not introduce in this Legislature at this session the first bill introducing a legal aid system into the province of

Ontario so that come next session, or come the next time, when experience has shown that amendments or corrections are necessary, we can get on with the business of providing an adequate and effective legal aid system.

I would like to return to the hon. member for Downsview. This has concerned me about the Liberal Party, and I accept all the statements of the heart-searching that he went through before he brought this matter before the House. But once again we have an incident brought before this House when there is no single, solitary element of compassion for the person who was subjected to that particular trial in Magistrate Dnieper's court. Indeed, the hon. member had no idea whether the case had gone to appeal or what disposition had been made of it, none whatsoever.

Mr. Singer: That is utter nonsense, that remark.

Mr. Renwick: He was not prepared to make that kind of an inquiry. He is very concerned about the courtroom facilities in the magistrates' courts. I, too, am concerned. I do not put all this importance on the actual facilities for those courts—whether there are magnificent edifices or fine surroundings for the courts to operate. Again, this appears to me to be part of a tradition which indicates that in some way our system of law is designed to overawe the person who appears before the magistrate or before the judges in our courts.

I would like to see the magistrates with proper facilities and proper courts. But no matter how fine the building, for most persons who appear in magistrate's court or in the courtroom—maybe for half an hour, an hour, or an hour and a half—the beauty of their surroundings or the fineness of the surroundings is not going to determine the attitude which those people have toward the administration of justice. What is going to determine their attitude is the attitude of the magistrate; the attitude of the prosecutor; the degree to which any concern is shown for him as an individual within our society; the degree to which there is some concern shown for what will happen to him after he is sentenced; the degree to which some concern is shown as to whether or not he can return to his employment, if he has employment to return to; the degree to which some of the problems with which the particular individual may personally be faced are compassionately considered by the courts, and after being dealt with in the courts, on a continuing basis by persons qualified in our society.

I am, as a new member, constantly faced with the realization in this Legislature that if at any time matters are brought before the Legislature that are within accepted traditions of government expenditure in our society, the criterion is how much more we can spend. We have just finished the hon. Minister of Highways' (Mr. MacNaughton's) estimates and we have spent \$329 million, an increase of \$30 million over the preceding year. I would say to the hon. Attorney General that if the \$30 million increase that is going to be spent on highways in the province of Ontario this year were devoted to his department, to The Department of Reform Institutions, to The Department of Health, to The Department of Public Welfare, to The Department of Education, for the purpose of providing for our society by a diversion of the required amount of our financial resources, persons who are trained in the various disciplines needed to enable the large majority of our citizens to cope with the problems of a complex and an urban society, then I would think that we would be making tremendous progress in the province of Ontario, in terms of the improvement of—particularly today—the administration of justice.

I would like to turn to a not unrelated topic. I believe I have expressed the feeling that we in this party have toward the necessity of the immediate introduction into the province of Ontario of the legal aid system envisaged by that committee's report. A matter to which I would now refer is a matter which blew up in this Legislature a year ago last March when I was not here, and it may be that the hon. member for Windsor-Sandwich (Mr. Thrasher) and I have a somewhat objective viewpoint on what took place on those particular few days in this Legislature. Again I find myself with grave difficulty understanding the position of the Liberal Party.

An hon. member: You are not the only one.

Mr. Singer: We have just as much difficulty and the people have great difficulty—

Mr. D. C. MacDonald (York South): He has obviously hit a sore spot.

Hon. A. Grossman (Minister of Reform Institutions): We have difficulty understanding Ottawa.

Interjections by hon. members.

Mr. Renwick: Mr. Chairman, may I proceed?

Mr. K. Bryden (Woodbine): They would prefer that you did not, but you had better go ahead.

Mr. A. E. Thompson (Leader of the Opposition): We really are not too worried.

Mr. Renwick: In the remarks today of the hon. member for Downsview we did not hear a single, solitary sound about organized crime in the province of Ontario, or if there is in the province—

Mr. Singer: Do you want another hour-and-a-half about bail and legal aid and organized crime?

An hon. member: We suffered in silence, give him the floor.

Mr. Renwick: Mr. Chairman, if I may say so, we would have preferred that.

Mr. Singer: Well, next time I will submit my text to you first.

Mr. Renwick: I asked for it yesterday but was refused.

Mr. Singer: I just did not happen to have it on me.

Interjections by hon. members.

Mr. Renwick: But, Mr. Chairman, there was no reference to organized crime by the hon. member for Downsview. Indeed, there has been no reference by the Liberal Party or anyone in this Legislature in the short time that I have been here, to Bill 99, or any of the problems involved in organized crime other than occasionally to taunt the government about the ineptness of that bill with which, of course, I heartily agree because it was inept.

A whole year has gone by and the problem of organized crime and of syndicated crime in the province of Ontario has just disappeared from public discussion. I would say that this is one of the unfortunate results of the debate in this Legislature last March that for some reason there has been a withdrawal from discussion of that very current and pertinent problem of this society. I am one who believes that the former leader of the Liberal Party, Mr. John Wintermeyer, building on the foundations which the leader of this party (Mr. MacDonald) had laid on many occasions before that—

Hon. Mr. Grossman: Must have been a poor foundation.

Mr. Renwick: —contributed a very substantial amount to the public discussion of

organized crime, and brought to the attention of the government, who would refuse to believe any of it, the recognition of the fact that there is organized crime in the province of Ontario. But the problems remain and the difficulties remain and have not been dealt with—the problem of how in our society we relate individual freedom in an urban society, or metropolitan society such as we live in, with the existence of organized crime.

To what extent are we prepared to devote time and attention to studying the very difficult problems of the relationship between individual liberty and the needs of society, in terms of the existence within that society of organized crime. A person would be foolish to say that because we happen to be in the province of Ontario there is never going to be a group of people who are prepared to exploit, for profit purposes, gambling, prostitution, narcotics, highgrading. He would be foolish to suggest that such groups of persons would not avail themselves of every single facility of modern business in order to achieve the profit which they know lies within those prohibited areas of human behaviour.

On the other hand, we have the police commission and the Ontario provincial police and the metropolitan and other police forces throughout Ontario, who are charged with the responsibility in our society of making certain that organized crime is sought out, is destroyed—that the persons who, in fact, are the kingpins or the main persons behind organized crime, are brought to trial. We have to provide the police forces in the province of Ontario with all the facilities and all the up-to-date methods of investigation which will allow organized crime to be constantly and continuously subject to attack, in the hope that by and large there will be an overall destruction of such crime in the province of Ontario. But how do we relate the police powers to the rights of the individual? To what extent are the police to be provided with the facilities of questioning persons who in their judgment, have knowledge or are prepared to make information available to the police, about organized crime? To what extent is it up to this Legislature to raise their hands in holy horror at the thought of an *in camera* questioning of a witness by some kind of a police authority?

I do not pretend to know the answers to these problems. I place them before the Legislature in terms of the kind of difficult problem which the hon. Attorney General's department should be engaged in solving, and which for the past year it has been ignoring.

There is a great deal to be said, returning to the question of the witnesses being ques-

tioned by the police, for an *in camera* hearing of a particular witness, because there may very well be witnesses who are prepared to come forward on matters related to organized crime but who would be frightened to appear at a public questioning. The danger to them would be a matter of their lives, and not many people are prepared to put their lives in the hands of a public inquiry or a public questioning.

I think, on the other hand, that such a person should be entitled to have with him some other person. In our society it is traditional to have a lawyer. But someone, again, who would advise him of his exact rights in the situation. Not, again, that the person must take the advice, but that he will be fully advised and in any event there will be an independent person available if such questioning were to take place.

Again, I would like to focus the attention of the House, not on a solution to the problem, because I have not got a solution, but simply on the fact that this Legislature and the hon. Attorney General's department must begin to devote itself to the isolated specific areas of our society, where the conflict of the liberty of the individual and the organization and the protection of the society in which we live come to the fore.

I would therefore suggest to the hon. Attorney General that rather than just answer questions in these estimates when he comes to the particular votes where these matters come forward, he should open up his mind to us about this particular problem and about some of the other problems about which I am concerned and about which I am certain hon. members of this House are very much concerned, so that we can have the benefit of an intelligent interchange of ideas and thoughts about them.

Another area which is of considerable concern to me and which I raised in the committee a day or so ago, on the hearing of the private investigators and security guards bill, is the question—about which we read so very much—of the invasion of privacy. I certainly am one who believes that at this present time, until a proper analysis and study has been made of the techniques of investigation which are presently available, the private investigators in our society should be prohibited from using any of those techniques in carrying out their investigations. Until there has been some thorough consideration of the extent to which the public authorities—the police—are entitled to use these devices for the protection of society, then I say there should be a blanket prohibition against

private investigation agencies using those devices.

When the question was raised before the committee, the answer given was simply that in the discretionary power given to the registrar to suspend the licence, it may be that if certain devices were found to be used—and I believe I am correctly stating the reply which was made—this might well result in suspension. But in substance, what I believe the hon. Attorney General was saying on that occasion was that they really do not have any clear, firm, thought-out, well-reasoned ideas about the use of various forms of devices.

I would turn to one particular form of device which, in my opinion, private investigating societies should not have, and that is the so-called lie detector—I believe the official term is polygraph. I do not know, but apparently in the city of Toronto one private investigation agency has a polygraph. The reason I would ask for an absolute prohibition of the polygraph and its use by a private investigation agency, is this:

Suppose some hon. members of this Legislature took themselves back to the time when they were 20 or 21, or 26 or 27 years of age, and were working in the downtown business community for a business organization. Suppose that within the organization where they were working, thefts had occurred. Suppose the management came to them, or the private investigation agency on behalf of the management, started to question them about the thefts, and put this proposition to them: "If you will just submit to a lie detecting test from a machine, of course we will know that you are not the one, and you will also be doing our organization a tremendous service because we will be able to locate the person responsible for the thefts."

Then put yourself in the position of the young girl or the young man in such an organization, who says: "Oh no, I do not think you have any right to ask me to take a test to find out whether or not I am telling you the truth. If you want to test my credibility—if they were so sophisticated as to use this particular kind of language—take me to the court, but you have no right to ask me to submit to some kind of a mechanical test to test my veracity and therefore I refuse to do so."

You can be quite certain that within the particular organization, that particular person would thereafter be damned, because for practical purposes, the request would have been so transmuted in the way in which it was placed before the group of employees

that the mere refusal to take a test under a lie detection machine would be consistent only with the guilt of that person.

I earnestly ask the hon. Attorney General to prohibit private investigating firms in the province of Ontario from using lie detecting machines and I would ask that the use of the other types of techniques which are available—and I am certain the hon. members of this House are well aware of them without my attempting to enumerate them—be denied to private investigating firms until such time as the hon. Attorney General's department has some clear-cut, well-reasoned decision as to the method of use of these devices and the degree to which they should be permitted in our society.

Each of us, I am certain, will recognize that what I am attempting to do is to isolate some of the areas where this conflict between the individual and his group relationship in the society, and the conflict between the individual and organized society as a whole, must be looked into and dealt with in terms of the free interchange and public discussion of viewpoint, both in this Legislature and elsewhere, so that we can begin to arrive at some adequate way of solving these problems.

I would like to turn at this particular point to the whole question of the administration or the executive branch of the government, and by "executive" or by "administration"—I will use those particular terms in the next little while—I mean the total executive branch of the government; that is, the Ministers of the Crown and all the boards, commissions and tribunals associated with government administration throughout the province of Ontario.

I think that for a long period of time we have tended to make a distinction between the Ministers of the Crown and the operations of the traditional and other government departments, and the functioning and operation of the innumerable boards and tribunals which operate under authority of this Legislature, whether directly from this Legislature or under municipal government throughout the province.

In his opening remarks the hon. Attorney General stated the problems, as I see it, very adequately when he referred only to two branches of government. He referred to the principle of our society in which we keep the judicial branch of our society separately distinguished from the legislative branch of our society. By omission, he reflected the way in which we have traditionally ignored the relationship between the administration

in its broad context to the life of the individual in the society.

Again I have had not a great deal of experience with commissions or boards. I have watched with some interest the standing committee on government commissions and I think anyone who is a member of that committee would recognize the extreme difficulty, indeed for practical purposes the inability, of the members of the standing committees to find out creatively about the commissions that appear before the standing committee.

Certainly it is not adequate, in my opinion, in the province of Ontario at this time that there should be a one-hour session or a one-and-a-half or two-hour session before standing committees as presently constituted. The members of the standing committees have only available to them—and I think this applies whether the members are government members or members from the Opposition parties—what they happen to collect or remember over the course of the past year as an arsenal from which to question the members of the commission.

The members of the commission tend to put before the standing committee innocuous reports which give no grounds for criticizing their activities in any way. There has been no indication that the members of the commission are prepared to discuss forthrightly any of the problems with which they are faced. They are—I think this is a true statement—constantly on the defensive when appearing before the standing committees.

I think of two or three committees that one could refer to, I could refer to one in particular, by way of illustration. The racing commission, if one were to read the statute, and I will not bother to read the statute here, but if one were to read the authority granted to the racing commission one would assume that the authority was an all-embracing authority with respect to racing in the province of Ontario. But first of all we find that the charters for authorizing racing in Ontario have nothing whatsoever to do with that commission; that the question of pari-mutuel betting at the racetracks has nothing whatsoever to do with that commission; that so far as harness racing is concerned, all the commission can do is to go along with whatever the North American society or harness racing association decides. Its ambit of authority is in fact restricted to granting a large number of permits or licences or authorizations to individuals who work or operate at racecourses during the racing season. And on the few brief questions which I put to the chairman of that commission I found out that there was no

procedure by which his commission was organized, there were no rules of procedure within that commission, there was some question but he stated that if anybody appearing to apply for a licence wanted to have counsel that he certainly would not object to counsel being provided.

Mr. Sopha: Mr. Chairman, the racing commission has nothing whatsoever to do with the estimates.

Mr. Bryden: Why does the hon. member not just sit down?

Hon. Mr. Wishart: Mr. Chairman, I had the same thought in mind as the hon. member for Sudbury but I think, as I turned it over in my mind, I believe the hon. member has in his mind that this does affect the field of administration of justice and I think perhaps he is right—

Mr. MacDonald: Hear, hear!

Hon. Mr. Wishart: And I was going to reserve my remark at this point until later but I believe this whole question of procedure before commissions and boards and bodies of that kind is one that is now being studied, not with any idea of delay but being studied currently and thoroughly by the commission on civil rights. I was about to say there is only one commission that I am aware of within the department of the Attorney General and I believe that is the securities commission or law reform—the one I just referred to—and the Ontario police commission. I am quite certain the securities commission was up before the committee. I do not know whether you summoned the police commissioners or not but I do agree that the hon. member is perhaps taking a wide turn and covering a lot of territory, if I were to relate it specifically to the estimates of The Department of the Attorney General. But I think he is in the field of civil rights or the administration of justice and I had decided not to interrupt.

Mr. Singer: Well, there was a resolution, Mr. Chairman, standing in my name on this very point.

An hon. member: So what?

Mr. Singer: Oh, so what! The yattering here really does not affect me at all, Mr. Chairman.

Interjections by hon. members.

Mr. Singer: Well, Mr. Chairman, I am sorry that the hon. member for York South is

wearing his halo quite as tight as he is. Nevertheless, the fact remains the hon. member for Riverdale is out of order. I request your ruling.

Mr. Renwick: Mr. Chairman, I appreciate the point that has been made by the hon. member for Sudbury and I appreciate the latitude extended to me through you, Mr. Chairman, by the hon. Attorney General, because it is a matter related to the administration of justice when it comes to the commissions of this government or of this legislative assembly granting the right to earn a living by being employed at a racetrack. This is a matter which does relate in my opinion to the administration of justice when there are no rules or procedures available to anybody appearing before that commission. I would return to the Ontario securities commission and make this very same point about that commission.

There is a tendency among the commissions of this assembly, to act in a benevolent, paternalistic way toward those who appear before them. They appear to depend a great deal on the degree to which they know people or the degree to which someone belongs to the group or the club from which they belong. I was shocked and upset to think that the securities commission of this province was operating by meetings in motel rooms or corridors of hotels in the course of the inquiry which is now going on up north, related to the Windfall affair.

I think that the point, and the only point, which I have to make in these two illustrations is that we cannot any longer in a mature, sophisticated urban society afford to have the boards and commissions of our government operating on a benevolent, paternalistic system of administration.

I think that there have to be procedures and rules established—and I am not so certain that it has to be a written code—but there have to be recognized procedures and rules so that a person can go before those tribunals with a reasonable assurance that the matters which are of concern to him will be dealt with reasonably, accurately and that the reasons given on the facts which are before the board have some relation to the decision which is, in fact, given. There should not be considerations of whether or not you know a particular person who should appear for you in order that you will get a better hearing. I think that any member of this Legislature would recognize that there is a substantial degree of truth in this manner of operation of the various boards and commissions of this government and of our assembly.

I would like to turn to—nothing particularly novel or unavailable elsewhere—but I would like to turn now to some remarks which I have, on this whole field of the relationship of the administration, in its broad context, to our society. I would like, in the course of the next remarks, to accomplish three things. One is that I would like to disabuse the House of any suggestion that because a solution has been found elsewhere, that we should not incorporate it within the framework of our society. The immediate argument which a large number of people raise to the introduction of a new idea into our society is that it is not consistent with the traditions of our society, that we are really operating quite well, and that to translate something foreign in here would in some way infect the body politic.

To do this I must deal with the attitude of lawyers and of judges to administrative justice in the United Kingdom and by transmission in Canada and I would like to—unfortunately, in this particular context—read the remarks which I wish to make. Again, there is nothing novel about them and nothing unusual about them, but I think that they will help to place the question of administrative justice into a context where, as time goes on, we can have a reasonable discussion of it and perhaps come to some solution of a difficult problem.

I am certain that hon. members will recognize in the history of our own province, and in the history of other provinces in Canada, in the history of the United States of America and of England, that legislatures have continuously striven to limit the discretionary powers of the Crown by bringing the Ministers of the Crown under political control exercised in parliament. Once this was achieved it was believed that the dual control by the courts for legality and by parliament for discretion and policy, was sufficient to ensure the subjection of the executive branch.

By 1900 most of the countries of western Europe were preoccupied with the problem of administrative justice. In Britain the question was posed and the wrong answer given by Dicey in his famous book, *The Law of the Constitution*. In the words of one scholar, he managed both to define the rule of law in a way which meant that no other country in Europe possessed it and also to misinterpret the powers and responsibility of the conseil d'état in France so as to mislead whole generations of English lawyers as to what administrative justice was about.

In fact, Dicey's views were in full accord with the particular spirit of the English law. The administration of the law and the practice

of the law in England retained much more of the medieval spirit than in other European countries. It was a small, closed profession and the judges in the courts were drawn from among the most successful practitioners of the art. The complications of common law made its understanding much more of a mystery than that of the more coherent, written law of the European continent.

Furthermore, the social composition of the English judiciary and legal profession was far narrower than on the European continent, so that lawyers and judges drawn from the wealthier classes were almost unanimously hostile to the extension of public services, to any form of state intervention, and to interference with property rights and the relations between master and servant.

By the end of the 19th century countries other than Britain, which had started from the principle that the ordinary courts should deal with the control of the administration, had seriously revised their views. The period between the wars in Britain saw increased interest in the problem of administration and justice.

The most famous broadside came from Lord Hewart in his book *The New Despotism*, published in 1929. He discovered a plot of the civil service to take over the powers of government by eliminating the control of the courts and by annexing the powers of Parliament. This parody was taken seriously by some people. The judicial attack on the civil service was principally directed against the increasing number of administrative tribunals, on the grounds that these tribunals were ousting the courts from their traditional jurisdiction.

But administrative tribunals were set up as a part of the administration to assist the administration in exercising the discretionary powers granted by Parliament. The judiciary's case would have been a great deal stronger had it consistently adopted the contemporary attitude of the French conseil d'état, which subjected the exercise of all administrative decision to rigorous scrutiny, not only for compliance with the law, but also for compliance with an as yet vague doctrine of reasonable use of power.

Traditionally, the British judiciary had allowed an extensive field of administrative discretion to, for instance, the Home Office, the Foreign Office and the armed forces, while at the same time inveighing against the discretionary powers vested in administrative tribunals acting as agents and advisers of the administration. This schizophrenic approach to different types of administrative discretion seriously weakened the force of the judiciary's

criticism. It was not surprising that critics should see in the attack on administrative tribunals and the civil service, a veiled attack on the new social services which had made increased administrative discretion necessary. The effect of the lawyers' attacks over the years was to convince the Left that the judiciary was not a fit institution for controlling the executive.

The problem of controlling the administration was aggravated in the post-1945 years by the growth of new public services, but the judiciary itself had made a solution more difficult. During the war a series of judgments had extended the unfettered discretion of Ministers to a point which foreign observers found intolerable. A doctrine of acts of government more comprehensive than had been known in European countries since the turn of the century seemed to have been accepted. A series of cases involving property rights

was used to bring the problem to public notice.

In 1955 the Franks committee was appointed to inquire into administrative tribunals, their powers and procedures. Its report supported the lawyers' contention that they were not part of the administration but performed merely judicial or quasi-judicial functions. The result appears to be that parts of the new public services will fall under the control of the legal profession, but the vastly more important traditional powers of discretion exercised by the civil service and the Minister would still remain subject only to the rather ineffective political control of Parliament.

If I may, Mr. Chairman, it is about 6 o'clock and this is a convenient place to recess.

It being 6 o'clock, p.m., the House took recess.

No. 88



ONTARIO

Legislature of Ontario

Debates

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Third Session of the Twenty-Seventh Legislature

Thursday, May 6, 1965

Evening Session

Speaker: Honourable Donald H. Morrow

Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, MAY 6, 1965

The House resumed at 8 o'clock, p.m.

ESTIMATES, DEPARTMENT OF THE ATTORNEY GENERAL

(continued)

On vote 201:

Mr. J. Renwick (Riverdale): Mr. Chairman, before the adjournment I was placing my thoughts on the record, not particularly original, as to the reason why the attitude of the legal profession in particular and the general attitude towards British administration of justice is to exclude entirely the concept of administrative justice. I was hoping, by placing the historic context of that warped attitude on the record, to do something to facilitate the introduction into the province of Ontario of an adequate system of administrative law and justice.

To carry on with that particular phase of my remarks, I would like to deal with the French conseil d'état, which is without question the most highly developed administrative court in Europe. I do so solely to place before the Legislature the way in which this particular administrative court operates, again in the anticipation that a reasonably concise, but I hope clear, statement of the functions of that court will assist in the establishment of some such similar court in the province of Ontario.

The present organization and powers of the conseil d'état are based on an ordinance of 1945 promulgated by the provisional government of General de Gaulle. The conseil has two types of powers, both of which stem from its origins under Napoleon. It is the government's advisory body on legislation and law and also the supreme administrative court of the country. I shall deal only with the latter power of the conseil.

The immediate question which comes to mind, of course, is the line of demarcation between the conseil d'état and the ordinary courts of civil administration. In general, the ordinary civil courts have full jurisdiction in cases involving public authorities or between public authorities and private citizens, subject to certain obvious exceptions. First, the opera-

tions of the ordinary judiciary are excluded in most instances; second, the liberties of the subject remain in the hands of the ordinary civil courts, gross abuses of administrative power remain in the hands of the ordinary courts, and disputes in nationalized industries remain in the ordinary civil courts.

When the line of jurisdiction is not clear between the administrative courts and the ordinary courts, the matter is decided by a special court composed of an equal number of judges from the supreme civil court and counsellors from the conseil d'état. Should there be a stalemate, which is very rare, the Minister of Justice takes the chair and has a casting vote. There are two types of administrative suit—one, an action for the annulment of an administrative act or decision on grounds of illegality, and the other, an action inviting the court to recognize the existence of a subjective right which the administration has damaged and to obtain redress. This administrative law is uncodified and the conseil has built up a full concept of the liability of public authorities for damage.

The action for annulment of an administrative act can be brought against decrees, laws, regulations and ordinances of general application as well as against individual orders and decisions of the administration. The action is not available against laws, the judgments of ordinary civil and criminal courts, acts of government and contracts. The only serious loophole in the past was the acts of government.

The French administration, like any other administration, was ready to use the argument of public policy or public interest to escape from the control of the conseil d'état, but the conseil d'état has persistently reduced the number of matters which are immune from jurisdiction on this ground. Today the argument is only rarely advanced.

The reasons which may be invoked in support of an action for annulment are, first, on the grounds of ultra vires; that is, the authority which made the decision may not be legally empowered to do so. A mayor may not take a decision reserved by law to his municipal council, a prefect may not issue

an ordinance which legally requires the Minister's signature, the Minister may not promulgate a regulation without authorization from Parliament. Secondly, the administration may have failed to follow the prescribed procedure, ignored substantive requirements concerning the form the decision should take, or neglected necessary prior consultations. But the conseil d'état insists that the preparatory fault be one of substance and not merely a frivolous or unimportant oversight. The failure to observe the regulations must be such as to have seriously affected the interests of the plaintiff or the fairness or objectivity of the final decision.

The third major reason for annulment of an administrative act for illegality is that the law has actually been broken. This includes not only those cases in which there is a contradiction between the law and the decision attacked. The conseil d'état also considers illegal any decision which violates the letter of the law or a decree or regulation of general application which is in contradiction with the *res judicata* of an administrative or civil court.

The most interesting examples show how the conseil d'état, while regarding its jurisdiction as being limited to ensuring the observance of the law, nevertheless imposes rules of conduct on the administration. Furthermore, it is frequently ruled that when the administration is legally entitled to exercise discretionary powers of the conseil d'état has no power to overturn that decision or substitute its own views, but through its own jurisprudence it has evolved methods of inquiring into the details of decision-making.

One of the ways in which it has achieved this position is by insisting that administrative decisions do not conflict with the general principles of law as it defines them. It holds, for instance, that the right of equality contained in the declaration of 1789 means that it is illegal to impose heavier duties or burdens on one citizen than on another or to discriminate between applicants for public office on grounds of political affiliation, colour or religion.

By the same token, it insists that even discretionary decisions must conform to the facts of the case. If a Minister were to refuse a building licence on the grounds that the building would spoil the particularly beautiful countryside in a protected area, it would be sufficient for the plaintiff to show that the area concerned was full of industrial properties successfully to contest the Minister's decision before the conseil d'état; or an official may be reduced in rank if his professional work is at fault, but the conseil d'état would not allow a Minister to adduce

from the fact that the official was a communist the fact that his professional work was at fault. Decisions which are based on facts or reasoning, must be in conformity with the facts and the reasons advanced.

Clearly there are circumstances where the administration can be under no obligation to justify its use of discretionary power, and then a plaintiff's success will partly depend on his ability to attack the decision from its weakest point.

There has been one final course open to the plaintiff which the conseil d'état has developed to a point where not even when the administration is allowed the widest discretion can its acts go unchallenged and unexamined. He can base his case on the charge that there was the use of legal powers in proper form for purposes or for reasons contrary to the spirit of the law, or to the general principles of law. It can never be easy to provide documentary proof that this offence has been committed, but the conseil d'état is prepared to deduce consequences from the facts of the case.

For instance, the conseil d'état has deduced such a use where a musical society was refused permission to give a concert on public property when in exactly similar circumstances the municipal police band was given permission.

Another case concerned a mayor who refused a merchant permission to have a stall in the municipal market. The conseil d'état held that there was such a use, since the mayor had furnished no proof that the merchant was likely to break the market regulations, which would have been a satisfactory reason, and the merchant had shown that he had some time previously refused the mayor's request to apologize to a municipal councillor after a local incident. The conseil d'état deduced a connection between these two incidents and annulled the mayor's refusal.

There are many similar cases. The interesting development is that the conseil d'état inquires into the reasons behind an essentially discretionary decision. It is coming close to the view that every administrative decision must be based on reason and that these reasons should be explicable to a body of highly trained men, experienced in the practice of administration. Such a body is likely to give the fullest credit to a decision honestly arrived at and to appreciate the margin of guesswork implicit in many of the most important administrative decisions.

The second major action before the conseil d'état is that to obtain recognition of a subjective right and to obtain redress for the

damage caused by administrative action. Here the conseil d'état acts like an ordinary civil court when judging actions, for instance breach of contract or damages. The conseil d'état has gradually evolved its own doctrine of the responsibility and liability of the public services. The legislative basis of the conseil d'état's action was, until 1945, very slender, but its doctrine of the responsibility of public authority still has no legislative basis even to this day. It is entirely a creation of the conseil d'état itself. The point of departure was the famous decision by the tribunal of conflicts in the case of Blanco in 1873. This held that the responsibility of the state for damage caused to private persons by an action of persons employed in the public service cannot be determined by the principles laid down in the civil code for the responsibility of one private citizen to another. This responsibility is neither general nor absolute, it is subject to special rules which vary according to the needs of the service and the need to reconcile the rights of the state and those of private persons.

The importance of this decision was first that actions for damages against the state became the responsibility of the conseil d'état and not of the civil courts. Second, that although designed to protect the state from liability for damages, it clearly stated the need to find a way of reconciling the needs of the state with the rights of the citizen. It recognized that the state may need extraordinary powers in order to perform its duties in the general public interest, but at the same time recognize that the citizen might reasonably demand redress for any special damages caused him which were not imposed on other private persons.

By 1938 the conseil d'état had so developed these two points that it abandoned its original position that only administrative acts were liable to cause damage and maintained that even legislative acts, when they caused damage to one or a small selected group of citizens, could justify the award of damages. Nevertheless, the conseil d'état recognized certain limits to the responsibility of public authorities.

It accepted, for example, that certain services were by their nature peculiarly susceptible to minor risks which were inherent in the provisions of the particular services. The conseil always required a plaintiff to show that the administration had been guilty of a fault; but in the case of services, such as the police, emergency medical services or administrative services in isolated parts of French overseas territories, it required a plaintiff to prove that the fault was of exceptional pro-

portions. It recognized that some public services, if they are to operate at all, must entail a certain unavoidable risk to others.

Even here, however, the conseil d'état has gradually shifted its position in favour of the private citizen. Formerly, it always required proof of a fault on the part of the service concerned; later it accepted that in certain cases, for instance in certain traffic accidents, there could be a presumption of fault and then the administration concerned should pay the damages. It also elaborated a distinction between personal fault and fault of the service.

Only in the second case would it award damages against the public service. If it found that the accident could not reasonably be imputed to the charge of the service, the plaintiff had to go to the civil courts and sue the official for damages as a private individual. It often happened of course that no damages could be extracted from the official, who was simply not in a position to pay them. Whenever possible, therefore, a person damaged would sue the administration.

In view of the frequent injustices this caused, the conseil d'état accepted after 1919 that a public service could also be held liable for damages caused by a personal fault of its agent when in its service. This gave the plaintiff the alternative of suing the agent personally through the civil courts or the administration through the administrative courts.

In 1949 the conseil d'état went a step further and accepted that it was possible to sue the public service whenever it could reasonably be held that its agent was on duty. This change in jurisprudence, while it afforded every protection to the interests of the public, left the interests of the public inadequately protected. A public service was not allowed to recoup the damages it had to pay from the official who had caused them, and in 1949 this was partly remedied by the provisions that where there is both a fault by the public service and a personal fault by its agent, the court can divide the responsibility between them proportionately. They assess the extent to which the fault was the fault of the agent and he has to pay that proportion of the damages finally awarded.

Finally, the conseil d'état has recognized that the liability of a public service can be engaged even when there is no fault either on the part of the service or on the part of the agent. Formerly it would accept an action without proof of fault only in cases involving the construction or operation of public works. This was later extended to cover those fields, such as munitions works, where the **state**

was directly engaged in a highly dangerous trade.

The question assumed particular importance as the result of the use of firearms by the police. In circumstances where the use of firearms was fully authorized innocent bystanders might be killed or seriously injured, should the public service be held responsible for damage, even though no fault was imputed to the police themselves? The conseil d'état decided that persons who through an administrative activity suffered particular damage, which was not shared by any other significant group of people, could reasonably seek recompense for the damage suffered from the public authority concerned.

It has been said that:

It is hardly necessary to insist on the distinctive character of the French conseil d'état. It has a unique record in European administrative law and a unique reputation among administrative courts for impartiality, intellectual brilliance, common sense, administrative wisdom and experience; and in ability to reconcile the interests of efficient administration with the rights of the citizen, it has no equal.

Mr. Chairman, the final portion of the remarks which I want to make tonight are related to the function of another foreign-developed facility, which has been mentioned many times in this House. But again for the benefit of overcoming a prejudice toward the introduction into our system of foreign ideas, I would like to speak at some little length on the question of an ombudsman. I would of course recognize that the hon. member for Downsview has a resolution on a bill.

Mr. V. M. Singer (Downsview): A bill.

Mr. Renwick: A bill on the order paper, referring to a parliamentary commissioner. But I would like simply to assist him in the promulgation of his ideas of a parliamentary commissioner—

Mr. Singer: Thank you, I appreciate it.

Mr. Renwick: —by dealing with the ombudsman as he functions in Sweden.

Interjection by an hon. member.

Mr. Singer: Stop your mumbling.

Mr. P. J. Yakabuski (Renfrew South): You went on for a day and a half—forget it.

Mr. Singer: Oh, no. I was talking to the hon. member for Woodbine (Mr. Bryden).

Mr. Renwick: According to the current instructions, the ombudsman in Sweden exer-

cises a general supervision over courts and civil servants to ensure observance of the law, the Constitution and letters of instruction. He investigates charges of illegality, negligence or gross disregard of the interests of their service in the performance of official duties. He can institute proceedings against officials in the courts on any of these grounds. He is to pay particular attention to those offences which involve fraud, or abuse of power, or which impede the course of justice. If he finds, however, that an administrative or judicial fault has been committed without any unlawful intention, he need do no more than ask that the offending decision be corrected.

If a case involves a member of the Supreme Court or a Cabinet Minister, it has to be referred to the court of impeachment. The ombudsman acts as prosecutor in the proceedings before the court of impeachment. If the Riksdag orders proceedings to be taken against one of its own members, the ombudsman is again responsible for the prosecution. The ombudsman has the right to be present when decisions are taken by courts and administrative agencies but he has no right to express his opinion on the matter under discussion.

He is also required to undertake tours of inspection throughout the country and to examine the operations of administrative agencies both in the provinces and in the capital. He can delegate his investigating authority to a subordinate if he considers this will help his work. On the basis of these inspections and the complaints his office has received from the public the ombudsman makes an annual report to the Riksdag.

In his instructions he is particularly asked to call attention to any serious shortcomings in the work of courts or administrative bodies or to any loopholes in the law which appear to require legislation or amendment. The ombudsman has a special responsibility for all questions concerning the liberty of the citizen, particularly the arrest and detention of persons and any other cases involving the deprivation of liberty. He has power to demand all prison returns and can without notice examine the management of prisons and detention establishments. These include asylums, mental institutions, remand homes and treatment centres for alcoholics.

The ombudsman works in two ways. He investigates complaints by the public sent to their office in writing and he makes tours of inspection and inquiry into the working of state offices.

Any citizen can bring a complaint before the ombudsman. He does not require the services of a lawyer although it is not un-

usual to have one. A complaint is simply to be sent in writing with any documents or evidence in support of the complaint. A prisoner is entitled to forward his complaints directly to the prison governor's office in a sealed envelope, not subject to censorship. When the complaint arrives in the office, it may be written off as clearly the work of a crank or a *prima facie* unjustifiable and unverifiable. Otherwise it is forwarded to the office or official whose actions are challenged. The ombudsman asks the office concerned for further information or for comment. It is not unusual for the original complaint to be based on a newspaper cutting, supported by a more elaborate version from the individual concerned.

The office concerned returns its comment, together with any statements or documents demanded, to the ombudsman. The ombudsman's office then forwards this explanation to the person making the complaint. Many cases go no further than this, the office concerned either having given the affected person satisfaction or justified its action to the ombudsman. No action is taken in about a third of the complaints received in an average year because they are clearly unjustified.

In 1955, 160 complaints were written off in this way. The complaints covered the whole range of administration. From 1950 to 1955, between a third and a half of all complaints were against the court, the police and the public prosecutor's officials in roughly equal proportion. Another third of the complaints were against central ministries and government departments, and the next largest category, though declining in relative importance, was against prisons, mental institutions and other places of detention. Out of an average of about 700 cases which come to the notice of the ombudsman each year, about 100 are dropped as not warranting attention, another 100 are rapidly rejected as being unfounded or inaccurate. This leaves some 500 cases a year which are pursued.

In 1952 and 1955, 150 of these cases, when investigated, showed administrative errors, fault, negligence or bad faith.

An ombudsman has considerable discretion as to how far he takes a case against an official. He does not have ultimate power except to prosecute the official concerned before the ordinary court. And he is normally loath to do this unless the offence is serious or he is left no alternative. In most cases, an ombudsman simply points out the official's error and suggests that he put it right. If he agrees to do so, the ombudsman notifies the person who made the original complaint and advises him how he should now approach the office.

In other cases, the ombudsman may be prepared to allow the official to settle matters informally. Only an average of 10 cases a year involve prosecution. The figures of these cases suggest that the ombudsman has little interest in victimizing minor officials for they appear rarely and only in cases where there was clearly no alternative to prosecution. It is more common to find senior officials being publicly faced with their responsibilities.

In 1955 the police chief and the public prosecutor in a county area were prosecuted for illegally confiscating a fisherman's boat. The county governor was prosecuted for the wrongful detention of a chronic alcoholic. There was one odd case in which a pastor of the state Lutheran Church was prosecuted for threatening one of his erring parishioners with police action.

Since the office of ombudsman was created, five Cabinet Ministers have been prosecuted, as well as several very senior officials, including the administrative heads of ministries and Royal boards. The ombudsman requires permission of the Riksdag before proceeding against a Minister.

There has always been some criticism of the ombudsman's system as such. The original desire of the right wing to put control of the public administration under the Crown with the ombudsman as a Crown official disappeared by the end of the 19th century. Since the rise of social democracy there has been no hope of abolishing Parliament's most valuable instrument for controlling government business.

By 1939 the argument had swung the other way. It was claimed that the parliamentary system of government provided all the checks necessary, and the disappearance of the old dichotomy between executive and legislature had made the ombudsman superfluous. A Swedish parliamentary committee which examined the position in 1939 rejected the idea of abolishing the office. It believed, however, that with the greatly improved guarantee for fair and impartial justice accorded by a parliamentary state and with a more independent ordinary judiciary, the ombudsman should perhaps concern himself more with constitutional matters and less with detailed work of administration.

The committee added, however, with great prescience, that with the obvious growth of social services and the extension of state activity, the abolition of the ombudsman would only lead, in the long run, to the need to find some new method of controlling public service. There was, indeed, every likelihood that the real importance of the ombudsman

would increase in the near future. The committee concluded by reiterating the far-sighted comment of its predecessor in the 1859-60 Riksdag: The less cause that the ombudsman has to intervene with his official authority, the more surely is the objective of his office attained.

Mr. Chairman, I think the hon. members of the Legislature will be perfectly clear on what I have attempted to do, and that is to indicate that the problems involved in the relationship, in our complex society, between an individual and organized society and between the individual and the organs of his government, cannot be settled in any single way or by any simple approach. There must be a number of facilities available, a number of channels of communication, a number of thought out and carefully studied plans to ensure that in the kind of society that we have there will be preserved to the individual the maximum area of security and of freedom consistent with the needs of organized society.

In concluding, Mr. Chairman, I simply want, in my own words, to put before the Legislature the ways in which the New Democratic Party approach problems related to legal philosophy, to the application of law in our society, and to the administration of justice.

I would like now to close simply by reciting those particular propositions:

1. That law exists in and for organized society. The individualistic approach to law misses the significance of what is actually happening.

2. We stress communal realities and communal needs, not the maxims of individualistic laissez-faire.

3. At a time when increased productivity is the universal fetish of economics, we adhere to an ethical tradition which refuses to leave the human being out of account.

4. Our aim is the socialization of the law, to make the law conscious of its obligations to all classes of society and especially to the weak and unorganized.

5. Our system of representative government does not blind us to the real difference of interest between the group that governs in our society and those that obey.

6. Law involves the weighing of social consideration.

Hon. A. A. Wishart (Attorney General): Mr. Chairman, this might be an opportune time for me to make some brief comments in reply to some of the remarks that have been made by the hon. member for Downsview. I do

not propose to go into great detail, though I have made notes on a few remarks upon which I would like to comment. I think he first spent some time on the subject of bail and the unsatisfactory situation which he submits exists in the matter of securing bail, and, in that area, I would simply say that the subject of bail and the provisions which govern bail, are of course set forth in the criminal code.

When bail must be called for, it is a question whether it is bail or personal recognizance, and it is something within the discretion of the magistrate. I tried to indicate in my remarks to the House that the studies which are going forward, the conferences on magistrate procedures, the conferences on uniformity of sentencing and on the approach to the problems of magistrates' courts generally, and the instruction which is being carried forward, studies of the chief magistrate, his conferences with magistrates, his visits with them—all are seeking to improve our system of administration of justice, particularly in the magistrates' courts.

I would assure the House that the subject is one which deserves study, which should be improved. There has been a considerable study on the matter in my own time in this office. That study is going forward and I think I may assure the House that some improvement will have been noted and further improvement, I think, may be expected.

The hon. member for Downsview spent a good deal of time in his speech on the court facilities, the physical situation of courts, particularly in Metropolitan Toronto. I will admit, again, that there is room for much improvement here, that there has not been the space which should be available, if we are to conduct adequately the administration of justice. But again, I would say this: I made available—I do not want to stress this point—to the hon. member, the report which I had requested from my chief magistrate. May I say this: that the chief magistrate, Arthur Klein, was appointed some time in the summer of last year. There had been two previous appointments. Unfortunately, one of the appointees died and one, through reasons of health, was unable to carry on. The chief magistrate spent some of his early time in getting acquainted with the magistrate's bench and with certain other problems which I had directed to his attention. Then, in November he was requested to take up the study of the facilities which might be secured, that we might have adequate courtroom space, facilities, proper surroundings in which to conduct this phase of our adminis-

tration. That study was completed and handed in during this session and after I had taken a little time to study it, I did make it available to my friend, the hon. member for Downsview.

I must say that, having indicated that we were studying it and having made the report available, and having in the question which was asked about it, I told the hon. member these things, this is part of the answer, which I quote:

The inspector of legal offices has advised the Attorney General within the last three years of the necessity for expanding magistrates' facilities in the municipality of Metropolitan Toronto. As a result of such advice and following negotiations with the municipality of Metropolitan Toronto several improvements were made as follows:

A. New buildings were constructed in Willowdale in 1960.

Now, these I take no credit for.

B. New buildings were constructed in Scarborough in 1962.

C. Additional court space was released in the city of Toronto at 57 Adelaide Street in 1962.

D. Additional facilities were provided on Hollis Street in York township in 1962.

E. Additional two courtrooms were made available on King Street, Toronto, one in 1961 and one in 1964.

F. Facilities were improved in New Toronto in 1962.

Then this paragraph:

In November 1964, the chief magistrate, Arthur O. Klein, QC, was designated to work closely on behalf of the Attorney General with the municipality of Metropolitan Toronto on the requirements of additional magistrate's court facilities. Negotiations are presently being carried on with the municipality of Metropolitan Toronto with a view to providing additional courtrooms for magistrates in the old city hall.

Now, when the hon. member asked me yesterday, "When are you going to have them," I said, "Soon, but I do not know just the day when the old city hall facilities are going to be available." But I can say this to the House: Those negotiations are going forward. There is very good co-operation and, I think, a clear understanding. I mention the fact that it is the responsibility of the municipality of Metropolitan Toronto to provide the courtroom facilities, but the Attorney General's department is interested because

primarily, under our constitution, the responsibility starts with the province and we pass it on, as you know, to our counties, to our cities and in northern Ontario, to the districts which are assisted by the province.

Now, I must say that I felt a little—shall I say hurt?—but not very seriously, to find my friend, the hon. member for Downsview, taking my report, taking what I thought was a rather good effort, and turning around and berating me with it.

Hon. H. L. Rowntree (Minister of Labour): Plagiarism!

Hon. Mr. Wishart: Speaking of plagiarism, there came to my mind some lines from Julius Caesar, when he was being assassinated, Mr. Chairman. I think there are a couple of lines there that say:

Ingratitude, more strong than traitors' arms, quite vanquished him.

I was not quite vanquished. But I felt some pangs of ingratitude.

Mr. Singer: I would not have known about it if the chief magistrate had not been—

Hon. Mr. Wishart: Now, I think I should, although it is distasteful to me, to really deal with the subject, but I think I must say something on the matter which the hon. member took so long to deal with and on which he went into such detail; that is the situation in the court conducted by Magistrate Dnieper. It is distasteful, I say, to do this in this House. I do not think it is the place for the administration of justice to be approached in this way. I think there is a better way to do it.

An hon. member: How?

Hon. Mr. Wishart: I shall tell you.

I must make it clear I do not come strictly to the defence of the magistrate. I admit, since I must speak to the subject, I admit that the magistrate's court is not conducted always, and perhaps quite frequently is not conducted, in the most dignified and best way, that there is discourtesy. There is evidence of it.

I cannot find, however, great evidence of a denial of justice and it is on this point that I wish to speak and then tell the House what steps are being taken and were being taken. I did suggest to the hon. member that I felt this question should not be in this House, that we could deal with it in another manner and I will come to that.

In the McHarg case, the case of the girl who was 19 years old, one of the newspapers

said she was denied the right of a remand. This was not so.

Mr. Singer: On a point of order. I am sure my hon. friend will permit to say this. I did not mention that case at all.

Hon. Mr. Wishart: The hon. member did not mention the name, but he read many newspaper clippings which distinctly referred to it—many of them.

The young lady in question came up for hearing on January 6, 1965. The case was remanded to January 21. It was further adjourned to February 5 and then again adjourned to February 19, and on February 19 was heard. She was accompanied by her mother, but not with counsel. So there were three opportunities for remand which were given and taken, and when the young lady came up there was a hearing. I got the transcript of the evidence and read it very carefully and had it reviewed very thoroughly. There was nothing in that hearing that indicated any miscarriage or any denial of justice in any respect.

The transcript is here; I do not propose to read it all.

After the evidence—

Mr. J. B. Trotter (Parkdale): Mr. Chairman, I wonder if the hon. Minister would permit a question on that particular case? As far as the administration of justice goes, does the McHarg case not seem to be a stupid decision? Just a strictly stupid decision?

Hon. Mr. Wishart: That is a question on which I will reserve judgment for a moment; perhaps the hon. member might reserve his judgment until I have finished a few more remarks upon it.

After the evidence had been heard, the Court—this is Magistrate Dnieper, I am reading from page seven of the transcript—said:

Miss McHarg, you now have the opportunity of calling witnesses on your own behalf and giving testimony yourself on your behalf. You are not required to do so, but you may if you wish. Do you wish to give testimony, call testimony, either, neither or both, madame?

The Accused: No.

The Court: Thank you. Do you wish to produce no evidence?

The Accused: No.

The Court: Pardon?

The Accused: No.

The Court: No what? No, you don't wish to produce it or what?

A very determined effort to find out exactly what the accused was saying.

The Accused: I don't want to give any testimony.

The Court: Is there anything then that you wish to say to the court in connection with your guilt or innocence by way of argument?

The Accused: No.

The Court: Thank you. There will be a conviction.

Now at this point the Crown attorney, who was Martin Kelso—the hon. member for Downsview has referred to him as a very fair, capable lawyer. He was acting as Crown attorney. At this point I should like to—

Mr. Singer: Who is the Crown attorney?

Hon. Mr. Wishart: Martin Kelso, QC!

At this point I should like to say this, and I say it out of my own experience having been a Crown attorney and I say it out of my knowledge as a lawyer, of our administration of justice and our attitude toward the law. It is the duty and the obligation of a Crown attorney being in the court to see that justice is done. We have a saying, as I am sure the members of the legal profession are well aware: "The Crown never wins; the Crown never loses."

Mr. Trotter: Does the hon. Attorney General call that sentence justice?

Hon. Mr. Wishart: Will the hon. member reserve his judgment for a moment?

Mr. Martin Kelso was present in the case that the hon. member cited and I just mention that there is a duty on the Crown, whether the accused is defended or not, there is a duty on the Crown to see that justice is done and to stand between a magistrate, if necessary, and an accused, whether he has a defence counsel beside him or not.

Mr. Martin Kelso got into the hearing when the Court said there would be a conviction:

The Crown: I have her record —

This is where it is distasteful to me to cite this young girl in this House, but I think it is necessary.

I have her record which shows that on the 13th of December, 1963, she was convicted of drinking under age—

this was a year previous:

—and fined \$10 or five days. On the 13th

of June, 1964, she was convicted of a similar offence and fined \$15 or three days; and on the 14th of October, 1964, she was again convicted and fined \$25 or five days.

So this is the fourth offence now before the court.

The Court: Is that correct, madame?

Asking the girl.

The Accused: Yes.

The Court: Is there anything you would like to say to your sentence?

The Accused: No.

The Court: Any criminal record?

The Accused: Yes.

Now we have had three offences for drinking under age going back over a period of years.

The Court: May I have it, please?

The Accused: I was charged in 1963 with theft under, and in 1965, theft under.

It is significant to note the words "theft under." That means a charge for stealing goods under \$50 in value. This young lady had been twice convicted and she is quite familiar with the expression, she just says theft under twice. But her mother was there—

Mr. K. Bryden (Woodbine): She needed help!

Hon. Mr. Wishart: She needed help. Now bear with me.

The Court said:

Were you convicted on those charges?

The girl replied:

I was charged, you see, in 1963 with theft under, and in 1965, theft under.

The Court: Were you convicted on those charges?

The Accused: Yes.

The Court: What was the penalty on the second one?

The Accused: The first time it was a \$25 fine, the second time it was ten days in jail.

The Court: With whom were you at the tavern?

She named a young lady and, if you will allow me, I will not mention this lady's name, for her sake.

The Court: Is she a frequent companion of yours?

The Accused: Not any more; she got married.

And I would like to spare the publicity.

The Court: She what?

The Accused: She got married.

The Court: Do you know Miss [Blank's] criminal record?

The Accused: Yes.

The Court: Good or bad?

The Accused: Bad.

The Court: Why do you hang around with her?

Now here is where perhaps you will see where the Court was trying to find out what to do.

Mr. E. W. Sopha (Sudbury): Why in the world did he not get a probation officer's report? Why did he not get a pre-sentence report instead of all that nonsense of questioning this girl?

Mr. Trotter: Exactly!

Hon. Mr. Wishart: I am not defending it I said; I want you to understand the facts.

Mr. Sopha: If he wanted to help the girl, the way to do it was to get a pre-sentence report.

Mr. Trotter: Another 30 days in Mercer.

Hon. Mr. Wishart: To continue:

The Court: Why do you hang around with her?

The Accused: We went to school together.

The Court: If she goes to hell, will you go with her?

I do not defend this language:

The Accused: No.

The Court: If she jumped in the lake, would you jump in too?

The Accused: No.

The Court: What will it take, Miss McHarg, to indicate to you that you are not to do this?

Is there anything you would like to say Mr. Kelso?

Now here is where the Crown performs.

The Crown: She seems to be fairly persistent. When the police tried to serve the subpoena on her mother, she lied to them, and I would suggest that a jail term would do her good.

This is the Crown attorney who has been described as a very capable and fair man. I express no opinion.

The Court: Have you anything to say on these comments? What are you doing now, Miss McHarg?

The Accused: I am not working.

The Court: I am rather inclined to think that Mr. Kelso's suggestion of a jail term is correct. How long a term do you think would be sufficient to prevent you in the future from doing this?

The Accused: I don't know.

The Court: Is your mother working?

The Accused: Yes.

The Court: What does she work at? Is she going to pay your fine?

The Accused: No.

The Court: Well, who has been paying your fine?

The Accused: I went to jail.

The Court: It will be \$100 or 30 days.

Now, all I have done is to recite the facts and I think I must express this opinion, that on that case alone which received a great deal of publicity and on which there was a great deal of newspaper commentary, there was no conduct which could be called misconduct on the part of the magistrate. In order to set the record straight I have taken some time on that particular transcript.

Mr. Trotter: I just want to mention on that case—and this I think might come under another estimate of the administration of justice, but since it has been brought up here I would just like to say this. A former Attorney General, now the hon. Minister of Lands and Forests (Mr. Roberts), I think once suggested to this House that people who are charged with liquor offences should be treated in a different manner than we treat them under our law at the present time.

It is no wonder that the chances of the average person in Ontario going to jail are eight times greater than they are in the United Kingdom, simply because of the way we administer justice and treat accused having to do with liquor offences. If there is any hope of ever getting that girl or similar people out of the sausage mill at the city hall, the thing is to have a pre-sentence report, or to at least have some sufficiently strong probation system, where these people are put back on their feet.

Once they start at that age, at an age when you can reform them or do something with them, that is the time to help them. Otherwise you are going to be keeping them in our institutions as long as they live.

To my mind that case which you have brought up—and it was not the hon. member for Downsview, I do not think he mentioned it—but to my mind that case is indicative of how ridiculous some of the decisions are. Whether it is the fault of the magistrate or not it is certainly the fault of the system. Essentially it is the fault of the provincial government, the way we administer justice here in the province of Ontario.

Hon. Mr. Wishart: I would go a long way in agreement—

Mr. Trotter: Why does the hon. Attorney General not do something?

Hon. Mr. Wishart: —with the hon. member for Parkdale.

Mr. Trotter: You and the former Minister—you have been there for 23 years—why do you not do something?

Hon. Mr. Wishart: I have been here much less than 23 years. I have not had time to do all the things I would like to do yet. But let me say this to you, that there come across my desk quite frequently, applications for clemency, many of them for persons who have been convicted for drunkenness, and repeating and repeating and repeating—foolscap sheets full of convictions over a period of a few months or a year. These things cause me great concern. They are convicted and given \$10 or 20 days, \$10 or 30 days, or \$20 or 60 days, and then the magistrate sees the list lengthening out, repeated and repeated and repeated. And the 10 days is up and on the 11th day there is another conviction, \$10 or 30 days, and the 30 days is up and the conviction follows, \$10 or 90 days, which is the limit. Then they appeal, "Let me out, I have got a job to go to." And I investigate them; it is a great effort to refuse an appeal for clemency. But the magistrates' courts and the police, the Crown attorneys, when I investigate, say to me. "If you let him out our experience is that he will be back, the police will just be dragging him in tomorrow night." And I know that in many cases—in many, many cases—this is so.

Mr. Bryden: Well, after 90 days they will anyway.

Hon. Mr. Wishart: Well, in the 90 days they do, at least to some extent, dry out,

but there are several things that bother me, and I must say this to the House. They are kept by the country for 90 days. That is one thing, at a great deal of expense. We do not yet have the facilities to treat them and cure them if they are capable of being cured; and I must admit, from my experience, I think a great many of them are incapable of being fully cured of this habit. But we are not, and I agree with the hon. member for Parkdale, we are not equipped. Perhaps we are not treating our drunks, our drunken habitués, properly, but it is a problem we are struggling with and I assure you I am very much concerned with it. I do not know the answer as I stand here tonight. But I went through that case, through certain facts on the record, to set them right, and I want to say this further, with respect to Magistrate Dnieper, I do not defend, as I have said, all his performance in court, but the matter is under consideration. I am aware of section 3 of The Magistrates Act, I know what has to be done if it comes to that. If I feel that is necessary I can recommend it, but I propose to continue my investigation and proceed in the way I am proceeding, and I shall have to leave it at that.

With respect to Magistrate McClevis, I must refer to this, because there are facts here which are not on the record. It was a very complete trial and I am going, at the outset, to say this, that the complaint was made by a very eminent lawyer, Mr. Douglas H. Carruthers, whose name was not mentioned by the hon. member for Downsview. He defended Mr. Strader on the charge of careless driving before Magistrate McClevis in September, 1963. There was a conviction and a fine of \$300. The charge was, I think, as I have said, careless driving, and in the interim and before any record had been made or any minute endorsed on the record, there was a change of solicitors and a Mr. A. J. McNabb, QC, was consulted by the accused, the convicted. He went to see the magistrate and the magistrate, having heard his plea on behalf of this convicted person, decided not to suspend the licence. The fine was paid.

I may say this, and I am going to make it brief, Chief Magistrate Klein was instructed to investigate in December of last year. While there is nothing in my hon. friend's file to indicate that he was investigating through the early part of this year, he did so, and there is a record here to show that before March 1 he had made quite a thorough investigation. He was instructed by myself to investigate further and he did so.

The magistrate made a statement and he

said—speaking of the accused, at the time he came back after his conviction:

When he came into my office he was in tears. He told me about his mother, about the two farms. These two farms were far apart which he had to travel to. He said he would be absolutely up against it if he lost his licence. I said, "You will have to see your lawyer." He said, "He took me to the cleaners and I fired him." I said, "You will still have to see your lawyer." He said, "All right," and he left.

Now, this is from material when the appeal was being considered.

That is all the conversation I had with him. He was very decent about it. His licence at the time was on my desk; it had not been endorsed; no particulars of the conviction had been typed on it. In the normal course the licence and conviction slip would be sent to Toronto within three or four days depending on how busy the staff was. I have two women in my office, one of whom is the court reporter.

And then later he says:

Subsequently I decided to cancel the suspension. I gave the licence back to Mr. McNabb, the other lawyer, one day when he was in my office. I don't know anything about any erasure or anything on the licence. I couldn't say for sure whether I told the Crown attorney that I was going to cancel the suspension. I have cancelled the suspension in similar circumstances in four or five cases over the last 20 years.

Now, he further states, and this is for what it is worth:

Mr. W. Freeborn, the late Crown attorney for the county of Bruce, advised me some years ago that such a practice was proper, and I remember him citing some authority.

This is the magistrate's statement. I have not read it all but it is all here for anyone who cares to see it.

Mr. Singer: Does the hon. Attorney General think it is proper?

Hon. Mr. Wishart: I have not finished yet. I will tell you what I think when I have finished.

Magistrate Klein wrote me a very full and complete memorandum of the law, very complete and very thorough, running to some seven pages. And then he wrote on March 31, the last paragraph of his letter:

One would think it possible that the magistrate's staff had written the endorsement by hand and that it was subsequently

erased by the magistrate's staff for some reason, perhaps by mistake or by somebody else, perhaps the accused, after the magistrate had said he had cancelled the suspension and had handed it back.

That was part, the last paragraph of that letter.

And then further in his letter of March 26, he ends a two-page letter of comment, discussion, advice. The last paragraph reads:

I do not think that there is a prima facie case of misbehaviour on the part of the magistrate, or of inability to perform his duties properly, or that there is any evidence to warrant the appointment of a Supreme Court judge to make an inquiry under section 3 of The Magistrates Act.

Further to that, just to complete this story, I read now from Tremear's annotated Criminal Code, the edition of 1964 at page 1524, notes to section 713 of the code, and the heading is: "Amendment of Minute." Everyone will recognize that Tremear is the authority, one of the authorities certainly.

Mr. Sopha: And Cranshaw!

Hon. Mr. Wishart: Perhaps Mr. Cranshaw, he may have the same comment. But this is the note:

It has been said [this is the law] that so long as the formal conviction has not been drawn up the magistrate has a locus poenitentiae—

I will have to ask the hon. member for Sudbury, perhaps, to translate that for me:

—has a locus poenitentiae to change his minute of adjudication so that it will accord with his actual adjudication, or so as to omit something illegal. . . .

Apart from statutory regulation the law permits the justice to make a verbal conviction which is subject to reconsideration so long as no formal conviction is drawn up.

Now, the magistrate was frank to admit that he has done this on a number of occasions, the note goes on:

I know of nothing to prevent the magistrate—

These are backed up by citation of cases.

I know of nothing to prevent the magistrate from correcting in the minute any mistake he may have made in computing the costs.

Mr. Singer: Or of changing; that is not the way you read it the first time.

Hon. Mr. Wishart: No, I read further. Yes.

Mr. Singer: What page is it?

Hon. Mr. Wishart: I will read the language again for my hon. friend.

It has been said that so long as the formal conviction has not been drawn up the magistrate has a locus poenitentiae to change his minute of adjudication so that it will accord with his actual adjudication, or so as to omit something illegal, by distress not authorized of the statute. Apart from statutory regulation, the law permits the justice to make a verbal conviction which is subject to reconsideration so long as no formal conviction is drawn up.

Mr. Singer: What is a formal conviction then?

Hon. Mr. Wishart: Well, I take it it is the record, whatever the record may be in such a case.

Mr. Singer: The transcript? The record that goes to the county court judge—

Hon. Mr. Wishart: Now, there were two Latin words in what I read, a "locus poenitentiae." It is interesting how another language will throw some light on this. The definition of those words in Mozley and Whiteley's law dictionary is this:

Locus poenitentiae—A place or chance of repentance, a phrase generally applied to a power of drawing back from a bargain before anything has been done to confirm it in law.

The criminal code says a magistrate has a place of repentance and he took it.

Mr. Singer: Oh, come now, you are reaching. There is nothing in the dictionary describing this sort of legal argument.

Hon. Mr. Wishart: The law dictionary, the dictionary of law.

Mr. Trotter: Is there a place for repentance for Attorneys General?

Hon. Mr. Wishart: The chief magistrate investigated and he says there is no place for such as the hon. member asks should be done here. The law supports him. The magistrate says, "I did not erase anything or enter anything on the record or on the licence." And he says, "I have had advice from the Crown attorney and I have done this occasionally over the past 20 years."

Mr. Singer: Well, may I ask again, sir: Is it your opinion that once a sentence has been given in open court that it can be changed?

Hon. Mr. Wishart: My opinion—now the hon. member has asked it, I will give it to him. I would say this—this is my own thinking—I think that a magistrate would have the right to do so. I think it is clear that he has the right to do so.

I think that the proper way to do it, having made a conviction and having assessed the penalty, that the proper way to do it is to notify the Crown attorney and notify the accused and have both the Crown and the accused back in open court and to there do it. I think he would be perfectly justified in so doing. But I do not think the fact that he did not follow that procedure makes him subject to the severe type of castigation that the hon. member throws upon him.

Mr. Singer: May I just suggest to the hon. Attorney General that if it was just a question of method, of nicety, that I would not have brought this before the House—

Hon. Mr. Wishart: I do not think the hon. member should have.

Mr. Singer: But if, sir, as I suggest here, that there was something more in it than appears on the surface—and I think there was—I am sorry.

If there was nothing more in it than that to which the hon. Attorney General alludes, why then was neither The Department of Transport in Toronto, which has the official record, not notified; and why was the Crown attorney, who I would imagine is in almost daily touch with this particular magistrate, not notified before he went before the county court judge on the appeal? And why was there no indication at all given to the county court judge that this had in fact been changed?

With great regret I again suggest to my hon. friend that the facts just do not add up. Here you have a small community where the judicial officials—the Crown attorney, the magistrate, the county court judge, the police—are in frequent contact with each other, where appeals are not the run of the mill, where are unusual matters. Where the county court judge when he sits in appeal on the decision of the magistrate, certainly has available to him immediately, quickly and easily, all of the facts. And the Crown attorney—and my hon. friend probably has the Crown attorney's name there, I have it somewhere in my files—but the Crown attorney, if he was doing his job—and there is no suggestion he was not—certainly would have known if there was anything before the court that was not in accordance with the record.

But he went to the court and he argued the appeal on the basis of the conviction that the record showed and the sentence that the record showed. The decision given by His Honour, the county court judge, was in accordance with the facts as I stated them.

I say that the hon. Attorney General is trying to make a case out of whole cloth by taking the legal dictionary's definition, and trying to put it in the middle of Tremear, and add up to something that really is not there.

Hon. Mr. Wishart: Just to close the matter, I trust, I would say that Chief Magistrate Klein in this very thorough investigation he carried on, was before The Department of Transport and did discuss these things with the Crown attorney. I think the appeal was carried on by Mr. Carruthers—

Mr. Singer: Yes, that is right, that is the man who apparently you said was fired and he came back to the appeal.

Hon. Mr. Wishart: Yes, he came back for the appeal, so he certainly was aware of all the facts. Furthermore the appeal would only be against the conviction. So I do not know what further might have been brought out in this matter than has been brought out in this whole, thorough investigation.

Mr. Singer: But the record—the order of the appeal—I read it, I have the original order here with the court's seal on it, and it lists the cancellation of the licence. Now if it did not exist, how could it possibly be listed?

Hon. Mr. Wishart: Mr. Carruthers was the lawyer on the appeal. He would know this.

Mr. Singer: The Crown attorney would know and the judge would know it. Everybody knew it except Chief Magistrate Klein.

Mr. Trotter: Mr. Chairman, there is one thing the hon. Attorney General says that rather surprised me. If an accused is found guilty and fined a certain amount of money and given 30 days to pay, am I to understand that maybe 15 days afterwards, like 15 days before the fine has been paid, the magistrate can notify the Crown attorney, notify the accused, to come back into court and reduce it?

Mr. Singer: That is what you are saying!

Mr. Trotter: That is what you are saying, because it could work both ways. The magistrate could call him back in and say, "I

didn't fine you enough, I am going to double it."

When does the case end? I cannot understand your explanation.

Hon. Mr. Wishart: The hon. member for Parkdale, I believe, is a lawyer?

Mr. Trotter: Yes, I am a lawyer.

Hon. Mr. Wishart: I was asked my opinion and I think the cases are clear, that before the record is endorsed, before the conviction is entered—

Mr. Singer: On what?

Hon. Mr. Wishart: On the record, or wherever the magistrate—

Mr. Trotter: They put the stamp on right away in most courts—

Mr. Singer: What record are you talking about?

Hon. Mr. Wishart: The same record that Tremear is talking about—information or whatever it may be.

Mr. Singer: Was there no endorsement on that?

Hon. Mr. Wishart: Let me answer the hon. member for Parkdale. Before the conviction is entered, I say, and the cases are clear, the presiding judge or magistrate is in a position where he may repent or reconsider. I say the only thing he did wrong here was that he did not do it in open court. The proper procedure to do would have been to call back the Crown, to call back the accused, to say: "I fined that man \$300. On second thought I am not going to enter that on the record, I am going to reduce it to \$200"; and I think perhaps he could say: "I am going to increase it \$500."

Mr. Trotter: Why the administration of justice would be in chaos, absolute chaos! It is silly; it is ridiculous.

Hon. Mr. Wishart: That is what Tremear says may be done.

Mr. Trotter: Oh, nonsense, I have never heard such an argument.

Hon. Mr. Wishart: Well, get the book and read it.

Mr. Singer: We listened very carefully when you read it.

Mr. Trotter: It does not make sense.

Hon. Mr. Wishart: Mr. Chairman, I would just say this in passing, on the remarks of the hon. member for Downsview, that I do not consider his comments criticisms of The Department of the Attorney General at all. To pick out and criticize one magistrate's court, or the performance of a magistrate and then another, I do not think bears or impinges very clearly or definitely upon the performance of The Department of the Attorney General.

Mr. Trotter: If the ground rules are just as you have set down, it is a wonder you are not in complete chaos.

Hon. Mr. Wishart: You may wonder, but all that we have from the hon. member for Downsview was a criticism of the performance of a magistrate in, as he admits, one particular case particularly; and that of another magistrate in the the case with which I have just dealt.

I should like to say to the hon. member for Riverdale that I was much impressed with the learned dissertation he gave and I should like to compliment him upon it, particularly the discussion on the conseil d'état. If I may start at that portion of his address, I would say this: I think the comments about the conseil d'état are quite proper, quite correct; but I do not believe they apply in an administration of justice such as ours which is very different from the French system, particularly on the matter of onus in criminal matters; and in a system of responsible government such as we have, which also, as history particularly over recent years has shown, is much more stable than the French system, although both are democracies. I do not think those remarks are particularly relevant in our system of jurisprudence, in our administration of justice.

I appreciate the remarks with respect to the report of the committee on legal aid. In tabling that report in this House, sir, I did suggest that I thought it unlikely that we would be able to present legislation this session. While I would be glad if this were possible, I think the report deserves some further study. Not only the very competent and capable study which was done by the committee, which was a joint committee of the law society and of officials of my own department, but I think the legal profession generally and government must study this, because as you will appreciate the suggestion, the recommendation, calls for a very large, substantial contribution of funds to carry on the legal aid system.

I think we must be fair enough to ask for

time to decide how much money—and nobody has yet been able to tell us just how much this will cost—how much money is going to be required to put this recommendation into operation, if we decide to move to that extent, or where that money is to be found. I think, therefore, the session having reached this stage of the year, I do not want to indicate that I shall present legislation at this session.

I am somewhat surprised to find the hon. member criticizing the report of the committee on securities legislation. I thought, and I still think, that that is an excellent report. A very capable, a very thorough study, bringing forward recommendations which are certainly new. If I heard the hon. member right he suggested that we were not breaking any new ground in this. But I find in that report suggestions for legislation with respect to insider trading, takeover bids, disclosure of information, proxy solicitation and many things for which we have no legislation at this time in this province. I think—

Mr. Singer: On this point I agree with you, I just want to see your legislation—

Mr. Renwick: Mr. Chairman, on a point of order, perhaps the hon. Attorney General did not hear me properly. I said that I would save my remarks on that report until the Ontario securities commission vote came forward. My only point was that it does not compare in any way with the legal aid report in terms of the research and study that went into it.

Hon. Mr. Wishart: I think we shall just have to differ in a good-natured way on that opinion, because I must disagree with the hon. member.

The hon. member mentioned that the subject of organized crime had disappeared from discussion, something for which I say we should all be very glad. I do not think anyone would be so bold as to say that crime of one kind or another does not exist in every society and that it is likely to pass away. I think there will always be criminal elements, on our border and within our borders, seeking to take advantage of any lack of vigilance on our part and we must continue, therefore, to be vigilant.

All I would say in this regard is that I believe it was well expressed in the report of the police commission that the best way to fight crime, the best way to be protected against crime, the best way to prevent its inroads, to keep it down, is to have a strong and a capable and a vigilant police force; well trained, well qualified, well disciplined

and with a high morale; and that I think we have. We have recruited additional numbers to that force, we have added an intelligence section to our police commission. We have added advisors, we have built up a force of which I think we may certainly be proud.

We have—and this I have always contended is an element in dealing with crime—an independent judiciary. This we have. One that is free of any suggestion that it is open to bribery or influence or corruption. This, I say, we have.

And most important of all, we have a population, a citizenry, who demand of their officials, of their courts, of their police, of their politicians, a high standard of conduct.

If you have those three things I think you need not fear too much that crime will gain a place of menace in your society.

As to the matter of the invasion of privacy which the hon. member for Riverdale mentioned, I think I shall leave my remarks until we come to debate the bill on security guards and private investigators.

I think with those comments I have covered most of the points I wish to deal with in these opening criticisms.

Mr. R. M. Whicher (Bruce): Mr. Chairman, I have a few remarks to make about something on which I apologize somewhat to start with; because as all hon. members know I am certainly not a lawyer, but I am going to bring up something that I think has a great deal to do with the administration of justice in the province of Ontario.

During the past number of years—for many years—the number of which I do not know, there have been quite a number of people in the province of Ontario, clients of the legal profession who have lost a great deal of money. Now the first thing, Mr. Chairman, that I must do—because I think in my own party I have six members of the legal profession, and there is one in the New Democratic Party and innumerable members of that profession on the government side—so therefore I must be very careful in what I say.

Mr. Chairman: Vote 207 is the one you want.

Mr. Whicher: No, I do not think so. I think this deals, Mr. Chairman, with the administration of justice, and I think the hon. Attorney General will be glad to hear it right here. I am not going to take long, Mr. Chairman.

The fact is that over a period of a number of years, and particularly in the last four or

five, many clients of several lawyers, members of the legal profession in this province, have lost large sums of money.

Now I do not think this is right, Mr. Chairman. I think that people in this province deserve all the protection that the law will give them, whether they happen to be dairymen, whether they happen to be real estate people, whether they happen to be treasurers of various municipalities in the province, or treasurers of school boards, or whatever it may be. If, for example, some treasurer absconds with some money in some area, some municipality in this province, that treasurer is bonded so that the municipality get back the money with which he absconds.

I can bring this business into this Legislature, because I happen to be a dairy owner myself. If any dairy owner in the province of Ontario either steals money or goes into bankruptcy, either through his own fault or maybe through no fault of his own is unable to pay the people from whom he buys milk, then that man is bonded and there is not one milk producer in this province who has ever lost any money, to my knowledge, because of the fact that a dairy operator went bankrupt or stole the money or whatever it might be.

The same is true, Mr. Chairman, when it comes to real estate operators, and many other people in this province who are bonded. But unfortunately, as far as the legal profession—and I have to be most careful here, because my very good friend, the hon. member for Sudbury is right next to me and very close to him is the hon. member for Downsview, who perhaps do not agree with me.

Mr. D. C. MacDonald (York South): Do not be afraid of them.

Mr. Whicher: I am not, sir, I assure you.

I agree, Mr. Chairman, that the hon. members of this Legislature, and in fact probably 99 point some per cent of the members of the legal profession in the province of Ontario are honourable, honest men. But no matter how honourable and honest any profession may be, there is always one rotten apple, if not in one barrel in two or three barrels.

The facts are this, that in the province there have been several crooked lawyers in each and every year for the past number. In being crooked and stealing their clients' funds, they have hurt these people, and in many instances have taken large sums away from them.

Now the law society, as I understand it—

and I certainly stand to be corrected in what I say here—but as I understand it, the law society asked each member of the legal profession to donate \$100 to the compensation fund.

An hon. member: It is hardly a donation.

Mr. Singer: We have no choice.

An hon. member: If you do not pay it, you do not practise.

Mr. Whicher: There is a requisition comes forth for \$100 from the law society of Upper Canada. I believe that in years past this requisition was perhaps \$25 to \$50, and I believe at the present time it is \$100, which is used for people, under a committee of the law society of Upper Canada, as it is called, to give funds back to clients who have lost money through the misappropriation of lawyers who want to leave the country or get rich in a hurry.

Now I have nothing against that whatsoever, if the \$100 that is requisitioned by my hon. friends who happen to be barristers in this House would cover the situation. But of course, Mr. Chairman, as everyone knows, and particularly those people, those hon. gentlemen who are sitting in the House who help to donate to the cause, this \$100 is not by any means enough to look after the funds that have been misappropriated by crooked lawyers in the province of Ontario.

Mr. S. Lewis (Scarborough West): Take more from the honest lawyers!

Mr. Whicher: That could be true. That is what I am going to suggest in just a minute.

Now in the Ontario reports in 1964, volume one, which incidentally is dated March 26, 1964, and which deals with the law society of Upper Canada, there are some very interesting figures. For example, it shows the amount of money that was paid out by the discipline committee for application for grants from the compensation fund in the past year, in the year 1963. You might be interested to know that there was \$108,000 paid out on behalf of the law society to clients of lawyers who had misappropriated funds in this province.

I think this is a great sum, but unfortunately it is not nearly enough; because in the same year, 1963—I am using their figures, Mr. Chairman—there are accounts totalling \$1,503,000 that have not as yet, as of December 31, 1963, been disposed of. When I look at the amount of the fund, that is the fund that the members of the legal profession of the province of Ontario pay into, I find that at the

moment there is only \$319,000 on hand to look after a possible claim of over \$1.5 million.

Mr. Chairman, this is simply not good enough. I can think of no other profession—not one—I can think of no other business where the clients of the people, whether they be milk producers—in whom I am interested primarily as a dairy operator in the province of Ontario—I can think of no profession or no business, other than the legal profession in this province, where clients can be hurt, and hurt so badly.

Some of these claims that were to be disposed at the end of 1963, of which there were 30 with a total of \$1.5 million—one of them here I see is for \$292,000. Another one is for \$228,000; \$148,000; \$237,000. Mr. Chairman, these are figures that can hurt the largest estate in this province and it is not fair.

Hon. Mr. Rowntree: Even a political party suffers from it.

Mr. Whicher: Even a political party! I am glad to hear, Mr. Chairman, that the House leader agrees with me.

Mr. MacDonald: As so often, you are incorrect.

Hon. Mr. Rowntree: It affects the working of democracy.

Mr. Whicher: Mr. Chairman, it affects many people from whom these funds are stolen. I would suggest, Mr. Chairman, that the hon. Attorney General think about this situation. I know it may be somewhat embarrassing because, of course, he is a member of that profession and a very learned one, he is the first law officer of this province. But I just bring to his mind this, that if people who engage in real estate transactions, the real estate operator, the real estate agent, whoever he may be, their books are looked into at certain opportunities during the year, and that man is bonded to a certain extent. I know that the legal profession is a great one. I think any politician would be foolish to cast any aspersions whatsoever against it.

Of course, you are great, and you are all honourable, men; but let me tell you, Mr. Chairman, that real estate operators are also honourable men, the treasurers of all the municipalities are honourable. The dairy operators, for example, if you wish to forget about myself—

Mr. W. D. McKeough (Kent West): You go too far.

Mr. Whicher: Let us talk, for example, about dairies such as Silverwood Dairies or Borden's Dairies. These people are all bonded, worth millions of dollars, so that their producers under no circumstances will be hurt.

Therefore, I suggest to you, that the lawyers of the province of Ontario should be bonded so that no client can ever be hurt. There may be some thought, Mr. Chairman, that young lawyers starting into practice might have some trouble being bonded. This, of course, is ridiculous, because it is quite possible to have a master bond for all of the legal profession in the province of Ontario. I assure you that the bond will be very low indeed, because that is the way it is worked out as far as other professions or other businessmen are concerned in this province.

Therefore, Mr. Chairman, I would with the most respect ask the hon. Attorney General, and respectfully I ask that none of my learned colleagues or very learned friends from the government side, who are legal and have much more knowledge about this than I have, that they do not stand up now and tear me apart, because I am asking this most sincerely. I think that your clients deserve the same respect as my milk producers do, or whoever else it may be in this province.

Hon. Mr. Wishart: Mr. Chairman, I thank the hon. member for Bruce for bringing the matter into this debate. I think I should say this to him, that it is a matter which gives the legal profession great concern. I say that not just as Attorney General but as a member of that profession.

I think it is fair to say this, however, that the profession, as far as I am aware, is the only profession which of its own voluntary law-making powers assesses itself in anything of this nature to take care of its clientele. True, other establishments, in other types of mercantile business, the persons who handle funds are bonded.

I think it is fair to say this also, that so far as the records show I think there has not yet been a claim made against the law society funds where it has been proven and established to be one arising out of a solicitor-and-client relationship that has not been paid. You cited a figure of a million and some hundreds of thousands of dollars of claims. But the record shows that the claims are greatly exaggerated, that apart from that a great number of them do not arise out of the solicitor-and-client relationship at all and that, as I say, the record shows that every claim that has been proven to be on the basis of a solicitor-and-client relationship has been met from that fund.

Mr. Whicher: Mr. Chairman, could I ask one question?

Hon. Mr. Wishart: Let me just say this further.

If a dairyman took from one of his producers \$10,000 to invest in a mortgage and failed to invest it and bought a Cadillac and went to Florida, the bond that he carries on under would not pay that claim. The dairyman is bonded for the debts that he owes in the course of his business to his producers, but if he gets into the business of taking funds for investment, he is not bonded for that.

Mr. Whicher: That is stealing.

Hon. Mr. Wishart: That is stealing, precisely; and the lawyer goes to jail. I just read last week of four years, I believe, for one of our colleagues.

Mr. Singer: One of our brethren.

Mr. Whicher: Mr. Chairman, I want to ask—

Hon. Mr. Wishart: While I am on my feet I want to say this. The books of every lawyer, the books of every law firm, are audited; and are audited without notice. The law society sends its auditors in unannounced and they do an audit. Every law firm is covered and the assessment is not a donation; it is a demand and we pay it. I would like to say this, as a matter of interest, I said to the treasurer this year—a couple of months ago: "I do not practise law any more, I have no money belonging to clients and I have no obligation to clients." I guess it was my Scottish ancestry coming to the fore—and he said "Pay."

Mr. Whicher: Mr. Chairman, might I ask the hon. Attorney General how many auditors he has making these spot audits, because according to his book I am going to tell him—I do not want to ask questions that are the least bit sneaky—but according to his own book he only has one auditor. This is what it says here:

The committee considered correspondence with members of the profession and from two county law associations recommending the appointment of more auditors and the extension of the policy of spot audit. This policy is already in effect and the society is presently looking for a second auditor for permanent staff.

Now, Mr. Chairman, I agree that in the city of Toronto—perhaps I am wrong here—that in the city of Toronto you may have spot

audits, but I suggest that in many areas of rural Ontario—

Hon. Mr. Wishart: All through the province!

Mr. Whicher:—there are lawyers who have never had an audit. This is what I suggest to the hon. Attorney General.

There is one thing further that I would like to say. The hon. Attorney General suggested that the claims are sometimes greatly exaggerated. I would be the first to agree but I am sure, Mr. Chairman, that the hon. Attorney General would also agree that in some instances claims are as they should be. Is it not true that no claim over \$25,000 has ever been paid by the law society of the province of Ontario? Is it not true that if there were a legitimate claim, and supposing you had the money for \$100,000, that that estate, that man, that client would only receive \$25,000, even though it is completely legitimate and had been stolen by the lawyer from his client?

Hon. Mr. Wishart: All I say is that there is sufficient in the fund so far to pay all claims that have been proven to be legitimate.

Mr. Whicher: Mr. Chairman, I say this most humbly and strictly as a layman, but I tell you—the fellow is dead now—but in the town of Wiarston a lawyer absconded with \$40,000, he stole it, and the client did not receive one single, solitary red cent. Now, it may be true that the hon. Attorney General—I am sure that he is giving the facts and figures as he is aware of them—but I am saying this as a member of this House, in the town of Wiarston a lawyer absconded with \$40,000 and the people concerned did not get 40 cents in return for it. This, Mr. Chairman, is wrong, and the honourable legal profession, not only in this House but in the province of Ontario, should admit it. They should be bonded, so that their clients are protected.

Hon. Mr. Wishart: I can only say this, that I attended the meeting of the law society this year at Niagara Falls, I heard the report of the treasurer and he was justifying to us the assessment which had been increased; the amount of \$100 that we were asked to pay and required to pay if we were to practise law. I think he did say, I am quite certain he said, that no claim which had been proven to be in the nature of a solicitor-and-client relationship, where fraud or defalcation had taken place, had not been met; that every such claim had been met.

I believe he did say in that report a couple of months ago, I think he did say that henceforth, with the size of some of the claims which are coming forward, he was recommending that a maximum for any single claim be \$25,000.

Mr. Bryden: It has been that all along.

Hon. Mr. Wishart: I am not sure of that; but I do not treat this lightly, I think it is a serious thing. We lawyers have put forward suggestions that we be bonded. I know that when I practised law I would have been happy to be bonded. I carried a type of bonding or insurance to cover errors I might make. But I do not think that bond companies, when you are in a trust situation with varying amounts of trust money coming into your hands, I do not think it is possible to get bond companies to take that type of risk.

Mr. MacDonald: Mr. Chairman, I wonder if I might ask the hon. Minister a question. It comes from a layman—myself. Perhaps it should be addressed to the law society, because I suspect the responsibility rests with them. But I am a bit curious to find out, where there has been acknowledged or proven misappropriation of funds, whether action is taken beyond a reprimand.

An hon. member: It is up to the client.

Mr. MacDonald: You say it is up to the client concerned to charge them and bring it before the court. But to get back to the disciplinary action—I am referring to a case which is out in the open so I am not reviving something that is not known—the case of a former bencher with the law society, E. F. S. Sanders, QC, of St. Thomas. In the December 31, 1964 issue of the law society's publication there was a report of the disciplinary committee which read as follows:

The committee reported that after due inquiry it found the solicitor guilty of professional misconduct and conduct unbecoming a barrister and solicitor in that he procured a sum of money for himself or his firm by misrepresentation made to the solicitor for the purchaser in a real estate transaction, and recommends that the solicitor be reprimanded in convocation and the fact of his having been reprimanded be published in the Ontario report.

It seems to me that if there is this problem within the profession, it may be an invitation to it continuing or even getting worse if, in some instances—particularly if it happens to be a very well-established person; a former bencher—there is only a reprimand

even after an acknowledged misappropriation of funds. What is the hon. Attorney General's comment?

Hon. Mr. Wishart: I would say to the hon. member that I do not know if there was actually misappropriation there; there may have been, but I doubt it. He secured funds, I think—if the hon. member has read it—by misrepresentation to a purchaser of property. He got it for his firm and I do not know how he would go about that except by suggesting that the price was more than it was, or something of that sort, or he got a larger commission or some share of it by directing the deal in a certain direction.

I would say only this, that the benchers, who are elected to govern the law society, I think, are men who are without exception—I am sorry to hear of this exception—so far as I have ever known them, they are men of the highest probity and character. They are the people who bring before them anyone on any complaint made by a member of the public or by a client or by a fellow lawyer, of another solicitor's or lawyer's misconduct, and I would say that I would go before them in fear and trembling, even if the complaint had nothing behind it, because it is an extremely severe body to face in the matter of discipline.

How serious this was it is hard to say from what the hon. member has given me, but I think it is generally recognized that if there is any suggestion of misappropriation or theft, that lawyer does not stand one chance of not being disbarred, at least for some considerable time.

Hon. A. K. Roberts (Minister of Lands and Forests): Mr. Chairman, I would like to mention this, because while I have not been in active practice I have kept up my Bar fees, but I must say that when this reached the point of \$100, along with the Bar fees, I began to wonder just why I should be paying that amount of money every year for people who are certainly not particularly deserving of my support for getting away with other people's money, and in—

Mr. Sopha: The hon. Minister is a bencher.

Hon. Mr. Roberts: Yes, ex officio, but I may say that I do not meddle with their affairs as long as I am in public life, as I am at the present time. I occasionally eat a meal there. But I must say that I got disturbed about this to a point where over the last six or eight months, I have had communications with—or on my behalf communications have been made with—comparable

bodies to the benchers in the various states of the Union, in various Commonwealth countries and in Great Britain itself.

I find that the question of bonding has not been developed to a point where it is in practice anywhere else in the whole world, with the exception of two places. One of them is, I think, the state of Vermont, where they put a small limitation, as I recall it, on the amount involved in the case of loss. It has not been regarded by the governing body there as a satisfactory method.

In Great Britain they now charge about £20 for solicitors, and they have a fund that, I think, is meeting the situation, but the charge is lower than in Ontario.

Alberta has recently started a fund, something like our own here. There are some places where there is no fund at all, and at the moment, so far as contributions are concerned by individual members, the rate as far as I can find out in Ontario, \$100 is the highest anywhere that I have been able to determine.

One of the problems with regard to bonding—apart from the fact that it would be apparently impractical or impossible to get a bond to cover everybody for any amount—is that the best you could hope for would be to get something like the old unsatisfied judgment type of fund which had a very definite limitation on it. The trouble is that when this fund gets insolvent in the way that the hon. member for Bruce mentioned, it is because some very large defalcations take place in respect to certain individuals. The amounts are way out of line, with top figures of \$5,000 or \$10,000 or something of that sort, which is the normal top amount in ordinary bonding.

Another disadvantage of bonding, as seen by governing bodies, is the fact that if you were to put lawyers generally in the position that they have to get a bond before they can practice, there could be discrimination in the sense that the insurance companies—the bonding companies—could rule out people from practice who otherwise would be entitled to do so.

What the real solution is I do not know, but I do not like this \$100, I can tell you that. I hope that by probing and by inquiry, perhaps some better system will be found. But in the meantime, at least, I would like to defend this province by saying that we have, as far as the contributors to the fund are concerned, the highest assessment that I can find anywhere in the whole world.

Mr. Bryden: Mr. Chairman, it does not follow from that that the system is satis-

factory from the point of view of the people who suffer loss of their moneys. The legal profession is a closed corporation, which for all practical purposes is a law unto itself. It encourages people to put their trust in lawyers; they put their trust in lawyers and in some cases—not very many but they are very serious when they happen—the people find that their trust has been misplaced.

In my opinion, it is the responsibility of the profession to do something about it, and I do not think that they are doing an adequate job at all. For one thing, I do not think that they are doing any sort of a job at all in auditing the books—

Interjection by an hon. member.

Mr. Bryden: Well, how can these fellows make off with \$100,000, \$200,000 and \$300,000 without an auditor catching it? Obviously the books have not been audited—

Mr. E. A. Dunlop (Forest Hill): It is also up to the directors.

Mr. Bryden: Pardon? Well, you get 100 clients at \$1,000 apiece and that is \$100,000. It certainly is and this sort of thing happens and I do not think it is a joke.

The hon. Attorney General said that the law society reported that every claim was honoured where it was proved that the loss arose out of a solicitor-client relationship. Well, they are the people who decide whether or not it is proved. Naturally, they would say they were all honoured. They are, for all practical purposes, the defendant and the judge in the action. They decide whether or not it is proved.

Furthermore, they take an unconscionable length of time deciding. I know of one case where they have been at it for two years, and still have not made up their minds, and during all of that period, no interest is paid on the money, if it should subsequently be found to be due. They take their own sweet time. They make no allowance for interest, and they cut down the amount owing in every conceivable pettifogging way.

Mr. Chairman, I would agree that the compensation fund is an improvement over what there was before, because what there was before was nothing, but it certainly is far from satisfactory. It falls far short of providing adequate protection to people who are unfortunate enough to be taken to the cleaners by dishonest lawyers.

Maybe the hon. Minister of Lands and Forests and his colleagues object to the \$100 they have to pay. I am not saying that they

should have to pay it, but something should be done to provide better protection than is now available in situations like this. This business of solicitor-client relationship is a very tricky thing. The average man does not understand the niceties of it. He can lose his money because he was led astray by a man in whom the legal profession encouraged him to put trust only to find that technically he was not involved in a solicitor-client relationship, when the defalcation took place. So he gets nothing. Now that sort of thing is never going to convince the public, or more particularly those who lose from this sort of thing, that there is a fair and reasonable system in operation.

Mr. Sopha: Mr. Chairman, I wanted to make some remarks under this vote. I hasten to assure the hon. Attorney General that I do not, in the slightest way, feel in a contumacious or quarrelsome mood tonight. In my opinion the hon. Attorney General is the very soul of sweet reasonableness; I recoil from the thought of quarrelling with him. I had hoped not to have to start off by replying to the hon. member for Bruce and the hon. member for Woodbine, the latter of which can preach a great sermon at a moment's notice. Continuing in the same vein, I say to him—

Interjections by hon. members.

Mr. Sopha: Just a moment, Mr. Chairman. The gentlemen on the left should not get the impression that because they are noisy they are right. It does not follow.

In the same vein as the Pharisaical way that my friend the hon. member for Woodbine speaks, we in the legal profession are our brother's keeper: by paying the \$100 we at least are living up to our responsibilities to compensate the victims of those who come within the web of the dishonest member of the profession.

Mr. MacDonald: Partially compensate.

Mr. Sopha: As my friend the hon. member for Bruce points out, fortunately they are a very small minority.

I have felt for a number of years that one of the main reasons for the numerous dishonest lawyers we have seen in this province in the past 15 years has been a direct correlative of the large numbers of students at Osgoode Hall, where they had 200, 300, 400, or 600 students crowded in. It became a virtual impossibility for the staff and the faculty to be able to exercise the capacity to pick out the individual who was unfit to

practice law because they sat there in a faceless mass, several hundred of them, in a sea of anonymity, unknown to the staff and the faculty. With pride I say that I attended a small law school where we could barely muster a corporal's guard of 50 students in the whole school because we were discriminated against by the great law society of Upper Canada that has not, even in the year 1965, discovered that the name of this province is Ontario.

In the small law school, which is now becoming the norm in the province, the faculty, with the smaller number of students, is able to pick out the individual with the personality defect and weed him out as being an unfit candidate to practise law. Now, I leave that point.

An hon. member: Where did you go?

Mr. Sopha: I went to the University of Toronto law school; not that it matters.

Interjections by hon. members.

Mr. Chairman: Order!

Mr. Sopha: There are other equally good law schools in the province. There is a good one at Queen's at Kingston, and a good one at the University of Western Ontario.

The next point is that we, in northeastern Ontario, have always objected to the fact that about 200 lawyers in northeastern Ontario—Sault Ste. Marie, the home of the hon. Attorney General, Sudbury, North Bay, Timmins, and Kirkland Lake—have found it impossible to get a person elected to the benchers of the law society. We got one elected through death one time; we could not get him elected by the democratic process to the benchers, the governing body of the society, but we got one there through the death of the person above him, who had had the next highest number of votes. He was on the benchers a short time and was appointed to the Supreme Court. So now we stand where we have always stood, over the years, with no representation on that body. It is a strange and even amusing thing that the lawyers, the law officers of the Crown, the legislative counsel—themselves lawyers—write or review the legislation for the governance of the dental and the medical professions. In The Dental Act and The Medical Act, the lawyers provide that there shall be regional representation on the governing body. The lawyers say, from the plateau of Olympian superiority of knowledge that is fine for the medical and the dental professions; but when they write The Law Society Act, the principle

that is good enough for dentists and doctors is not good enough for lawyers and there is no regional representation.

I am told on the grapevine that the law society is in the process of rewriting The Law Society Act that stands in The Revised Statutes. I hope the hon. Attorney General, if he would give me his attention for a moment, will take a sharp look at any statute that the law society of Upper Canada comes forward with and puts in his hands and asks to pass through this House. He should take a sharp look at it from the point of view of making it mandatory that there be regional representation for we in the legal profession in northern Ontario, as well as our brothers in the profession in eastern and western Ontario, are governed from the city of Toronto.

We are ruled by the lawyers in Toronto; some 2,500 of them dominate us, and in many ways that I could elaborate on and document, we are under the aegis of the Gemini of the profession in Toronto.

To get back to the complaint of my friend the hon. member for Bruce. I have felt that there is a gross inequity, and I agree completely with the former Attorney General, the hon. Minister of Lands and Forests, that it is unfair that every lawyer should be required to pay the \$100. Why, for example, should the lawyers in the department of the Attorney General pay the \$100? They handle no trust funds; they have no trust account; they have no clients' money. There is no possibility of defalcation of funds. If they took government money, that is a matter strictly between the provincial auditor, the Provincial Treasurer and The Department of the Attorney General.

To look at it another way, I have felt it unfair to make a blanket assessment of \$100 for every lawyer. There are law firms in the city of Toronto that have \$300,000 or \$500,000 or \$1 million in their trust account at times. There are lawyers in the boondocks that would not have enough money in their trust account at times to get them from Sudbury for a weekend in Hagar—they would not be able to make it there and back if they used all the money in their trust account. Yet all of us, in blanket fashion, are required to pay \$100. I hope the Clerk of the Legislative Assembly will not consider it a discourtesy in the House to mention that even he pays the \$100, because he is one of Her Majesty's counsel and a member of the law society of Upper Canada. So they assess us all the same.

Perhaps, after all, this Legislature is the most supreme body within its constitutional

sphere in the province and perhaps some day. The Department of the Attorney General will come to the realization that the department is superior even to the law society of Upper Canada. Some day it will take a close look at what that body does with a view to improving it.

Lawyers, in their fierce love for democracy, are the protectors of liberty, the preachers of freedom and the harbingers of hard-fought and hard-won rights—yet they run a society beyond which one could not imagine a more undemocratic body. The body that governs the legal profession never has a public meeting of those who are governed and taxed in the way of the American colonists so that the members may voice their complaints to those who rule them. The hon. Attorney General mentioned the only public meeting there is. Every year at the mid-winter meeting of the Ontario section of the Canadian Bar association, the law society of Upper Canada tenders us all a free lunch for \$170. We get a free lunch, and we get a speech from the treasurer of the society, he always a Toronto lawyer. I do not think that in the history of the society there has ever been a treasurer who has not been from Toronto. I may be mistaken because maybe the fellow from Sarnia was treasurer at one time. I am not sure, but I do not think so. I forget his name.

Mr. A. F. Lawrence (St. George): Jamieson from Woodstock!

Mr. Sopha: Park Jamieson, was he treasurer?

Interjections by hon. members.

Mr. Sopha: Well, the treasurer makes a speech and his report every year. Perhaps the words should lie ill in my mouth when I criticize my own profession, but I have my own responsibilities and I use the time of the House to repeat the complaints that I have heard from lawyers about it. Maybe the time has come to call a spade a spade, and we in the Legislature, through the leadership of the hon. Attorney General should say to the law society of Upper Canada, enough is enough. We will get a little democracy into the profession. Perhaps we will look and assess the compensation fund levy from the point of view of escalating it—that is a good word in the modern day—in correlation to the amount of money, the average amount of money, that is to be found in the trust accounts, so that a big firm with 30 lawyers downtown that has a million dollars in the trust account will pay a great deal more into

the fund than the poor chap in Geraldton who has \$177.52 in the trust account.

Mr. MacDonald: You have millionaires as clients up there, too.

Mr. Sopha: I doubt it. It is a funny thing about practising law outside Toronto, the bigger the client, the more wealthy the client, the more likely he is to hire a Toronto firm of lawyers.

Now, I am going to leave that. I have said things that I did not intend to utter tonight, but I got provoked into them by my good friend, the hon. member for Bruce, and the further comments of my friend, the hon. member for Woodbine.

I listened with great interest to my friend, the hon. member for Riverdale, and his remarks on the administrative procedure code. Over the years, I have spoken in this House about the necessity of "civilizing" the civil service. "Civilizing" is a word I put in quotes. With the increase in government functions—I have said and I repeat—it is absolutely necessary that if we are to protect democratic traditions an administrative procedure code must be adopted in this province for the purpose of laying down the limits within which administrative tribunals can act. It must be a set of standards that will apply to all administrative tribunals.

I was aware shortly after I came into the House that this Legislature in 1952 passed a Proceedings Against the Crown Act, but it had never been proclaimed. It has never been proclaimed. In the 1962-63 session, I put a resolution on the order paper: "Be it resolved that in the opinion of this House the Lieutenant Governor be asked to proclaim The Proceedings Against the Crown Act." The ink was hardly dry on the resolution when the Attorney General of the day marched in with the new Proceedings Against the Crown Act, and it was passed and proclaimed and came into effect on September 1, 1963. So at least that was an achievement.

And let it be said that in the passing of that Act we were just about 20 years behind Great Britain, which had given to the citizens the right to bring action for damage suffered from a growing and more intrusive and more complex state that was interfering more and more in the daily lives of the citizens within the realm.

But in this session, I have come to the conclusion—as I said in the estimates of the hon. Minister of Municipal Affairs (Mr. Spooner)—that we are living in an era of suspended animation here, and almost every time that one feels the urge and the stimulation to get

up and ask the government to do something, one is met by the spectre of some form of committee or commission that is sitting, and one has to wait for that committee or commission to report before the remedy that one seeks can be acted upon.

If we got a cemetery to bury all the committees and commissions this government has appointed since it came to office in 1943, we would need a piece of land bigger than the Mount Pleasant cemetery to put them all in.

An hon. member: They have done a good job.

Mr. Sopha: Not necessarily, and that does not apply to the Hagey commission. We will perhaps get into that later.

So in my keen and fierce desire for the promotion of an administrative procedure code, I have decided on my own to bypass the Legislature, and on Monday, May 17, I am going to present my own brief to the McRuer commission. That brief—some 35 pages—sets out a very detailed skeleton administrative procedure code, and I hope to be able to persuade his lordship, the former chief justice of the high court, to adopt some of my thinking and incorporate it in his report, recommend it to the government, and that is the best chance to move speedily in the direction that we must move in if we are to preserve democracy within this province. That is, the adoption of a set of controls over the some 95 administrative boards and tribunals that are operating within the province. There may be more than 100 now. When the former Attorney General—

Mr. A. H. Cowling (High Park): Mr. Chairman, would the hon. member permit a question?

Mr. Sopha: Certainly!

Mr. Cowling: Would the hon. member tell me why he thinks he is going to get more action by presenting his brief to the McRuer Royal commission than he is by presenting the same suggestion to the legislative assembly?

Mr. Bryden: The hon. member is leading with his chin.

Mr. Sopha: The answer I have already given is that we have seen, through experience, that recommendations we have made have been met by answers from the Treasury bench so that we cannot consider them until a certain commission reports. The Smith commission is a virtual crutch of the government. Nothing, apparently, can be done

in the realm of financial affairs of this government at all until the Smith commission reports. So it is with medicare, the Goldenberg commission on Metropolitan Toronto—

Mr. Singer: The law reform commission—

Mr. Sopha: Yes, the hon. member for Downsview says the law reform commission.

Mr. Cowling: All doing good work.

Mr. Sopha: Not necessarily, there is no proof of that; there is a general categorical statement—

Mr. Cowling: I think the hon. member is going about it in a very round about way, a very round about way.

Mr. Sopha: I want to leave that and will try my luck with Mr. Justice McRuer. On May 17, at Sudbury, when I present my brief with its embodiment of an administration—

Mr. Cowling: It is in Sudbury?

Mr. Sopha: Yes, in Sudbury.

Mr. Cowling: That makes a difference then. I can understand it now.

Mr. Sopha: Let me ask the hon. member, is he downgrading Mr. Justice McRuer's commission?

Mr. Cowling: No.

Mr. Sopha: The inferences from his comments leads one to the conclusion that he is.

Mr. Cowling: No; I am talking about the hon. member.

Mr. Sopha: Mr. Justice McRuer, I might point out to the hon. member, as an insurance agent, is a man who has had a distinguished career in the judicial life of this province—

Mr. Cowling: The hon. member does not have to tell me.

Mr. Sopha: —and his contribution has been—

Mr. Cowling: The hon. member does not have to tell me; I know it. I am talking about you.

Mr. Sopha: And having contributed to the hon. member's education, I am going to leave him and pay no further attention to him tonight.

Some hon. members: Hear, hear!

Mr. Sopha: I take issue with the hon. Attorney General on one final subject. When, in the opening of his estimates, he says he pays a minimum salary of \$5,500 for a starting solicitor within the department, and he is satisfied that the salary raise, in contradiction to that of the allegations of the hon. member for Downsview, is good enough to attract capable men to the hon. Attorney General's department, my answer is that over the six years that I have known these young men, I have seen them come and go as nomadic Arabs. I am not saying that they are Arabs but that is the way they have come and gone within The Department of the Attorney General. I have seen so many of them that have hung their hats for only a short time within the department. When they have a little respite and a little bit of security that was given to them, they have gone to greener pastures. I say to the hon. Attorney General that it is a virtual impossibility to expect a young man coming out of law school to subsist and take his proper place in society as a professional person on \$400 a month. If he has any children, he simply cannot do it.

Does the hon. Attorney General pay the \$170 to the law society to enable these people to continue to practise, or are they expected to extract \$170 from the \$5,500 pickings that they get, and attempt to live on the rest?

I do not want to make any comparisons, and especially I do not want to make any personal comparisons, but I challenge the hon. Attorney General by saying that he is not competitive with private law firms. I venture to say that the minimum starting salary of the graduate of a law school with a private law firm is something of the order of \$150, which makes a starting salary of \$7,800 annually.

My friend, the hon. member for Downsview and I, attended the public accounts committee this year. We made searching inquiries about the amount of money that is spent by the various government departments in the hiring of outside legal services. We discovered that, as a minimum, the government pays some \$500,000 annually to outside legal firms, and we, over the years, have urged upon this department the proposition that, when the government of Ontario is involved in litigation, The Department of the Attorney General ought to be in the court representing the government, not some private individual hired from splendiferous chambers on Bay Street or Richmond Street, who walks into court and is representing the Queen in the right of Ontario.

One who is cognizant of the historical nature of the office of the Attorney General—attornatus regis—knows that the person who represented the government and the Queen in court was none other than the Attorney General himself; so it still is in Great Britain. The Attorney General goes into the court to act on behalf of the government. If he does not, he is represented in the court by Treasury counsel. Many of the Treasury counsel eventually wind up on the bench; they become justices of the high court. But the only example in Ontario in recent years that I know of the Attorney General going into court was one occasion when the hon. Minister of Lands and Forests appeared in the court of appeal. He appeared for the government to try to persuade the court of appeal into the adoption of a proposition that was absolutely indefensible. He had to go there because he could not get anybody else to propound that proposition. And he was shot down in flames by the court of appeal.

Hon. Mr. Roberts: My average in the court of appeal both here and in Ottawa is considerably better than the average of my hon. friend in the Sudbury courts.

Some hon. members: Hear, hear.

Mr. Sopha: That was the only occasion, so the hon. Minister is batting nothing for one, which is zero. I add that when they took The Unconscionable Transactions Relief Act to the Supreme Court of Canada—I want to pay the hon. Minister a compliment—he was the only person within The Department of the Attorney General that felt that the Act was *intra vires* of this Legislature. He was—

Hon. Mr. Roberts: The hon. member might as well finish—I did not argue that one.

Mr. Sopha: The hon. Minister did not argue it and he was proved to be right. A good man, a good lawyer, Elliot R. Pepper, QC, who argued that case, had by that time left The Department of the Attorney General.

I want to say, lest I forget, that within The Department of the Attorney General are very able lawyers, very able men. There is no finer lawyer—I blush, in case he thinks that I indulge myself in flattery—than Mr. William Bowman, QC, the director of public prosecutions of this province. It is a wonder that a man of Mr. Bowman's calibre has withstood the penury of near poverty over the years and stayed with the government. It is incredible. And there are several others that have stayed around; Mr. Frank Wilson and Mr. John Austin. The rest, like the

nomadic Arabs, have packed up their tents and disappeared into the gathering sandstorm, and so they continue. Sir, you will not be able to build up a corps of competent legal talent until you make your prices competitive with that of private industry within our profession.

Vote 201 agreed to.

On vote 202:

Mr. Singer: Mr. Chairman, I do not know how long the House intends to go on tonight, but I have some extensive remarks I want to make in connection with vote 202, the Ontario police commission. If it is the desire of the government that we go on—

Hon. A. Grossman (Minister of Reform Institutions): Go ahead, I have no place to go. I just came.

Mr. Singer: Mr. Chairman, vote 202 deals with the Ontario police commission and with the police forces in the province of Ontario. I think that the comments set out in the report of the police commission are as good an example of the type of criticism that I have to offer tonight as are available. I suspect, and probably this will not be readily admitted, I would suspect that perhaps the police commission might want to give me a very quiet vote of thanks for asking some of the questions I did and producing the answers, because I note that a great amount of the statistics included in this report, contrary to other reports we have seen from the commission, are those that were produced in answer to my questions. At least to that extent, Mr. Chairman, my questions perhaps started the police commission along a certain line of thinking.

I think it is of some very substantial significance, that the police commission advises us, and I will not refer to the answers to the questions as I put them down because some of the statistics there are at slight variance—I presume these are later figures and later statistics—but they advise us that we have some 280 police forces in the province of Ontario, and of these some 202 consist of nine men or less, and that of this number, 63 had a strength of only one man. As I read page four—and this is at the beginning of their report—I noted the comment where they say it is interesting to note. I hoped that that was not going to be the extent of their comments, and my hope was borne out because later on they do much more than saying that it is interesting to note.

But they go on to say, and they say very vividly, that a force of under ten men cannot

be expected to function properly or efficiently. I will come to that just a little later in my remarks. But along the way I think the goals that they set out on page seven of their report should be noted. They suggest as a goal that every police officer in Ontario should be provided with training at the Ontario police college; that every recruit shall be required to complete successfully the recruit training course at the Ontario police college before his appointment to a police force is made permanent; that all promotions be made within a force only after the candidates for promotion have been qualified by training, written examination and appearance before a selection board; and that all candidates for chief constable be required to complete successfully an approved course for such a position.

While I do not want to claim any pride of authorship of some of these suggestions, I agree with these goals. I think they are most worthy. But I am disappointed, Mr. Chairman, and I think we must all be disappointed, when we recognize that the police commission at this stage can go no further than to say these are goals that might be reached some time in the vague and distant future. There is not even a schedule of hope as to when and if we might be able to begin to realize this sort of goal. If you will look at the detailed answers to my questions you will realize that our police college has not the capacity to begin to take on this job at the present time, and it is not anticipated, as I read these estimates, or as I have listened to the hon. Attorney General's remarks, that the capacity is going to be increased to any measurable extent in the immediate future. So how can goal number one, as worthy and important a goal as it is, expect to be carried out? And if goal number one is not carried out, then how are we going to upgrade our police forces, as we all agree that we should and as the police commission recommends should be done? And that every recruit shall be required to complete successfully the recruit training course at the police college before his appointment to a police force is made permanent—the same comments apply there.

I went further in my questions. I asked about how many in-training courses there are. The number of them in comparison with our police forces is minimal, so there is not capacity; there is not available space; there is not available staff at the police college to provide this recruit training. Again, there is no real suggestion in the estimates, as I understand them, that the capacity is going to be so increased or that this goal is going

to be obtainable in the immediate future. My friend perhaps can enlighten me on some of this.

Hon. Mr. Wishart: Mr. Chairman, perhaps the hon. member would permit me to say that on page 16, first of all, of the report, there is a recommendation that serious and immediate consideration be given to the replacement of the present temporary accommodation with permanent buildings, that is a police college. Might I say this further, that the replacement and extension of the police college is on the capital programme of The Department of Public Works. I will not, of course, say that it is in the estimates for this year, but we are moving.

Mr. Singer: Well, I suppose it is a sign of progress that we are moving, but to get to the stage that we have got to, where 202 of our 280 police forces consist of nine or less men, and to repeat again the comments the commission made—I need quote no better authority than the hon. Attorney General's own commission—these forces just do not work, they cannot work properly and efficiently and something has got to be done. We have got to engage on a crash programme. Perhaps you could use the schools in the summertime and run extra courses. But you have got such a fantastic backlog of training that is necessary for present police officers and for recruit officers, that it is going to take years and years to catch up, even if the hon. Minister of Public Works (Mr. Connell) starts building his building tomorrow, and he is not likely to do that, because it is not even in the estimate for this year.

Mr. A. F. Lawrence: They are not necessarily all untrained.

Mr. Singer: Well, do you want to look at the figures again—280 forces, 202 with nine or less officers which are inefficient. Then let us look at some of the details here in the questions and answers. The substantial number of them are not trained, and I think that as you read this police commission report—

Mr. A. F. Lawrence: They are not all untrained.

Mr. Singer: I did not say they were all untrained. This is, of course, not true. There is a training system here within Metropolitan Toronto. Our Metropolitan Toronto police have their own college, but by and large there is no adequate system of training police for the province of Ontario, and the present programme as it is planned, or as it is

expected to be planned, is going to take years and years until it catches up with this need for training.

My suggestion is that it follows as clearly as night follows day from what is in this report and from the statistics that we have available, that the hon. Attorney General should be able to announce that his department is going to embark on a crash programme for training police officers, and we have heard nothing like that at all. I think we should hear something like that.

Mr. G. A. Kerr (Halton): Read pages 14 and 15.

Mr. Singer: I will come to that, be patient. It is a long night.

The question of promotions and so on. There were some questions about the system of promotions, and I think the answer was that the survey is not complete and it is difficult to tell, but by and large there is no real knowledge that there is any qualifying system of examination for producing promotions and special training for chief police constables. That was one that I did not approach, but this is a good addition, and certainly there should be an extra special qualifying system for chief constables.

On page eight are the remarks that I referred to just a moment ago. And this is what the commission says:

Whereas it would be unwise for your commission to propound or formulate any general policy for policing in this province until the completion of the survey, nevertheless, there is an emerging picture of the province in large part policed by small forces dotted across the province which, because of their size and consequent limitations of budget, cannot possibly hope to have efficient, well-trained or adequate police forces. It is the considered opinion of your commission that no police force under ten men can possibly hope to have a properly organized, well-trained and efficient force capable of serving their area of responsibility.

Again, out of the mouths of his own officials, the hon. Attorney General's present system of operating police forces is damned in far better language than perhaps any one of us could do here. This is an emergency situation. We need emergency measures to deal with it. And what is going to be done? Well, there are some suggestions here.

Hon. Mr. Wishart: Supposing I agree with my police commission, do I suddenly pass legislation saying to the municipalities in this

province who have forces of ten men or under: "You must amalgamate, you must abandon those forces or you must allow us to police you with the provincial police"; or do you believe in any local autonomy at all?

Mr. Singer: Mr. Chairman, I am glad the hon. Attorney General brought that up, because this was the point I am coming to. This is a disease that pervades across the whole of the front bench. When we dealt with the hon. Minister of Municipal Affairs he said: "What do we do? We have 970 municipalities. Do we suddenly say: 'Local autonomy goes out the window and we don't have 970, tomorrow morning we have 320?'"

Hon. Mr. Wishart: Let me make it clear. I am not asking the hon. member what to do. I am asking him if he believes in that kind of compulsion?

Mr. Singer: I will come to that in a moment—

Hon. Mr. Wishart: Let me make it clear. I am not asking him what to do; I know what to do. But I do not agree with what the hon. member apparently is about to suggest.

Mr. Singer: Why does the hon. Attorney General not wait until I have suggested it and then let us hear why he will not do it?

Hon. Mr. Wishart: That is what I want to know.

Mr. Singer: All right. Just be patient!

The hon. Minister of Municipal Affairs is faced with the same problem. The select committee on The Municipal Act and related Acts sat and wrestled with this problem for four years. I do not know if the hon. Attorney General has had an opportunity of reading that report, but in essence the recommendation is that action has to come from the top down to clear up this situation. His colleague, the hon. Minister of Economics and Development (Mr. Randall), with all the fanfare, rolling of drums and the blowing of bugles, had this great regional government conference. He believes regional government is the coming thing and it has to be done. His leader, the hon. Prime Minister (Mr. Robarts) speaking last night to a gathering where 13 Cabinet Ministers were, said there is going to be regional government in this province. Seven hundred people cheered him to the echo. His colleague, the hon. Minister of Reform Institutions painfully told us his troubles in trying to get the regions together and produce jails. He asked us: "Please do

not rock the boat, fellows, because I am moving to the stage where maybe we will convince some people to get together and build jails—”

Hon. Mr. Grossman: I never said that at all. I said we were doing very well.

Mr. Singer: But you were not able to tell us one regional jail that you had produced. You were hoping, because of the tone of the meetings—

Hon. Mr. Grossman: You want it done overnight.

Mr. Singer: No, not overnight. You and your colleagues have had 23 years—

Hon. Mr. Grossman: Mr. Chairman, if I had all the power in the world—

Mr. Singer: In your department, in The Department of Economics and Development, in The Department of Municipal Affairs, in The Department of the Attorney General, in The Department of Health, where the same problem exists, and The Department of Public Welfare, this problem continues and gets worse, because every Minister asks, what are they going to do about local autonomy? The only brave man at all in the front benches is the hon. Minister of Education (Mr. Davis), who stood up one day and said: “As of tomorrow, or as of the day the Act is passed, a third of the boards of education are gone.” He realized that he had an emergent problem and he did it with, apparently, the blessings of the rest of you. If you believe the words of your own police commission, Mr. Attorney General, if the situation is as bad as they say it is—I think it is, they think it is and you think it is—then for goodness sake let us have some action. Let us get these forces amalgamated; let us put them together.

Hon. Mr. Wishart: We got the report only a week ago.

Mr. Singer: Yes, you only got the report. These facts have been obvious. The only thing that is different this year is that we have a government-appointed body, your body, that puts it down on paper so I can quote their words instead of using my own words. That is the only thing that is different.

Mr. Kerr: What about the Act just introduced?

Mr. Singer: Yes, the Act makes it permissible.

All right, let us look at the three ways you are going to get your police forces together.

The first was a voluntary or permissive system, and the Act was changed. As I say, the other night I commended the hon. Attorney General on being so quick and alert in having just received this report; he was able to quickly pass the statute and bring it in the day after. That is pretty good.

Hon. Mr. Wishart: Let us get that clear right now. I did not wait for the report to start the legislation.

Mr. A. E. Thompson (Leader of the Opposition): Why did you wait in this case?

Hon. Mr. Wishart: I knew something of the thinking of my commission. We do not wait once a year to get a report. We have some liaison, some co-operation, and some conferences with my commission.

Mr. Singer: No, I am sure you do not. But if I recall your words correctly, you said: “This statute reflects many of the recommendations in the report.”

Hon. Mr. Wishart: That is right. But I did not say I waited for the report.

Mr. Thompson: You were just saying that you just got the report, that is why you cannot amalgamate.

Hon. Mr. Wishart: Well—

Mr. Singer: How many ways can you have the same argument?

Hon. Mr. Wishart: The hon. member for Downsview thinks I must have Aladdin’s lamp in my hand to suddenly create all the buildings and equipment and colleges that he wants to arrive tonight.

Mr. Singer: If you want to go back to that one, and I thought I had left it, let us go back. I am not saying that you have an Aladdin’s lamp, and I am not saying that you have the ability to corral for this purpose millions of dollars of government money just by snapping your fingers and saying there will be 91 police colleges tomorrow. But I am suggesting that the situation is so emergent and, since we now have apparently an Attorney General who admits it is a situation of grave emergency, that a real investigation could be made of launching a crash programme. Let us start off with using some of the schools that we have during the summer months. There are all sorts of buildings all over the province. Let us second,

from some of our senior forces, inspectors or sergeants who are trained men with substantial experience and put them in these schools for the officers who need the training. There was an emergency a few years ago in producing school teachers. Eventually the public clamour for having teachers in schools to man the classrooms grew so great that eventually there was a crash programme for producing teachers. It was not the best programme, but it certainly was better than nothing. If there is anything more important than the administration of law, what can it be other than having well-trained police officers? Let us see some imagination and some initiative, and let us get into a crash programme for training police officers until you have enough buildings in the course of time that will act as permanent schools and permanent training offices.

Hon. Mr. Wishart: Did the hon. member read the report of the provincial police commissioner?

Mr. Singer: Yes, I have read that.

Hon. Mr. Wishart: Did he note the remarks about trying to train policemen in the summer months?

Mr. Singer: I would suggest to the hon. Attorney General that if there is a will, there is a way. If you want to produce trained police officers, if you want to embark on a crash programme of training, if the remarks of the police commission have any merit, I think you would find a way to start training them at a far greater rate than you are doing now.

Mr. Thompson: They did it for veterans after the last war. They put on programmes; they did not wait around for big buildings.

Hon. Mr. Wishart: I could give you quite a discussion on the matter, but there is quite a difference between this and training veterans for certain purposes. As the commissioner of the OPP pointed out, we do most of the training of the policemen in the winter months. In the summer our population is increased in many places 10 to one—in some places 20 to one—and a traffic problem arises. There is a tremendous demand on police services, not only OPP but all across this province. This is not the time when you can afford to take away from your small police forces. Most of our municipalities are burdened now with providing policing. I am sure that the hon. member for Niagara Falls (Mr. Bukator) will be telling me that I should find another 10 or 12 policemen for his vil-

lages over there in the summer months. But this is not a feasible time to train them; that is the point.

Mr. Thompson: I am not talking, Mr. Chairman, in connection with the time, summer or winter. What I was mentioning is that the hon. Attorney General had referred to the suggestion of my friend, the hon. member for Downsview. He said to look at page 14 and, with some pride, said that he was hoping to get a building. It was not in the estimates, and we were to wait patiently until this building was produced—at least, that is what I inferred from his remarks—before any training is done.

I suggest that this does not mean a great deal. But I am a product of a university training after the war, and if the president of the university had waited for a building, many of us would never have gone through. He took, for the University of British Columbia, a number of Quonset huts from an air force base and got on with the job. If he had waited around for some fancy buildings, many of us would not be where we are today. Whether that is good or bad I do not know; all I say is not to wait for bricks and mortar, because with imagination the training can be started.

Mr. Singer: Now to get back to amalgamation. The report suggests that there might be three kinds of amalgamation: permissive, persuasive, and mandatory amalgamation. What I am going to suggest, Mr. Chairman, is that the only way this is going to come about, if it is worthwhile at all, is by mandatory amalgamation, the same as the select committee on municipal affairs suggested in its report. If you are going to get the type of regional government that the committee believed in unanimously—there was some disagreement about how it would come about—unanimously believed was needed, then the impetus and the direction has to come from the top down.

It is the same as the hon. Prime Minister appeared to be talking about at his political meeting last night. If you are going to get the kind of government that you want, it cannot come voluntarily and it is not going to come voluntarily. All these years we have been talking about it and it has not been happening.

The answer to one of these questions indicates that there are the same number of police forces as we had last year. It was necessary in the amendments to The Police Act to allow amalgamation, but I am predicting to you, sir, that if there are only

permissive qualifications for amalgamation, or even persuasive qualifications, there will be no more success in the hon. Attorney General's attempts than in those of his colleagues in other departments. If amalgamation is worthwhile and it is important, then someone—the hon. Attorney General or the commission, but someone with the power—must say that in such and such a situation, we have investigated and we have listened to the hon. Attorney General's thoughts on it, but we have come to the conclusion that instead of ten little forces there will be one big force, and these will be the boundaries of it.

I am not suggesting that the hon. Attorney General sit down tonight and look at the size of the force and draw circles on the map, and I do not think that anybody would suggest that. But I am saying that these amalgamations have to come about; they have to come about after proper study so that that importance of local autonomy will be preserved, or at least local ideas, like calling into consultation the local people. But the decision has to lie either with the hon. Attorney General or with his officials, and unless he or they are prepared to do this then he is not going to get the sort of police system that I believe this province needs, and apparently the police commission believes this province needs.

Now I want to talk about another facet of the police commission report. The police commission has made a very substantial number of investigations—I think 182, in answer to my question 93—in the year 1964. Two of those were at the request of boards of commissioners of police; two at the request of chief constables; 19 at the request of the municipal authorities; 150 on their own initiative. As a result of these investigations, many recommendations were made as a result of the surveys conducted. Among the major recommendations they list additional personnel; revision of duty schedules; permission for the chief constable to attend the college at Aylmer and on and on. They are not able to tell me at this point how many of these recommendations that they made were accepted, adopted and carried out and if they are going to carry on discussions with municipal officials with a view to implementing their recommendations that have not been carried out.

I say this is another serious fault in our police administration. If the police commission is going to be charged with the responsibility of making these sort of evaluations and investigations, and if the government has faith in them—and apparently the hon. Attorney

General does because he is increasing their budget and they are being given more personnel, good personnel—and if they are going to go around the province and examine and study and report, then I say, sir, there will have to be some teeth put into the recommendations that they make. There has to be power somewhere to carry out these recommendations.

With this in mind, I want to refer to one particular situation. Just let me read these preliminary remarks here:

The police commission has a tremendous opportunity to affect uniformity and cohesion of local police forces in Ontario, something that is badly needed at present. The problem is that the police commission lacks any practical power to implement its recommendations in these fields. It can only make suggestions which may be vetoed or ignored by local authorities having local control over the local forces.

Some measure of local control over local forces is, of course, necessary. However, the police commission must be given wide powers of supervision over its local control, or if not the police commission, then the Attorney General must be given this power. Its decisions must prevail in cases of conflict—

Hon. Mr. Wishart: Are these the hon. member's remarks, or is this something that he is reading?

Mr. Singer: Oh, no. These are remarks I have in written form rather than in verbal form; these are my remarks. For instance, the Ontario police commission should be empowered to order amalgamation—and these remarks were prepared before I had an opportunity to examine the report—of small and ineffectual local police forces where necessary—I have already covered that in the written remarks—should also be empowered to order the creation of local police commissions in municipalities where control of the police force is still in the hands, on occasion, of a council that is not properly controlling their affairs. And there is something—the hon. Attorney General approached this in his amendments to the Act.

Police control should be taken—an interesting case—

Mr. Bryden: The hon. member should rewrite those remarks.

Mr. Singer: It is pretty hard to rewrite remarks which were prepared in advance when suddenly you get additional information of a report and a new statute—

Hon. Mr. Wishart: Why do we not take those as read?

Mr. Singer: Because there is some very substantial merit in what is coming now.

An interesting case in point is that of Peel county and the Brampton police force. The Ontario police commission had made recommendations which, it would appear to me, would greatly improve policing in this region. These seem to have been completely rejected by the local government. Until the fall of 1962 control of the town of Brampton police force was vested in the town council. They attempted to direct policing through a police committee. This committee made few, if any, recommendations to the police department, and received few, if any, communications in return.

In the fall of 1962 the council decided to create a board of commissioners of police, consisting of Mayor R. Prowse, Magistrate H. T. G. Andrews and Judge E. W. Grant. The mayor was the spark plug, I am advised, in getting this police commission set up. Magistrate Andrews is highly regarded, a former practising lawyer in Brampton who has always been cognizant of policing problems in the town, and Judge Grant holds similar views. It would seem on the surface that this was a very good police commission.

From the outset, the lack of communication between the commission and the town council was obvious. The council was not too happy to see the commission, even though the commission had been set up. The commission was trying to bring the police force up to a point adequate to meet the needs, and an obvious conflict developed almost immediately. The council believed there was really nothing wrong with the police force as it stood.

In 1964, in order to facilitate the streamlining of the Brampton force, the Brampton police commission asked the Ontario police commission to evaluate the force and to make recommendations for its improvement. When this request was made known to the town council, that body declared that such an investigation was unnecessary and dissociated itself with the request entirely. The Ontario police commission, nevertheless, went ahead with the evaluation as requested, and produced the attached report, which I am going to read. The report confirmed what many citizens believed was the case for some time. The report indicates quite clearly that the force was not efficient, and that it was inadequate. It was indeed adequate to the needs of the town some 14 years previously, but the commission's report indicates that it

certainly was far from adequate for the year 1964. Accordingly, the commission's investigator, former Deputy Chief Kerr of the metropolitan police, a man whom I have known for some years and had great respect for, he went; it was his responsibility that the majority of these recommendations were put forward. But this was as far as the police commission can go. They table the recommendation. The problem has now returned to Brampton town council and the police commission for ultimate solution.

The Ontario police commission, having made what I think was an excellent report, was now—well they were out, finished. They had made their recommendations and that is about the end. There was no means given to them to ensure that these recommendations would be carried out. The problems created by leaving the solution of the dilemma to the local authorities were great. At first, there would appear to be two solutions. Either the chief constable could have been given a certain period of time in which to bring the force up to par, or else arrangements could have been made to find a new chief of police. In a normal course of events, either solution would have accomplished the objective, but this was not the case. The report was presented to the town council, since the support of that body was necessary to its implementation, and as the council still exercised control over the police force and the commission in some respects, notably in budget.

You cannot carry out the sort of reform recommended unless the money is made available. The second came to the extraordinary decision that the whole evaluation was a mistake from the beginning. The comments of some of the councillors in the various press reports are indicative of the council's feeling. They saw the report as a personal affront to the chief constable and to the honour and glory of the town of Brampton. They viewed its criticisms as destructive rather than as constructive. Consequently, they refused to take any action on the report. They decided to leave the force as it was and to ignore the work and the recommendations of the Ontario police commission.

However, even that was not enough; the council did not stop there. They saw the situation as a result of a personal feud between the Brampton police commission—I have already told you the personnel on it—and the chief constable as an indication of the Brampton commission's unwillingness to co-operate. Co-operate is an interesting word; perhaps be guided by or accept the direction

of council, even though they were sitting as a police commission. It is doubtful whether there is any truth whatsoever in these assumptions. In fact, I think the burden goes the other way.

However, the incensed council, in the heat of the moment, took the extraordinary and fantastic action of passing a bylaw dissolving the Brampton police commission, which had been created just two years before and whose first substantial action had been to say that it did not think that the police force was up to what it should be. Mr. Chairman, can you imagine a situation more ludicrous than this?

Hon. Mr. Wishart: Mr. Chairman, could I say that the Act I brought in the other day adds to the power of the police commission the determination, if need be, after a dispute between a board or a police committee, not only the personnel, but arms, equipment, clothing and other training. I think that is the language, speaking from memory, so that now not only are all the requirements of the force in there, but also the power to say obtain it and carry it out; establish a proper force.

Mr. MacDonald: Is this retroactive?

Hon. Mr. Wishart: No, it is not retroactive, of course. Furthermore, if the hon. member has talked with the mayor of Brampton since our conferences, since the study made by the commission, since the recommendations, and since the change in the personnel of the board of police commissioners, he will, I am sure, have been told that police matters are in excellent condition in that town.

Mr. Singer: They may be in excellent condition now. I have not had as recent conversations as the hon. Attorney General, but I think this case is still well worth detailing here because it is indicative—

Hon. Mr. Wishart: A little old straw.

Mr. Singer: It is not a little old straw. This report is a 1964 one.

Hon. Mr. Wishart: But the situation—

Mr. Singer: All right. November 4, 1964, was the date this was published in the *Brampton Times and Conservator*.

Hon. Mr. Wishart: This is 1965.

Mr. Singer: I suggest that is not old at all. I suggest it is very recent.

Hon. Mr. Wishart: It has all been taken care of.

Mr. Singer: I am not too sure that it has all been taken care of, at all. In any event, sir, this is all going to go in the record because it is an important part of the determinations that have to be made. The hon. Attorney General is more familiar with the paragraph-by-paragraph wording of the amendments to The Police Act. I did not spot the reference that he made, but, if I understand him correctly, the words and other things are supposed to be allowed to apply to the general type of improvement that the Ontario police commission recommends. It would be my opinion that the words and other things, perhaps following ejusdem generis rule, would be somewhat related to physical equipment rather than the real organizational changes—somewhat more closely related to equipment, rather than the sort of major changes suggested in this report.

It has been suggested to me that perhaps it would be appropriate to adjourn at this time, because I want to go on at some length yet on this. If it is agreeable, Mr. Chairman, I will move the adjournment of the debate at this point.

Hon. Mr. Rowntree moves that the committee of supply rise and report it has come to a certain resolution and ask for leave to sit again.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of supply begs to report a certain resolution and asks for leave to sit again.

Report agreed to.

Hon. H. L. Rowntree (Minister of Labour): Mr. Speaker, tomorrow we will turn to what is order two on today's bill and have a debate on the report of the select committee on The Municipal Act. In addition to that there will be Budget debate.

Hon. Mr. Rowntree moves the adjournment of the House.

Motion agreed to.

The House adjourned at 11.10 o'clock, p.m.

No. 89



ONTARIO

Legislature of Ontario

Debates

OFFICIAL REPORT—DAILY EDITION

Third Session of the Twenty-Seventh Legislature

Friday, May 7, 1965

Speaker: Honourable Donald H. Morrow

Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

FRIDAY, MAY 7, 1965

The House met at 10.30 o'clock, a.m.

Prayers.

Mr. Speaker: We are pleased to welcome as guests in the Legislature today, students from the following schools: In the west gallery, Trafalgar public school, London; and in the east gallery, A. E. Lovell public school, Oshawa, and Franklin Horner public school, Etobicoke.

Petitions.

Presenting reports by committees.

Motions.

Introduction of bills.

THE MILK ACT, 1965

Hon. W. A. Stewart (Minister of Agriculture) moves first reading of bill intituled, The Milk Act, 1965.

Motion agreed to; first reading of the bill.

Hon. W. A. Stewart (Minister of Agriculture): Mr. Speaker, I would like to make a few comments with reference to this bill, The Milk Act, 1965. This is a completely new Act which will replace the present Milk Industry Act, and will encompass all aspects of the responsibilities of The Ontario Department of Agriculture insofar as the dairy industry is concerned.

The present Act, namely, The Milk Industry Act, was developed over a period of several years and has been amended from time to time. It was felt that since some rather major revisions were being presented, it was better to draft an entirely new Act, and to make provisions for the repeal of the Act which is presently in force.

The new bill will become effective upon proclamation. It is anticipated that it will be necessary to have a transition period during which the administrative responsibilities of the milk industry board, which at the present time supervises the dairy industry in Ontario, are withdrawn, and a new milk commission establishes a new administrative procedure.

I am sure, Mr. Speaker, that the hon. members of this House all appreciate the importance of the dairy industry to the economy of this province. They produce one-third of all the milk produced in Canada. Because of the importance of this industry, any changes and adjustments in administrative and marketing methods must be brought about in an orderly and gradual manner.

On May 30, 1963, the government established a milk industry inquiry committee under the chairmanship of Professor S. G. Hennessey, with members Mr. J. E. McArthur, and Mr. F. E. Wood. This committee carried out an exhaustive study into all aspects of the dairy industry, and submitted their report to me on March 5, 1965. I believe the committee conscientiously carried out the task assigned to them and submitted a report based upon their analysis of the briefs presented to them, special research studies which they instituted, and their general assessment of the dairy situation.

There is no doubt that this report indicated very strongly that changes are needed in milk marketing in Ontario in order to avoid serious deterioration in the industry, and to enable it to strengthen and continue its position of importance in the provincial and Canadian economy.

Now, Mr. Speaker, the bill makes provision for the appointment of a milk commission of Ontario, appointed by the Lieutenant-Governor in Council which will be responsible to the Minister. The commission is empowered to supervise all aspects of the dairy industry in Ontario. The bill allows the continuance of the cream producers' marketing plan, and the cheese producers' marketing plan. Provision is also made for the establishment of the milk producers' marketing board which will be responsible for the marketing of all milk produced in Ontario. It is the intention of the legislation that when the new producers' board becomes operative that it will replace the present responsibilities of the Ontario whole milk producers' league, and the Ontario concentrated milk producers' marketing board. There will be one producers' marketing board, with the responsibility of marketing all milk within Ontario.

The bill makes provision for establishment of conciliation procedures which would endeavour to effect agreement, where necessary, between various negotiating sections of the industry. This is being done in an attempt to avoid needless arbitrations.

The bill also makes provision for the appointment of advisory committees which will function in connection with the milk producers' marketing board, the cheese producers' marketing board and the cream producers' marketing board. These advisory committees would provide a common meeting ground for processors, distributors, producers and truckers for the purpose of solving mutual problems and avoiding misunderstanding. Agreements reached by such advisory committees will not be binding on either party without official ratification by the organization or marketing board concerned.

Mr. Speaker, the bill further provides for the complete co-ordination of milk and cream quality standards and milk and cream testing within Ontario. I would like to say that this bill has been drafted in close consultation with Quebec and with the Minister of Agriculture for that province, the hon. Mr. Alcide Courcy, and with the federal Minister of Agriculture, the hon. Mr. Harry Hayes. As a matter of fact, Mr. Speaker, the most recent joint meeting was held last Monday, May 3, in Ottawa.

Ontario and Quebec produce over two-thirds of the Canadian milk production and the federal government at Ottawa is responsible for Canadian dairy policy and, in particular, price support under The Agricultural Prices Stabilization Act. It is, therefore, most important—indeed, it is essential that the provinces of Ontario and Quebec and the federal government co-operate as closely as possible in the development of long-term dairy policy.

I would like to publicly express my appreciation to the hon. Mr. Harry Hayes for the time he has given to us in these matters and, as well, say that there has been the closest co-operation and understanding between my office and that of the hon. Mr. Courcy of Quebec. I publicly express my appreciation to him as well.

Mr. Speaker, this bill, through the normal procedures of the House, will go to the committee on agriculture. Thank you very much.

Mr. R. M. Whicher (Bruce): Mr. Speaker, I wonder if I could ask the hon. Minister a question? Recognizing, of course, the fact that there will have to be a transition period before this can take effect, would the hon.

Minister care to hazard a guess as to when it might be proclaimed? In six months?

Hon. Mr. Stewart: The intention, Mr. Speaker, to bring this bill into effect is to bring it in on proclamation. I would propose that if the bill meets with the approval of the House and receives Royal assent, it will be proclaimed at the various stages of the implementation of the principles in the bill. The first thing that would be done, I would suggest, would be the appointment of the milk commission and gradually work from there on. The present steps, so far as the dairy industry is concerned, will remain in effect until this bill becomes operative to avoid any great confusion in the industry.

Hon. J. Yaremko (Provincial Secretary): Mr. Speaker, I beg leave to present to the House the following reports:

1. The 40th annual report of The Department of Health for the year 1964.
2. The annual report for 1964 of the Ontario cancer institute incorporating the Princess Margaret hospital.
3. The annual report for 1963 of the Ontario cancer treatment and research foundation.
4. The annual report of the Ontario mental health foundation, March 31, 1964.

The hon. Prime Minister (Mr. Robarts) tabled answers to questions on the order paper as follows:

56. Mr. V. M. Singer (Downsview): Inquiry of the Ministry: 1. Will the Attorney General advise: (a) how many new police officers were hired by all police forces in Ontario including Ontario provincial police in the years 1963 and 1964; and (b) identify the municipalities hiring new police officers and the number hired by each? 2. Will the Attorney General also advise the number of new police officers, hired in Ontario in 1963 and 1964, who took courses at the Ontario police college.

Answer by the hon. Attorney General (Mr. Wishart):

1. (a) 1963, 940; 1964, 1,043.

(b)

Municipality	1963	1964
Hespeler	1	1
Owen Sound	2	—
Copper Cliff	2	4
Port Credit	1	1
Barrie	4	3
Widdifield, township	4	1
Seaforth	2	1

1(b) <i>continued</i>			1(b) <i>continued</i>		
Municipality	1963	1964	Municipality	1963	1964
Grimsby, township	—	1	Sarnia	2	7
Guelph	4	7	Blezard, township	—	1
Hanover	1	—	Blind River	—	1
Lakefield	1	—	Matheson	—	1
Amherstburg	1	2	Niagara Parks	—	1
Milton	1	1	Hearst	1	—
Norwich	1	1	Port Colborne	—	1
Oshawa	5	21	Sandwich East	2	3
Rodney	1	—	Cobourg	—	1
Beamsville	1	1	Port Elgin	1	3
North Bay	1	2	Grimsby	1	3
Campbellford	3	—	Woodbridge	—	—
Cornwall	—	1	Schreiber, township	—	2
Strathroy	—	5	Stratford	—	3
Palmerston	1	—	Gloucester	—	10
Rayside	—	1	Kapuskasing	—	3
Paris	1	1	Pelham, township	1	—
Midland	2	2	Pickering, township	1	1
Stirling	1	—	Fort William	4	3
Georgetown	2	2	Pembroke	2	1
Alliston	—	2	McGarry, township	2	—
Chinguacousy	2	2	Chatham	4	4
Orillia	2	2	Red Rock, improvement district	—	1
Meaford	—	1	Ancaster	1	1
Riverside	2	1	Burlington	2	2
Torbolton, township	1	1	Thorold, town and township	3	2
Sudbury	1	3	Ferris West	—	1
Bertie, township	—	1	Elliot Lake	1	—
Walkerton	—	1	Little Current	1	1
Aurora	—	2	Dunnville	2	—
Prescott	2	—	Eastview	3	3
Anderdon, township	1	—	Markham	—	1
Port Arthur	3	4	Simcoe	1	4
New Liskeard	—	2	Eganville	—	1
Hawkesbury	1	—	Tisdale, township	—	2
Deep River	—	4	Alexandria	1	1
Kitchener	12	14	Uxbridge	2	1
Dundas	2	—	Innisfil, township	1	—
Collingwood	1	—	New Hamburg	—	1
Penetanguishene	—	1	Michipicoten	1	1
Ajax	—	2	Southampton	—	2
Stoney Creek	1	1	Smooth Rock Falls	1	—
Port Hope	—	1	Mattawa	1	—
Leamington	1	3	Kenora	1	—
Kingston	9	7	Wiaraton	—	1
Huntsville	1	1	Galt	3	3
Fort Erie	1	—	Welland	3	2
Tiny, township	2	1	Humberstone, township	1	—
Waterford	1	—	Terrace Bay	2	1
Stouffville	2	—	Nepean	—	20
King, township	—	8	Tweed	1	1
Fergus	1	3	Streetsville	3	2
Napanee	—	1	Clinton	—	1
Wallaceburg	—	3	Shelburne	—	1
St. Thomas	—	1	Gwillimbury North	1	—
Capreol	1	—	Trenton	—	1
Whitney, township	1	1	Port Dover	1	—
Dryden	1	1	London	12	11

1(b) <i>continued</i> Municipality	1963	1964
Markham	2	—
Niagara Falls	3	6
Metropolitan Toronto	181	224
Calvert, township	2	—
Bradford	3	3
Whitchurch, township	—	13
Georgina, township	1	—
Windsor	4	16
Elora	1	1
Preston	2	1
Saltfleet, township	1	2
St. Catharines	5	3
Brantford	4	4
Wainfleet, township	1	1
Fort Frances	—	1
Aylmer	3	3
Deseronto	1	—
Goderich	2	—
Vaughan, township	3	3
Ottawa	26	30
Peterborough	9	7
Gwillimbury East	—	3
Listowel	1	—
Neelon-Garson	—	2
Falconbridge-Onaping	—	2
Essex	1	2
Hamilton	13	9
Espanola	1	1
Woodstock	2	2
Orangeville	1	1
Toronto, township	8	7
Sturgeon Falls	2	1
Waterloo	2	2
Forest	—	1
Timmins	5	3
TOTAL:	455	606

2. 1963, 237; 1964, 333.

57. *Mr. Singer:* Inquiry of the Ministry: Will the Attorney General advise the number of police officers in Ontario who have been promoted during the years 1963 and 1964: (a) In municipalities over 10,000 in population; (b) in municipalities under 10,000 in population (c) How many so promoted took qualifying courses of training and passed examinations for such promotions, either at the Ontario police college or elsewhere: (i) from municipalities over 10,000 in population, and (ii) from municipalities under 10,000 in population; (d) If such courses were taken elsewhere than at the Ontario police college, where were such courses taken?

Answer by the hon. Attorney General:

	1963	1964	Total
(a)	282	295	577
(b)	30	51	81
(c) (i) Ontario police college			87
Elsewhere			389
(ii) Ontario police college			18
Elsewhere			15
(d) Metro Toronto police college			149
London police training school			145
Hamilton police training academy			12
South Western University, Chicago, Illinois			1
Royal Canadian Mounted Police, Rockcliffe			8
Under municipal promotional examination procedures			89

62. *Mr. Singer:* Inquiry of the Ministry: Will the Ministry advise, of those crimes which were reported to law enforcement authorities in Ontario during 1963 and 1964, how many persons have suffered:

1. (a) death, (b) personal injury, (c) damage to personal property, as a result of such crimes committed by persons other than themselves?

2. How many claims have been made by persons alleging they have been injured by law enforcement officers in Ontario in each of the years 1963 and 1964?

Answer by the hon. Attorney General:

	1963	1964
1. (a)	57	70
(b)	10,050	11,287
(c)	28,112	31,633
2.	14	34

72. *Mr. Singer:* Inquiry of the Ministry: Since the province of Ontario is by statute entitled to a lien against real estate, if a person holding a beneficial interest in that real estate is in arrears in payment of sales tax or assessments made under The Workmen's Compensation Act, will the Attorney General advise how persons interested in searching titles to such real estate can inform themselves in each particular instance whether or not the province of Ontario claims such a lien?

Answer by the hon. Attorney General:

Re: Statutory lien under section 16(2) of The Retail Sales Tax Act, 1960-1961, inquiries should be directed to: The Director, Retail Sales Tax Branch, Treasury Department, 500 University Avenue, Toronto, Ontario.

Re: Statutory lien under section 114(3) of The Workmen's Compensation Act, inquiries should be made to: The sheriff of the county or provisional district in which such real estate is situated.

Note: The statutory lien created by subsection 3 of section 114 of The Workmen's Compensation Act is not relied upon in practice by the board unless a judgment has been obtained and a writ fieri facias has been filed with the sheriff. A proposed amendment to section 114 of The Workmen's Compensation Act has been tabled in the Legislature as Bill No. 31.

100. *Mr. Singer:* Inquiry of the Ministry: Will the Attorney General advise: (a) If any complaints have been received by this department concerning the length of time required to obtain transcripts of proceedings in courts of Ontario; (b) If so, are any steps being considered to reduce the time taken in preparing such transcripts of evidence?

Answer by the hon. Attorney General:

(a) Yes.

(b) (1) On August 6, 1963, the deputy Attorney General issued a directive to all court reporters of the province of Ontario requesting that the court reporters' certificates contain the following information: The date upon which the evidence was ordered; the date upon which the transcript was completed; the date upon which the transcript was delivered.

This data now appears on all transcripts.

(2) The remuneration of court reporters has recently been revised upwards by both the province and the municipality of Metropolitan Toronto and a further upward revision is now under consideration with regard to Supreme Court reporters in order to attract additional good quality court reporters and to retain existing reporters in provincial and metropolitan service.

101. *Mr. Singer:* Inquiry of the Ministry: Will the Attorney General advise the number of instances during the past five years that Crown attorneys have taken cases before a grand jury after such cases had been dismissed by a magistrate at preliminary hearing?

Answer by the hon. Attorney General:

None.

113. *Mr. J. P. Spence (Kent East):* Inquiry of the Ministry: What has been the increased debenture debt of all Ontario towns under 5,000 population in the past ten years:

(a) as related to per capita; (b) as related to percentage growth of the province's debt?

Answer by the hon. Minister of Municipal Affairs (Mr. Spooner):

Ontario towns with a population under 5,000

GROSS DEBENTURE DEBT

for the year ended December 31st	Amount (\$'000)	Per Capita \$	Percentage
1954	37,148	152	100
1963	45,164	184	122

Province of Ontario

NET CAPITAL FUNDED DEBT

(See note 2)

for the fiscal year ended March 31st	Amount (\$'000)	Percentage
1955	660,725	100
1964	1,344,744	204

Notes: 1. The last calendar year and fiscal year for which this information is available is 1963 and 1964, respectively.

2. Net capital funded debt represents capital funded debt less sinking fund assets and revenue-producing and realizable assets.

114. *Mr. S. Lewis (Scarborough West):* Inquiry of the Ministry: How many units has the Ontario housing corporation acquired thus far in: (a) Metropolitan Toronto; and (b) the city of Toronto?

Answer by the hon. Minister of Economics and Development (Mr. Randall):

1. On February 27, 1965, in response to a request of the council of the municipality of Metropolitan Toronto dated February 9, 1965, Ontario housing corporation advertised for a minimum of 1,250 dwelling units either existing or to be constructed. The proposal invitation was divided into two parts:

(a) Existing accommodation, to be submitted by March 18, 1965; and (b) New construction, to be submitted by April 8, 1965.

As it was anticipated there would be a substantial response, proponents were requested to restrict proposals for existing units to properties constructed within the last five years which complied with National Housing Act standards in force at the time

of construction. I would emphasize, however, that immediately the current proposals have been dealt with, a further invitation in respect to older properties will be advertised.

Over 1,600 existing units were offered to Ontario housing corporation, and of these approximately 1,200 appear to meet the requirements of the Metropolitan corporation as set out in its request and also the requirements of Central Mortgage and Housing Corporation for lending purposes. Appraisals and inspections of the properties have since been carried out jointly by Ontario housing corporation and Central Mortgage and Housing Corporation. Central Mortgage and Housing Corporation is currently processing Ontario housing corporation's application for financial assistance in respect of these properties.

Commitments with the successful proponents must under the terms of the proposal call be entered into before May 18. It is expected that the first units will become available for occupancy early in June.

The distribution of the units is as follows: (a) Metropolitan Toronto, 1,120 units; (b) the city of Toronto, 80 units.

In response to the invitation for new construction proposals, approximately 1,700 were offered. Of these, some 1,000 are to be located on sites within the city of Toronto. It is not possible at this time, however, to say how many of the proposals will prove acceptable as the plans and specifications must be thoroughly reviewed for conformity with National Housing Act standards. In addition, there will be consultation with officials of Metropolitan Toronto and the city of Toronto to ensure that the proposals are acceptable from a planning standpoint.

Under the terms of the proposal call, commitments with the successful proponents must be entered into before June 7. It is expected that a considerable number of these units will be under construction during the current fiscal year.

Mr. A. W. Downer (Dufferin-Simcoe): Mr. Speaker, before the orders of the day, I regret to inform the House of the death of Julian Harcourt Ferguson, one of Ontario's outstanding sons. Born in Barrie, son of John Ferguson who later became chief justice of Manitoba, he attended Upper Canada College, served in World War I, was awarded the Military Cross and was wounded in 1918. He was a member of the House of Commons

for North Simcoe from 1945 to 1957, mayor of the town of Collingwood in 1958, an outstanding citizen, a member of the House of Commons, successful business man and a loyal and true friend.

To his widow, son, and sister, we extend our heartfelt sympathy in their great loss. This province is much poorer because of his passing.

I make this announcement this morning because Mr. Ferguson was a nephew of a former Prime Minister of this province, the Hon. G. Howard Ferguson. He was also a great grandson of Ogle R. Gowan, who was a member of the Legislature of Upper Canada in 1834. So his roots go far back into the history of this province.

Mr. Speaker: Orders of the day.

Clerk of the House: The second order. Resuming the adjourned debate on the fourth and final report of the select committee on The Municipal Act and related Acts.

ON THE MUNICIPAL ACT AND RELATED ACTS (continued)

Mr. A. E. Reuter (Waterloo South): Mr. Speaker, as a member of the select committee on The Municipal Act and related Acts, I should like to express my views in connection with some of the recommendations in the committee's final report, particularly in connection with the recommendations concerning local and regional government.

May I first say that I do not think that the concept of regional government as expressed in part two of the report is by any means a cure-all to the many problems now existing in local government. I think I can safely say, sir, that none of the members of the committee feels that it is such a cure-all.

During the lengthy deliberations of the committee, we had an opportunity to meet with, and to listen to, a great number of persons and groups of people, who were deeply concerned either with specific problems of local government, or with the problems of municipalities generally. Many of these people, sir, were experts, and their opinions were a valuable guide to our committee in formulating the final recommendations.

The first three interim reports of the committee dealt to a great extent with the existing statute as they affected municipal government, and there were many recommendations in those first three reports for

changes in the existing statute. Many of the recommendations, also, were aimed at consolidation and simplification of bits and pieces of legislation resulting from amendments made over a period of many years. There were other suggestions, of course, Mr. Speaker, that were not quite so minor, and indeed there were some ideas that met with considerable opposition, particularly those that recommended the abolition of certain local boards and commissions, such as planning boards and public utilities commissions.

Local self-government, Mr. Speaker, is a feature of our Canadian democratic system. This is truly government of the people, by the people and for the people, and it is something to be preserved. I do not think for one moment that this right should be removed. However, neither do I think that self-government should become something so unwieldy and uncontrolled that the social and economic well-being of our people is in jeopardy. A progressive nation must have leaders who will face up to the task of promoting the general welfare of its citizens, and I suggest, sir, that the chain of responsibility for this task is clearly indicated in our Constitution. Certain jurisdictional rights and responsibilities have rested with our provinces, and they in turn have been properly exercising the right and fulfilling the responsibility of delegating to our municipalities those duties that must rest with local administration.

Ontario is the greatest province in our nation, and we are leaders in progress. Our towns and our cities have experienced vast growth, brought about by prosperity and advances in technology. Through it all, local autonomy has indeed been preserved, and I think it is little wonder, Mr. Speaker, that problems have arisen during this period. Leaders in local government have been and are doing an excellent job of administration in spite of those problems, and their efforts to keep abreast of the times are highly commendable.

One of the problems pointed out in the committee's report concerned the vast number of local boards and commissions now functioning in connection with municipal matters. I cannot emphasize too strongly, sir, the obvious result of the attempt to relieve the burden of municipal councils by the creation of these ad hoc bodies. What a great conglomeration we have of these boards and commissions, mostly formed by permissive legislation in a mistaken attempt, in my view, to strengthen local government. The result, of course, as pointed out in the

committee's report has been the reverse, and it is necessary sometimes to look at the statutes to determine just where the authority of the elected council ends and the power of the casually appointed committee takes over. Those who have reviewed the committee's final report will note that there are no less than 40 different versions of a public utilities commission. There are four different types of committees dealing with parking problems; nine different ideas of a matter that should be dealt with by community centre boards; 18 concepts of park boards and four different types of health groups, all these in addition to, of course, public library boards, planning boards and, of course, our boards of education.

What has happened to the elected municipal council? In my view it has been degenerated. It has lost all semblance of the highly respected body of authority to whom our citizens should look for responsible and efficient local government. In my view, it has been weakened badly. In some respects, it has lost its respected place in the eyes of our citizens.

I believe there are two main factors responsible for this situation, and I think I have placed them before you—the desperate fight to preserve local autonomy, and the multiplicity of local boards and commissions, functioning beyond the direct control of the elected council.

The basic remedy is simple.

First, we must educate our councils to bring them to the realization that preservation of their autonomy within the confines of their imaginary boundaries is not an inherent right or duty when it interferes with the social and economic well being of the community. Show them that larger units of government will help to solve the overall problem.

Second, restore the local council to its proper position as the body responsible for the affairs of its people; dispense with the superfluity of local boards and commissions and return these functions to the council.

The report of the committee recommends these measures, and as a member of that committee, I concur wholeheartedly.

In spite of the confusion that exists, there are some areas of our province that have taken the initiative in an attempt to restore order. The province, too, has been trying to help by showing an interest in a promotion of regional or area planning, and the hon. Minister of Municipal Affairs (Mr. Spooner) has announced certain studies to be undertaken by his department. I was very pleased

to hear the hon. Minister's remarks, and I am sure the municipal leaders in the areas mentioned by the hon. Minister were equally impressed.

Throughout the deliberations of the committee, I sensed, and I am sure other members did, that there was a desire on the part of our municipal officials to have the province take a greater part, take a greater role of leadership in connection with municipal affairs. This, I think, is a responsibility of The Department of Municipal Affairs. And while that department has been responsible for the passing of some legislation that has not been utilized by the municipalities, surely we must determine why it has not so been used. In my opinion the answer is that the municipalities have not been made aware that the existing statutes will provide at least partial solution to some of the difficulties.

Leadership then is essential, and the department can provide this by developing a programme of education. Our councils change from year to year, and in many instances the appointed officials are employed on a part-time basis and they lack the required knowledge to properly advise their councils. A very desirable statute may be enacted today and will be given normal publicity at time of passing, but in a year or two it is completely forgotten.

The recommendation of the select committee regarding the formation of a continuing advisory body to co-ordinate and update the legislation affecting municipalities is, in my opinion, highly desirable.

The committee recommendations pertaining to regional government are summarized in nine points, appearing at page 185 of the final report. They are opinions reached after a great deal of thought, extensive review of present circumstances and consideration of many varied opinions of persons concerned with municipal problems and possible solutions to those problems.

The members of the committee were not always unanimous in their final decisions, but generally speaking there was at least a majority opinion on the broader aspect of the whole matter of local government reform. That is the reason why all members of the committee were agreeable to affix their signatures to the final report. There were, of course, certain reservations on the part of some of the members, and while I concurred generally with the broad presentation, I would like to record my personal viewpoints, and perhaps clarify some of the recommendations as I see them.

The term "regional government" may be

interpreted in numerous ways. I would suggest that the very separation of Canada into the 10 provinces is in some ways a regional concept. Certainly there are distinct differences in main governmental influences as between the highly industrialized sections of Ontario and the predominantly grain-growing rural regions of the western provinces. The lumbering and related forest products nature of British Columbia industry has very little similarity to those regions on the east coast of our country where fishing, perhaps, is the main pursuit. Ontario itself is now divided into regions for purposes of such things as conservation. By the same token, we can extend our thinking to realize that the needs of local government in the territorial districts of northern Ontario are vastly different from the requirements in central Ontario.

The point I wish to make, Mr. Speaker, is that there are sections of our province where our present structure of local government is functioning quite well. There is little, if any, need in those regions for this thing called regional government. I believe firmly that our present structure in this respect is quite adequate. Our county councils in those areas continue to do the job basically for which they were created and, as I said, they still function very well. And the towns and villages within the confines of those counties have no need for any major change.

I would hasten to add that I do not think any member of our committee had any intention of imposing drastic changes where they were not needed. In any event, I wish to clarify my own view, that regional government is essential only in those areas of the province where population density and industrial concentration have created local government problems.

The definition of a region for local government purposes is something that defies any standardization. What is needed here is not needed there. And the varying circumstances will alter the need. Our present counties are themselves geographical divisions, and while they may lend themselves to certain boundary adjustments, I am one who believes there should be little, if any, change, at least for the present. Perhaps at a later date, after we have seen that regional units will be successful, it will be found desirable to combine the administrative functions to include two or more counties or parts thereof. Any attempt at disruption of existing county boundaries at the present time would, in my view, create a situation that would produce more problems of a complex nature before we could even get the show on the road toward implementation of regional concepts.

One of the present difficulties encountered in our present system of local government lies with the exclusion of cities and separated towns from the county structure. This presents a real problem in those areas such as Waterloo county, where there are three cities comprising nearly 75 per cent of the total county population. The remaining 25 per cent must foot the bill for most county functions. In the case of the town of Preston with a population of 12,500, the contribution to county government represents about 25 per cent of the total county costs, with only seven per cent of the population. This is a gross inequity, and is one of the reasons why smaller centres seek city status to escape the unfair anomaly.

The answer, Mr. Speaker, must surely be to remove this inequity by bringing the cities back into the county system or this new regional concept. However, there are certain difficulties that must be faced, such as the fear on the part of the smaller units that the city will dominate at the expense of the villages and towns. Even with representation by population this danger will continue, and it will only be the co-operative efforts of all concerned that will alleviate the fears of the suburban and the rural people. The advantages of including the cities and the separated towns will, I believe, become evident in the adjustment that will be necessarily taking place in provincial grants and the general improvement in the financial strength of the larger units.

The duties of the new regional unit will vary, I think, according to the needs of the individual region. There are certain basic functions, however, that should definitely be a regional responsibility.

Assessment presents one of the major areas of inequity. In my view this should be a must for the regional governments. In this respect, I believe the use of a standard assessment manual should be mandatory.

Planning, of course, is one function that is already gaining widespread acceptance on an area basis, and this too should be a first with the regional unit.

Health, welfare, policing, suburban or arterial roads should also be included. And the varying circumstances from one region to another will determine those things that are actually regional in nature. The implementation of any new regional government is a matter for study by civic leaders in the municipalities concerned.

I do not believe there should be any general legislation of a type that spells out exactly what may or may not be done. I do

believe that there should be enabling legislation that permits any county, upon certain conditions such as a majority expression of opinion, to incorporate themselves into a unit of regional government. Within the terms of reference, and incorporated into the enabling provincial statutes, certain functions should be mandatory. Perhaps this could be accomplished by the passing of an Act similar to the Act that was passed and known as The Municipality of Metropolitan Toronto Act, 1953.

Page 166 of the committee's report includes a recommendation that greater use be made of permissive, rather than mandatory legislation. It would be highly desirable to see the municipalities take advantage of permissive legislation, and indeed the provincial authorities have avoided mandatory legislation wherever possible. Sometimes the narrow thinking of some municipal officials acts as a deterrent to progressive action in the municipal function. It is to be hoped that such narrowmindedness may be overcome by the recommended programme of study by The Department of Municipal Affairs, and by greater participation in the direction of local government reform by various municipal organizations and officials.

In conclusion, Mr. Speaker, it is interesting to note the public reaction to the committee's report since it was tabled on March 30th. Dr. E. G. Rivard Pleva, head of the University of Western Ontario geography department, called our report a logical evolution of what is going on. Those were his words. He further feels that the recommendations will not destroy local government, but that the scale of operation just has to be larger in recognition of technological changes.

The planning director of the city of Galt labels the report as one of the finest he has ever seen and he expressed the hope that the Legislature would adopt it. The warden of Waterloo county and the reeve of Waterloo township both hail the report as a fine one and something for which they have been waiting a long time.

Certainly there have been some criticisms—some severe, some very mild. But the general reaction has been good. I believe the report is a valuable indication of the present thinking and trend regarding local government and I earnestly commend it to the Legislature for further consideration.

Mr. G. Bukator (Niagara Falls): Mr. Speaker, I rise to take part in this discussion on the report of the select committee on The Municipal Act and related Acts. I assure you that I am not going to get into the detail of this particular document, simply because

your committee has done a lot of work in four years. After completing that work they have put it into this group of recommendations, so we have still not come to what we thought we would get when this report came in. I felt that they would take it a step further, and the last speaker just confirmed what I was thinking. He claimed that you do not want to make anything mandatory; you should let the people choose for themselves through the enterprise system. I think that is good.

If the hon. Minister of Education (Mr. Davis) had looked at the problem in the same way, he would not have eliminated a lot of the school boards and put it into a system that even we in the Opposition believe is a step in the right direction.

I would like to comment on two or three items of the report that I am quite well acquainted with—on page 185, summary of recommendations pertaining to regional government, and section 8, that the regional council be given the power to assessment, taxation, planning, arterial roads, public health, hospitals, welfare and policing. If one was to take only 15 minutes on each item it would keep you here for a couple of days. I would not want to do that, but I would like to touch on the assessment portion of this that I am acquainted with.

I can recall, in my early experience in municipal affairs, that we felt that we should have a county assessor. We discussed it in county council; always, no matter what you bring into a county council, you will find opposition, and we were defeated that year by one vote. The old timers on the county council did not feel that we were ready for or should have county assessors. In the following year we persuaded some of the older men with more experience to go along with us and try it for a period of time. We hired Ralph Wilson, who said it would take him five years to put county assessment into being. He not only did a good job—I am speaking now for the whole county of Welland—he finally upgraded the methods that were used before; I would like to relate to you how they did assessments in those days. They would pick an assessment committee from the county council—three men, possibly five—and they would go about with a pad of paper, visiting each municipality. By looking at the building they would determine the value and put it down in their own way. Then they would come back to their county council and they would tabulate and add up the amounts. Then they would agree among themselves, after a couple of days of argument, and come into the county council and

have their session on assessment for about four days, trying to saw off and to keep their assessment down in their own individual municipality, because they contributed to the county system by that method. After they were tired of the debate they would give in and finally agree on a certain set of figures for that particular year. This would go on from year to year.

I recall in my term of office as warden of the county that we felt we should meet monthly. We revised the method; we would not let this particular thing continue. We appointed a county assessor. He took it according to the provincial manual at that time. I hear a lot of argument, and I would like to be put straight if this is true, that there is not a provincial manual. I thought for many years we were working according to a provincial manual that is not quite what it ought to be, and there is a new one coming in. If my information is right I could take it from there, but I believe we will find that that is so.

Finally, last Saturday, for the benefit of the hon. Minister of Municipal Affairs, who was in our area last Wednesday or the Wednesday before that, there was a meeting in the county building called the Niagara regional workshop, put on by the Ontario municipal association. The Ralph Wilson I speak of, who was assessor of the county of Welland, made a speech in that session; he has been invited to be the assessment commissioner in another county. I find that the government did not give leadership when it came to assessment commissioners or county assessors. They left it entirely to the municipalities. I believe that one of the most serious mistakes that the province ever made was the fact that it did not pursue this further. Let us not make it mandatory, but have a little more leadership to persuade the people to come to that type of assessment because it is the nearest thing to right that we have in the Dominion of Canada.

So I believe, as a member of the Opposition, that not enough time is given by the different departments of government to the municipalities that would be persuaded to go along with the new kind of thinking in the different departments. I say to you that assessment, at least on a county basis, is good business. We find that in my neighbourhood, and I am happy to say that Welland and Lincoln are going along nicely towards the possibility of regional government, whether it be mandatory or whether it be by free enterprise, by the fact that they have decided to get together.

The hon. Minister has taken a step forward and I want to compliment him at this time. I attended this meeting with the hon. Minister of Municipal Affairs. The people sat there and discussed this problem. I see that according to the paper the other day the city of Niagara Falls has decided to go on with more of the investigation and continue on with more research to see whether something can come of this. The way it was put to those people was that it may not happen; you may not get anything out of this at all; you may not change a thing, and then again you may decide among yourselves to do something that would make this a regional form of government. I think that is about it in a nutshell.

I say to you, Mr. Speaker, that if the government would have taken these steps many years ago, these people could have been persuaded, because they realize that with the county type of government that we have at the moment, the group of capable people have nothing more to do than to meet and discuss some of the problems that come under their jurisdiction. They do not have enough of the problems of that particular county in their offices where they can do a better job for you.

I was thinking of planning, as I see it here in item 8. In 1947, when I was elected to council, we attended a meeting in Niagara Falls with some of the people of that area. Mr. Nash came and spoke to our people, and we finally put the wheels in motion. There was no financial assistance at that time from the province for the planning board. They were just persuaded to go—at least, they were talked to by your department people and they finally decided to bring about a planning board. Immediately the planning board had a certain area in which to work; it was three municipalities at that time which decided to have a town planner—Niagara Falls, Stamford township and the village of Chippawa.

A problem would crop up which was out of the jurisdiction of the planning board. We had a fringe area that was being built on that certainly was not becoming to the rest of that particular community. You could see the difference immediately as you drove into these towns.

So we have a planning board in—I am sorry the hon. member for Welland (Mr. Morningstar) is not here—but we have a planning board in Thorold which takes care of that area. We have had joint meetings with them from time to time, and we were talking of some kind of regional government for a larger area that a planning board could

take care of. Nothing came of it, but finally we are talking about doing things now. Better now than never, I suppose, but it could have been done many years ago if your people had had their ears to the ground and realized that these people want to co-operate and want better planning boards.

I see you have a problem here with arterial roads, and that the new regional council will be given the power to take care of arterial roads. This is a problem we have had with us for many years. We have had the provincial highways, the county roads, the suburban road commission and, I think it applies here as it does everywhere else, the city pays 50 per cent of the cost of suburban roads that are governed by a group of people. So if those on the outskirts want to build certain roads in certain areas, the suburban roads commission does this and 50 per cent of the cost is borne by the city itself.

This is an obsolete way of doing business. Many years ago, the reason was that where an individual coming into, let us say, the grist mill with his wagon, found out that the man who had the mill had to help him out of the mud with his wagon and horses to get his wheat in to have it ground into flour. So the little village thought, why should we do this, we can settle this by fixing the roads a little bit because they are coming to us to do business with us. That is the purpose of the suburban road commission, to pave those roads so people can come into town and do business with you. That is a thing of the past yet it still exists in the records of this particular province and I think it is not at all good.

I believe that suburban roads in many areas where they connect between two highways should be taken into the highway system, then you immediately eliminate one particular body that does nothing more than administer, let us say, half a million or a million dollars in any of the rural areas. You have a five-man commission under the county engineer who also takes care of the county roads, and he, being the engineer for both, tells you where he believes you should pave these particular roads. I think the province has enough experience now to take suburban roads completely out of the picture and put them in the hands of The Department of Highways.

We were discussing welfare on occasion here, and the hon. Minister of Public Welfare (Mr. Cecile) informed me last year that the county of Welland would have a welfare administrator. Since that time they have hired a man by the name of Don Cowan from Thorold, I believe. They gave him a new

title, I see but he is the welfare commissioner in the county of Welland.

He was telling us at this particular meeting, Mr. Speaker, that by the very fact that he visits with the people who are asking for welfare and can devote full time to it with an office to himself—working through the municipal clerk—he can find the people who are entitled to welfare and should have it. Or he can find out that there are some who have been going to the municipal clerk for many years immediately they are laid off their summer work. They go to the municipal clerk and say, “I want my welfare.” The clerk thinks, well, why not? It only costs us in the municipality 20 per cent. We will give him his welfare through the winter months.

I can think of one village in my riding—and this must happen elsewhere—where it all depends on the clerk. They were giving 1,800 people welfare to the tune of \$32,000 or \$33,000 a year, simply because the province pays 80 per cent. This is what the clerk thought. It does not cost us too much. These people need it.

Yet, the same village that I come from, and I do not think we are a hard-hearted lot, I think there are three or four people not collecting welfare because the clerk did not feel they were entitled to it. He felt they should go to work.

The county assessor can investigate and find the ones who are entitled to it. It takes the burden off the municipal clerk and Lord knows what it costs that municipality to administer those books.

I see in the budget of Crystal Beach that last year they have put down a figure of \$500 for welfare, compared to \$30,000-odd for this year. Mind you, they pay it from the county level, and the same portion of the money no doubt comes from the province, but we have now a county welfare officer. I do believe that—and I think I should make a prediction at this time—from what I gathered at that meeting, and what I gathered at the following meeting on Saturday night, that you could have more of this regional government than you might believe, and get it much quicker in those two counties simply because those people are willing to cooperate.

I heard the mayor of St. Catharines speak. Now that is a large city. I heard the mayor of St. Catharines speak the following Saturday, and he spoke of the many problems they had because there were areas that no one wanted to touch. The township had an area that they were not very interested in, so the city, thinking for themselves and for their

own people, took in this larger area. Naturally, he said, it makes for much better administration and much better government and much better for the people of that particular city.

I think experience has taught the government that it is about time they put the wheels in motion, and moved them a lot quicker than they have done. If they have got the wheels in motion, let us grease them and get them on their way.

I feel very strongly about this. I was amused at the hon. Attorney General (Mr. Wishart) veering off in another direction last night when he pointed in my direction and he said the member for Niagara Falls, no doubt, will be wanting six or eight or 10 men, I think he said, in Crystal Beach. I can say to the hon. Attorney General, through Mr. Speaker, that they are entitled to them, and they should have them. They not only should have them, but you should pay for them.

By the same argument I will tell the government that it has in the estimates of The Department of the Attorney General, \$35,000 or \$30,000 for the city of Niagara Falls for policing the area of the Rainbow bridge and the front, simply because the influx of population comes into that city and you felt, or at least somebody felt a few years ago, that they should contribute towards those costs. So you have in your estimates this year, \$30,000 for the city of Niagara Falls.

By the same token, does the government not believe that a summer resort area should get the same treatment as the people that come into an area of 2,000 population under ordinary circumstances?

The government say that seven or 10 more police are needed, and I say to them that if those police are out on the highway, they are paying for them. Immediately they come into the municipality to police people from the rest of the province, the people from the rest of the province have to pay and this is not fair and just. The government can take that for what it is worth.

I find that the people of a small summer resort area are pleased when Labour Day rolls around. I am talking about a man who lives in a home in a summer resort area that is not interested in an influx of population at all. After Labour Day and the weather is good, they live like normal human beings again, the police go away and their taxes come down a bit and why should they not be happy?

But I think the pendulum swings one way

for one area, and I am not arguing about that \$30,000 you are giving Niagara Falls. I do not think you are giving them enough.

Hon. A. A. Wishart (Attorney General): I will answer this later in the estimates, but I would just ask the hon. member now, who makes the money from all these tourists who pour into Niagara Falls?

Mr. Bukator: I can assure the hon. Attorney General that the man who has a residential home in Niagara Falls is not making anything out of it. A man who is working, let us say at the Hydro, where the hon. member for Muskoka (Mr. Boyer) comes from, works at the Hydro. He goes and carries his pail to the job, he comes back home again, cuts his grass, and how pleased he is when the flock has gone away. He is not interested in the tourist industry.

Mr. A. H. Cowling (Parkdale): Let us stay on the report.

Mr. F. Young (Yorkview): Just close the bridges and keep the people out of Niagara Falls, if that is what the hon. member wants.

Mr. Bukator: The hon. member, as a preacher, should not misconstrue things like that. He is a man of God, he should know better than that. He knows I did not mean it that way. I will get back to the insurance man a little later.

We are interested in the tourists, and I will get back to the report when I feel like it. I think I have a right to deviate a little bit. Everybody else does in this House, I notice.

An hon. member: Right, right! Good speech, good speech!

Mr. Bukator: Well, as they just said it was a good speech I had better quit now.

Mr. Speaker, I understand we are going to stay here until one o'clock anyway. However, there are three more speakers who were on this particular committee. I would be interested in knowing what they have to say. I have touched on planning, arterial roads, Crystal Beach—

Mr. Cowling: Hydro!

Mr. Bukator: Hydro. The hon. member will have his turn up to bat, I promise him.

An hon. member: Police!

Mr. Bukator: The police problem is a serious one. It may not be for some of you people from rural areas where you plough

your field in the summer and you have the winter months to come down here and enjoy yourselves, but we have problems where people come in to visit with us. We want to treat them right, but when we find some of the things in this report, when and if they come to pass, I would say the government would have done its job and done it well. Up to the moment, I find nothing more than report after report being called for; when these things come to pass, I will be the first to congratulate the government.

Mr. Young: Mr. Speaker, as one of those who sat on this committee for some period of time, I am interested in this report and in its implementation.

As the hon. member for Waterloo South said a few moments ago, this report is not a cure-all. It is not intended to be that, but it is, I think, one of the most significant documents that has appeared in this field before this Legislature for many decades. It should be treated and considered as such.

The other night the hon. Prime Minister (Mr. Robarts), according to yesterday's paper, made a speech; I quote:

The war against poverty may require a complete overhaul of Ontario's municipal structure and development of regional governments, Premier Robarts said last night. "The proposal is receiving intensive study at present," he told 700 cheering supporters. "This is one of the areas of action which I foresee in the next ten years."

Mr. Speaker, in a matter of this great importance, I would have thought that the hon. Prime Minister, or at least the hon. Minister of Municipal Affairs would have led off this debate with a positive statement in the House about this report and about government intention in regard to the report. Any executive of any organization is looked to for leadership. Generally, in a matter of great importance, an executive makes a recommendation. So here, this morning, I had looked for the hon. Prime Minister or the hon. Minister of Municipal Affairs to rise and initiate this debate, stressing the importance of this document, stressing government policy in relation to it and giving recommendations in regard to its implementation should this Legislature adopt it, which I believe it will.

This House faces, I think, one of the great decisions of its career in this field of municipal jurisdiction. Over the past few years we have seen a jungle of jurisdictions developing, set up by the various Ministers of the Crown because they have found,

invariably and inevitably, that present municipal boundaries are inadequate for the administration of their departments. Only in one or two cases have we stuck to the municipal boundaries for any major administrative procedures. I do not have all the figures, but I jotted down one or two. The hon. Minister of Highways (Mr. MacNaughton) has about 18 administrative districts. The numbers are not important, but this is an illustration. The hon. Minister of Lands and Forests (Mr. Roberts) lists 22, with another 41 sub-districts, or something like that. The hon. Minister of Economics and Development (Mr. Randall) has ten; Tourism and Information has divided the province into 32 regions for its own purposes. Mines has 14 divisions. The police commission, just the other day, made certain recommendations which were mentioned last night by the hon. member for Downsview (Mr. Singer) and by other hon. members in this House. In order to assess the policy needs, a survey has been undertaken. It was hoped this survey would be completed by June of 1965. However, due to the response by this commission to the many requests by municipalities for aid and assistance, it will take somewhat longer to complete the survey. Because of their size and consequent limitation of budget, it says, the small municipalities cannot possibly have efficient, well-trained adequate police forces. No police force under ten men can possibly hope to be properly organized, well-trained and efficient, capable of serving their area of responsibility. So the recommendation is that amalgamation of police forces take place and this study is undertaken to decide what sort of amalgamation, and what police forces, should be brought together, and what territories should be unified for this particular purpose.

The report also tells us that we have about 202 municipalities with police forces under the efficient number they give, and another 36 under 20 men for police forces on three shifts. We have 42 listed as efficient. So the pressure is on here for this kind of amalgamation and regional grouping.

The other day the hon. Minister of Highways pointed out that he is conducting surveys and studies of traffic movement and making plans for the kind of highways that should be built over the next few years. This is being done without definite and detailed reference to what new regional municipal government ought to be; I think the hon. Minister of Municipal Affairs should sit down with the hon. Minister of Highways—perhaps he has; I hope he has—look at this outline and study it carefully, because the direction

and development of highways has an important bearing upon the total development of any region where those highways are situated. And so we have the hon. Minister of Reform Institutions (Mr. Grossman) mentioning that he is encouraging the building of regional jails. That is good. This should come as quickly as possible; but where are those regional jails going to be located? Are they going to be located without reference to new political boundaries in the regional units? I would hope that the hon. Minister of Reform Institutions and the hon. Minister of Municipal Affairs are carefully looking at this thing and that when those jails and the new regional units are situated they should be in such a way that they conform to the pattern which should, and which must, emerge for the new regional governments.

Mr. Speaker, I think it is incumbent upon this House and upon this government to deliberately delineate the areas of study and also the areas in which regional government, such as are recommended in this report, should be set up. We cannot afford any longer the kind of helter-skelter, hodge-podge development that has grown up across this province; we must think in terms of grouping the population with the services that those groupings can give us. Concentration of population brings certain advantages in transportation, industry and culture, but those concentrations of population also need food-producing areas, they must have recreation areas, they must have open space and green space and all the rest of the amenities needed. So the old city-state concept of years ago, where the two are one, inseparable parts of each other, must come back into our thinking. Today, as we think in terms of the city and the rural area, we must think in terms of viable units which belong to each other and which can be developed as units which mean something in our day in civilization.

In this situation I think we have to carefully consider what we are going to do about this matter of self-government. I know that bugbear which my hon. colleague has mentioned here, that local councils are afraid of what will happen to them and what will happen to jurisdiction, and I have read editorials which have expressed concern that people who are now close to the electorate and the needs of the people will no longer be close, because if seats of government are removed to a distance, those local problems will be lost in the bigness of the new unit.

I just do not believe this is entirely valid today, with the new means of communication, the new means of transportation. People are

as close to their representative today as the telephone, as so many of us find out day by day. No matter how far people may live from us they can easily and quickly contact us when they need us at the provincial, at the federal, and at the municipal level. And in the larger municipal units this is just as true as in the very small ones across this province.

The hon. member for Waterloo South has mentioned that in these groupings the cities must eventually come in, and I think the cities must. I think I understood him correctly, and certainly this is the recommendation here, although there has been some disagreement among the committee in this field, but the city is an integral part of this unit and it must no longer be separated from the hinterland and from the small towns and villages. When I look over some of the situations that exist in this province it is rather an interesting thing.

Just to use a couple of examples, in the county of Carleton in the eastern part of the province we have the city of Ottawa with 280,000 people. Then the municipalities are like this, 25,000, 1,200, 2,300, 1,600, 2,300, 20,000, 2,300, 1,800, 934, 835, 766. This is the variation in population within that one county.

When we look at the county of Bruce, we find there populations in this order, 1,700, 2,800, 2,000, 4,100, 333, 401, 744, 353, 1,363, and so the story goes. Great variation. Variation so significant that these small municipalities cannot possibly hope to compete in the days to come for staff, for equipment, for the amenities which people expect to have in any modern municipality. So the very driving force of these small sizes inevitably is going to bring us together.

But there is another thing we have to face—the lesson we have learned, I think, in Metropolitan Toronto over the last ten years, Mr. Speaker.

The hon. member for Waterloo South is a bit concerned at the changes in the present setup, in the present boundaries, in the present powers, that they do not come too fast. He said, I think, that we should see if this thing works out successfully in stages before we plunge in.

It is like the old bit of advice that the mother gave to the son, "You had better not go into the water until you know how to swim." I think in this situation we are in exactly the same kind of position where the need is here, the need is urgent, where we have got to learn to swim in the new municipal structure, and we have to get some of

these structures set up and get them set up fast.

But if we try to repeat the experience of Metro Toronto then we are only asking for the same kind of difficulty that Metro demonstrates, and which today we should avoid.

The Smallwood report issued in 1963 pointed out these significant facts, that where we have the kind of grouping that we have in Metro Toronto, with each municipality an entity unto itself, with its own assessment and treasury and administration, with a larger unit taking over simply trunk services and certain key and basic things, then the disparity within the various municipalities continues and, in fact, increases. So you had a situation where East York in 1962 had an assessment per capita of \$1,787 and Leaside an assessment of \$4,052. This has widened over the intervening years since Metro was formed.

And the assessment per pupil enrolled in public schools, which is a very significant figure, is this: Leaside, 34,200; Forest Hill, 29,700; and at the other end of the scale, Scarborough, 9,600; and East York, 13,300. What has happened here is simply the rich kept getting richer and the poor kept getting poorer. The small municipalities could still not afford the services that were offered by the larger municipalities and the problem was not solved. Mr. Goldenberg had to be appointed to try to find new answers after that period.

Fundamental, it seems to me—and this is one place where I disagree to some extent with some of the members of the committee—is this recommendation quoted by my hon. friend from Niagara Falls, recommendation eight, that the regional council be given the power of assessment, taxation, planning, arterial roads and all the rest—the powers of assessment and taxation, that is the regional council.

So assessment, as we have been trying and as the hon. Minister has been trying to do over the last period, should be widened, and the regional government should be responsible for that. But it should be responsible also for the fiscal policies of the region. We just cannot afford to have a continuation of local treasuries in local municipalities.

I can see a situation where local municipalities might become boroughs or wards of a larger region, either individually or in combination, and some provision has to be made for this kind of local administration.

But fundamentally there must be one treasury in the region. The boroughs may

submit their budgets to the regional government. The budgets will then be scrutinized in view of the needs of the whole area. The borough might ask for \$200,000 to put in watermains this year. The regional government might say we allow you \$150,000. That goes back to the borough and then the borough administers that \$150,000. It determines where within the borough boundaries, the greatest need is for those watermains, and then it lets the contracts. But the bills are forwarded to the central treasury for payment, and thereby fiscal control for the whole area is maintained.

But it does more than that. This method eliminates the great competition we have had for assessment in industry. Within Metro today, every municipality is competing for industrial assessment. Mr. Smallwood tells us that over this period, since Metro was formed, North York's ratio of industrial-commercial total assessment, and some of us had something to do with this, has risen by 11 per cent from 1954 to 1962. Etobicoke's by 12 per cent; and Scarborough's by 5 per cent.

Now the problem here is that industrial assessment is the kind of assessment that does not demand schools and many other services, and so it is gravy, if you will, in the assessment picture. So we have each of the small municipalities competing for it. It helps the tax rate, because single family homes do not pay their way in most municipalities, unless the tax rate is very, very high.

But if we have one treasury in the Metro area, or any other region, then all the industrial assessment and taxation flows into the central treasury, and within that region industry can be placed where it ought to be placed, not just where local municipalities are able to pull it, and so logical planning for industrial development can take place. Then the bills for the whole area are paid out of, in part, that industrial assessment.

The hon. Minister of Economics and Development had a problem on his hands regarding houses. The Ontario housing corporation is trying to build thousands upon thousands of low-cost houses in this province, but many municipalities resist this because the tax income does not pay. So low-cost housing is barred, blocked, and delayed; we have not been able to get it. Much of this is because the municipality which accepts low-cost housing accepts a tax liability.

If within the region one treasury is set up and all tax incomes flow into that region, the low-cost housing can be placed within the region, without affecting the borough or ward or local area's taxes. Those houses can be placed properly and, I would hope, in co-

operation with the development of the highway and street system, vis-à-vis the industrial development.

We face the problem today of trying to bring order out of this chaos. One thing I would like to mention in this regard is that election—and this again is one of the recommendations—of representatives on the central regional council must be direct. It cannot continue the present county system where you have great conflicts of interest between the reeves and the various officers of various municipalities. It must be direct. More than that, it must be for longer terms. The recommendation is three-year terms as minimum. I think that should be extended to four, but I am quite content if we get the three-year term; then I think we are making real progress in this regard, because this kind of planning demanded for regional government is the kind which takes time. Nobody who has to come up for election every year or two can possibly do the job that ought to be done.

Mr. Speaker, we hope that this government will face up to this problem today. Time, it seems to me, is of the essence; action is imperative before the new jails, the new police jurisdictions and the new emerging boundaries for all the new services which are being offered by all and sundry are solidified into a hopeless, tangled, jurisdictional jungle. The hon. Minister of Municipal Affairs has an instrument in this report to bring order out of impending chaos; I hope that he will undertake this job immediately; that he will put the power of his government behind it and that the job will be undertaken.

I know that the hon. Minister has assured us that Mr. Cumming, the former deputy Minister, is in an office prepared to start to implement this programme.

Mr. K. Bryden (Woodbine): In the Deputy Minister's office.

Mr. Young: The Deputy Minister's office. We will not argue about that point at this moment, because it seems the new deputy is fairly happy with the arrangement. I do not know, but it is rather an unusual procedure.

Hon. J. W. Spooner (Minister of Municipal Affairs): What is that?

Mr. Bryden: The hon. Minister should have been listening.

Mr. Young: I do know that there is concern in this field. I do not think that we can leave this to the whole process of annexations and struggle between municipalities that we have had. I do not think we can leave it to

regional planning boards, because they have to deal with a diversity of jurisdictions. The recommendations they make may be accepted by one jurisdiction and rejected by another, so they have no power. The only answer here is new regional municipal governments, political entities, geared to this day and age, large enough to be viable, large enough to permit the kind of planning which must come, large enough to attract trained staff which can use the kind of equipment which modern municipalities demand. This will mean the disappearance of many small municipalities, but I do not think we can, at this time, afford to think too carefully about those little political machines in those little municipalities. This government must give that strong lead, not just persuasion. I think as a Cabinet and as a government there must be unity; there must be stronger action, and I would ask the hon. Minister of Municipal Affairs that he enunciate government policy in this direction and tell us what we can expect. How serious is the government about this plan, and how quickly can we expect a setting-up of new and modern municipal administrations within the bounds of this province?

Mr. Cowling: Mr. Speaker, I think it is interesting to note on this committee, according to the journals of the legislative assembly, 1960-61, the way the original committee was set up. It might be of interest to the newer hon. members, and some of the others who have been here, too.

The committee was set up on a motion by Mr. Frost and seconded by Mr. Warrender. The original members of the nine-man committee included Mr. Beckett, the chairman, Messrs. Belisle, Evans, Cowling, Gordon, Morrow, McNeil, Singer and Thomas. Mr. Beckett, of course, continued; Mr. Belisle moved on to Ottawa and became a senator; Mr. Morrow is now the hon. Speaker of the House; Mr. McNeil went to another committee; Mr. Thomas is not with us. So the complexion of the committee has changed over the years. As a matter of fact, I do not recall, Mr. Speaker, in my time here a select committee that has continued at such length as this one. This in itself is an indication of the importance and the size of the subject to be dealt with. There have been four reports submitted; the final report, I think, is a most important document. Like other members of the committee who have spoken, I was not in complete agreement with all the recommendations made by the committee, but I think in the majority of cases they were well thought out and, in the final writing, the recommendations were agreed upon.

On page 168 of the fourth report we say:

In order to restore responsibility to the elected representatives and increase the possibility of economical and efficient administration of municipal services, larger units of government are necessary in the province today.

And further:

A great deal of caution must be exercised in implementing change in a system of local self-government that has evolved over a century. That system embodies the collective experience, knowledge and wisdom of many persons. It has worked rather well, and should not be lightly dismissed. Instead, serious consideration should be given to this committee's recommendation that there be a continuing committee on municipal and local government reform. Our system of local government should be under constant review and changes implemented as the need dictates.

Some of the hon. members this morning have made reference to Metropolitan Toronto. I am one of those who has been particularly interested in the development of Metropolitan Toronto since 1954, and it was my pleasure to have a part in the passing of the original Bill No. 80 which set up Metropolitan Toronto.

Really, Mr. Speaker, we do have a regional government operating in our province today, because I think that this metropolitan region of Toronto is the way that the system could be developed in many ways, and I have stated that in committee.

We have talked about direct representation, direct election, certain services being taken over by a proposed regional government, but I always get back to the idea that we have proven successful regional government right with us. There will be changes and amendments made, naturally, that is in the evolution of things. But basically I think the metropolitan form of government in Toronto has been very useful and has organized this vast area into a unit which has been most successful, even with its many shortcomings.

And I think it is understood, Mr. Speaker, that The Department of Municipal Affairs has gone ahead with several studies throughout Ontario in different areas and these, of course, could be put into effect very quickly on the same basis as Metropolitan Toronto.

As the hon. member for Waterloo South mentioned, in his opinion—and I agree with what he had to say—it would not be necessary to move in and establish regional governments in areas where they were not

required, and there are many such areas in the province of Ontario. But I think there are enough areas which need attention in our province today in which we can move very quickly in setting up a regional government in whatever form the government might decide that they are going to recommend. But again, I say we know of Metropolitan Toronto, we know of its successes and we know of its failures, we know what it has done for the people of our area. Maybe at the beginning we could expand that into other such sections of the province.

On page 173, we say:

Regions must be studied individually in terms of population, logical planning areas, watersheds, economic and social conditions and other relevant factors, in order to define suitable boundaries for larger units of government. As a practical start, the committee recommends the adoption of the county in whole or in part or with additions thereto, as the basic unit of government.

It is odd how your ideas and thoughts change over the years. As I say, some of us were on the original committee, and I must admit quite frankly, Mr. Speaker, that some of my original thoughts, or thoughts that I had four years ago pertaining to municipal government, are not the thoughts that I have today. I am sure that applies to other members of the committee.

I felt that local autonomy was a most important thing, and I still do, but at the same time in the province where we have almost 1,000 municipalities, some consolidation for the betterment of the people in a given area is most important. And if some of the local governments have to be merged into the larger area and lose out as an individual economic council, then that is just part of the general good for the whole area.

I do not say that we should eliminate small councils just because they happen to be small councils. After all, many local councils have been in force and effect for many years, and have done a lot of good, and I would be the last one to just say, holus-bolus, we are going to cut out 500 municipalities. At the same time, we must remember that a year or two ago we arranged the consolidation of school boards and reduced the number of school boards in the province, which, to the best of my knowledge, has been very advantageous to those areas affected.

So, the pattern may be set as far as the local governments are concerned. The county system is here to stay. I do not favour any abolition of the county system of government

at all. I think the county system of government has done a lot for our province over the years. But I do not feel in setting up this proposed regional government that we should go along county boundary lines necessarily. I think that we should set up a region, not having regard for county boundaries or municipal boundaries or conservation areas.

As one hon. member says, we have many regions in the province today, including conservation regions, economic regions, planning regions, and so on, but the most important region that we will set up is the area which will contain a municipal government.

My feeling is that the new area can be developed much along the lines as we have done in Metropolitan Toronto. They could take over water, they could take over sewage, they could take over police, they could certainly take over the financial aspect of the situation and move into several of these areas on a regional basis, leaving certain authority with the local council and the local government. Obviously over the years, the importance and the work and the duties and the functions of the larger government would take control and automatically over the years the responsibility of the local council would be reduced to practically nothing without, in the early stages, saying, "This is the way it is going to be."

In time, the situation would take care of itself and the work of the local government would become greatly reduced.

This has been tried in other areas and I keep harking back to Metropolitan Toronto all the time because it is the one we are most familiar with. But on page 176, for example, of our final report, under responsibilities of regional governments, we say:

The problem of assigning powers and duties to the regional government was considered at length by the committee. Inherent in the question are the varied interests as between those in urban and rural areas. Services considered necessary for the city-oriented person might prove a burden and even ridiculous for the rural resident.

The committee came to the conclusion that a study must be made of each individual area before any specific allocation of responsibilities could be recommended in that area. The committee feels, however, that there are certain basic responsibilities that should be assigned immediately to the regional council. These relate to assessment, taxation, planning, arterial roads, public health, hospitals, welfare and

policing. Certain other services might be administered by the regional council.

That pretty well conforms with some of the ideas that I have spoken about.

I think in the overall picture, Mr. Speaker, that we are headed certainly in the right direction. There is a place for the local council, there is a place for the regional council. We can move cautiously into areas that will be given due consideration by the hon. Minister and the experts in his department before anything is done. I do not feel that we are moving into an entirely new situation because we do have a regional government here from which we can learn very much, and regardless of what some people have to say I feel that this has been successful to a point and that we can use the ideas, the good points and the bad points of Metropolitan Toronto to initiate and begin our other regional areas in the province.

I think one of the most important recommendations that this committee makes is that a continuing committee be established to be associated with the department or the hon. Minister in some way, so that constant review can be made of the municipal setup. It was my good fortune, Mr. Speaker, to be chairman of a municipal advisory committee that operated over several years, and I think made many very good recommendations to the Minister, some of which he used—

Mr. Young: Is the hon. member preaching for a call now?

Mr. Cowling: No, not necessarily, I am just talking about municipal officers. Much good work has been done over the years in the matter of municipal affairs. I congratulate the hon. Minister and his department for the action that they have taken, and I have every confidence, Mr. Speaker, that the implementation of the main aspects of our report will be seriously considered. I look forward at our next session to passing many of the recommendations as they are introduced by the hon. Minister of Municipal Affairs.

Mr. V. M. Singer (Downsview): Mr. Speaker, my remarks in this debate are going to be brief. This has been an interesting debate and those hon. members who have participated in it have reviewed the report reasonably completely and have put forward views that, substantially, I share.

The tenor of my comments are going to be in line with urging the government to get something done. We have seen, as this session has unfolded, that there are problems of centralization, of regional forms of ap-

proach, not only in The Department of Municipal Affairs, but in a variety of departments. Last evening, when we were discussing the report of the Ontario police commission, it was obvious that something has to be done to consolidate police forces. Certainly the same sort of thinking is going to apply when the estimates of the hon. Minister of Health (Mr. Dymond) come before us. There is an urgent need to consolidate health units throughout the province and make them big enough so that there will be enough money available to properly look after the health of the people of the province on a municipal or regional basis.

Similar problems were obvious during the debates on the estimates of the hon. Minister of Reform Institutions, Mr. Speaker, and I said last night, and I said during those estimates, that I do not think that a persuasive effort is going to be successful, either in his department or in any of the other departments.

Similarly, Mr. Speaker, with the efforts of the hon. Minister of Economics and Development. He had this regional conference, a most impressive one. There were all sorts of people who came forward and gave their opinions, but the one thing that emerges from all this discussion from this report, sir, from the economic conference, from the report of the Ontario police commission, from the remarks of the hon. Minister of Reform Institutions, and from what I am sure the hon. Minister of Health is going to have to say when his estimates come before this House, is obvious. Everyone seems to agree that our system of local government is a horse-and-buggy one which we have not adapted to today's way of life. 1965 is very different from 1849.

Hon. Mr. Spooner: That is just a matter of the hon. member's opinion—

Mr. Singer: I was going to be kind to the hon. Minister.

Hon. Mr. Spooner: I am kind to the hon. member.

Mr. Singer: Just a minute. I was going to say that I think really the hon. Minister believes this, that all we are really discussing is the method of doing it.

Hon. Mr. Spooner: That is right.

Mr. Singer: The method of doing it.

Hon. Mr. Spooner: Let us not talk about horse-and-buggy days, because that is irrelevant.

Mr. Singer: It is a horse-and-buggy statute and it is a horse-and-buggy system, and if the hon. Minister wants chapter and verse as to why, we will have to go at it a bit longer. One figure comes quickly to my mind. The Ontario police commission advises us that we have 280 municipal forces, 202 of which have nine or fewer men. The commission goes on to say that no force with fewer than nine men in it can possibly be efficient. So, in numerical strength of forces, over 200 of 280 are, in the opinion of the hon. Attorney General's advisors, inefficient. In the 970 municipalities that we have, I am sure the hon. Minister of Municipal Affairs will agree that there are not really more than what—50 to 75—which have the financial resources, the staff to do the job that a municipal government is expected to do and is able to do today.

Hon. Mr. Spooner: I would not agree with that.

Mr. Singer: Well, move the figure up. Make it 100.

Hon. Mr. Spooner: I would not agree with that, either.

Mr. Singer: It is less than half; probably less than two-thirds of the 970-odd municipalities that we have.

So, Mr. Speaker, we have to move towards a different form of municipal government, regional government. This cannot be spelled out in complete detail in this report, it is suggested. My urgent plea is that the government take the initiative, and the kind of initiative is most important. The police commission in its recommendations said there were three systems of bringing this about. There is the permissive system, the persuasive system or the mandatory system. It is my sincere opinion, Mr. Speaker, that permitting people to do this is going to achieve practically nothing. Perhaps as good a persuader as there is in the government benches, according to his own words, in any event, is the hon. Minister of Reform Institutions. He has been doing his best to persuade, and he says he is most encouraged by the results of the conversations he has been having. But he was unable to tell us of the success in even one instance of his fine effort to persuasion.

Hon. A. Grossman (Minister of Reform Institutions): It takes a certain amount of time.

Mr. Singer: I agree. So the persuasive system, even with the hon. Minister of Reform Institutions, takes quite a time. He is

not able to give us even one example as to where he succeeded. He is hopeful; good for him.

The hon. Minister of Economics and Development who, by his own admission, can sell refrigerators to the Eskimos, also says regional government is great.

The hon. Minister of Education from time to time not only says it, but brings in the odd statute. The hon. Prime Minister, in September in London, and the other night when he was speaking to a gathering of the faithful accompanied by several of his hon. colleagues, seemed to indicate that he thinks it is a good idea.

There is little apparent disagreement on the government benches that we must move forward to this objective.

Hon. Mr. Spooner: But if we could move forward over a period of years and examine the hon. member's own experience in municipal affairs, I think he will agree with that statement.

Mr. Singer: My experience in municipal affairs, the hon. Minister knows full well, has been in the metropolitan area; there has been a substantial change in the metropolitan area since 1952. But the reason that came about was because of a crisis. In 1952 it became obvious to everyone, including the government of the day, that the system by which the 13 municipalities in the metropolitan area were being governed was stifling development. North York was left without any water—

Hon. J. P. Robarts (Prime Minister): I think it came about through the political courage of one man who was prepared to do it with the consent of only one of the 13 municipalities.

Mr. Singer: I am glad the hon. Prime Minister said that. I am saying let us have the same sort of courage today; let us have the same sort of courage right now.

Hon. Mr. Robarts: We had it last year with the school boards. It is characteristic of this government.

Mr. Singer: Let us get going. Let us not wait until you build up the same sort of crisis that evokes the sort of courage to which the hon. Prime Minister refers. And it was a real crisis; North York without water, Scarborough without money, Toronto with no room. All these things promoted this fantastic crisis which eventually forced the government to act, or brought forth the show

of courage that resulted in the creation of Metropolitan Toronto. Phrase it as you will, but do it today—that is my plea. Do that today and take your Minister of Reform Institutions and your Minister of Education and your Minister of Health and your Attorney General and say we are going to move to a type of regional government that is suited to the terms and conditions under which we live in the late 1960s. I am suggesting, Mr. Speaker, that the permissive system is not going to work, that the persuasive system will, perhaps, work, but I doubt if anyone in this House is going to live long enough to see it carried out. If this system is worthwhile, it must be mandatory and it must be done at government direction.

In saying that it must be mandatory, I am not suggesting that you ride roughshod over the people who are going to be concerned, and might object. But I am saying there has to be a clear declaration of government approach. There has to be unification on the Cabinet benches as to how each department concerned is going to fit in. Then there have to be a series of local or regional conferences to explain how it is going to be done, and examine the answer in each particular instance; because what might apply in the Niagara peninsula is not necessarily the answer in Port Arthur and Fort William, or in London or in Kingston.

Hon. Mr. Spooner: I am glad the hon. member realizes that.

Mr. Singer: I have said this all through; it is no new discovery. I have said this for many years, and I think we have got to embark upon it. I recognize it. When the hon. Minister of Municipal Affairs brought his estimates before this House, I recognized that each region has to be studied individually and I commended him for suggesting that he was going to embark on—how many did the hon. Minister list? Ten or 12 studies? He admitted with me that it is going to be very difficult to get the ones you listed done within a 12-month period, because there are not enough trained people available.

I say that we need a declaration, Mr. Speaker, of government policy, that this is the direction in which we are going to move. We need this sort of study to go on. We need the opportunity for local consultation, but there has to be a recognition that the only action, the only way that this is going to be solved, is from the top down. It is not going to bubble up from the bottom, whether it is permissive or whether it is persuasive; it has got to be done from the

top down and the government has to decide, having studied carefully and having listened, that on such-and-such a day in such-and-such an area, this is the way it will be. We have listened and this is our best decision.

In doing this, Mr. Speaker, there has to be a method worked out which does not exist on the government benches, and of co-ordination between all of these departments. It involves, perhaps, half a dozen different Ministers and half a dozen different departments. As we get into this, do these studies and make these decisions, all these departments have to become involved.

I asked the hon. Minister of Economics and Development, when his estimates were before the House, whether there were any plans or arrangements made so that his people who are studying regional development advise Mr. Jones, doing the Ottawa study, or Mr. Goldenberg who is doing the Metro study, or these other gentlemen who are going to be hired to do the other studies. The hon. Minister of Economics and Development did not give me an answer. I do not know whether such a system has been set up or not. But he has a branch of his department concerned with regional development. The hon. Minister of Municipal Affairs is concerned with regional development. I would hope that these two hon. Ministers are working together, that the regional development students in the economics department are making themselves and their reports available to the Murray Joneses and the Carl Goldenbergs and the others who are being investigated. I am not aware that such a system exists. Maybe it does. But if it does not, it is long past overdue.

Hon. Mr. Spooner: We are not all stupid.

Mr. Singer: I am not suggesting that anybody is stupid.

Hon. Mr. Spooner: That is what you are saying.

Mr. Singer: I am just suggesting a lack of direction in this government to clear up this problem, to move into the type of local government that we need. This lack has persisted for many years—certainly for the 23 years that this government has been in office.

My plea, Mr. Speaker, is that with this report and with what we have heard from the police commission, with what we have heard from the hon. Minister of Municipal Affairs and the hon. Minister of Reform Institutions and all the rest of them, let us get at it and let us have a positive government statement.

Hon. Mr. Grossman: That is precisely what we are doing.

Mr. Singer: No, I do not think it is. Let us have a positive government statement that we are going to embark on this; that we will direct you. Before we direct, we will investigate carefully and we will give you an opportunity to present your views. If that is done, we will move towards better municipal government in the province of Ontario.

Mr. J. H. White (London South) moves the adjournment of the debate.

Motion agreed to.

Clerk of the House: The first order. Resuming the adjourned debate on the motion that Mr. Speaker do now leave the chair and that the House resolve itself into the committee on ways and means.

Mr. Speaker: The member for Huron-Bruce (Mr. Gaunt) adjourned the debate on the Budget and he wishes to continue. But owing to his attendance, I understand, at a funeral in his area, he is not here today. We will proceed with the member for Cochrane North (Mr. Brunelle) and the member for Huron-Bruce will be allowed to participate at a later date.

ON THE BUDGET

Mr. R. Brunelle (Cochrane North): Mr. Speaker, in rising to take part in the Budget debate, may I first commend you, sir, for the efficient and dignified manner in which you preside over the affairs of this House.

I wish to join with those who have participated in this debate in congratulating the hon. Provincial Treasurer (Mr. Allan) for the financially sound Budget he introduced a few weeks ago. The economy of Ontario is indeed in a prosperous position and I am happy to report that the region I have the honour and privilege to represent, Cochrane North, is experiencing continuing economic growth with a high level of employment.

Before proceeding with this subject, permit me to mention, as we approach the centennial celebrations, some brief comments on the history of this northern region. The Cochrane district is privileged to have an extremely colourful past. It is able to boast that it was the first part of Ontario to be discovered by early explorers in the 17th century. The French explorer and fur trader De Groseilliers first stepped ashore in James Bay in 1669. In 1673 Pierre Radisson built the first Hudson's Bay Company post on Moose Factory Island. In a study published

in 1957 by the University of Toronto school of architecture, it was stated that the staff house and the blacksmith forge on Moose Factory Island date back to 1820, and the Anglican mission church to 1860.

The blacksmith shop is reported to have been built in 1740 and is thus the oldest building in the province of Ontario. It contains a small museum. Dominating the room is the old blacksmith's forge. On each side, two gigantic bellows now lie silent and dusty. It will be of interest to the hon. members that the century-old Anglican mission church is unique; there are holes bored through the wooden floor covered with wooden pegs so that in case of spring flooding, water will pour in and keep the building from floating away as it did several years ago, when the parishioners were aroused in the middle of the night. They had to wade through several feet of water to bring the church back to its original site.

Moose Factory's historic past needs more recognition; this historic island could become one of the main tourist attractions in this province. I wish to quote briefly from a report entitled "The historic potential of Moose Factory as a visitor attraction":

It is commonly believed that when Count Frontenac built, in 1673, the fort that was to bear his name on the site of modern Kingston, the cornerstone of Ontario was laid. Not so well known is the fact that during that same summer of 1673, when the French established their post at Kingston, the British, through the agency of the Hudson's Bay Company, were constructing a quite similar fort at the mouth of the Moose River on James Bay. Thus, if we think in terms of cornerstones, the present province of Ontario began with two, each of which might be considered symbolic of the roots from which our nation sprang.

Fort Moose, constructed on Hayes Island on the estuary of the Moose River, was the second oldest post of the Hudson's Bay Company in the new world—the first post having been established in 1668 at the mouth of Rupert River in what is now the province of Quebec. In 1686, Moose Fort was captured by a French expedition from Montreal led by the Chevalier de Troyes. In the latter's words, "it was square, each side 130 feet long and protected by palisades from 16 to 18 feet high; the palisades were flanked by bastions of soil kept in place by stonework, and the two bastions facing the river mounted three cannons each while the two bastions facing the tundra mounted two cannons each."

The French capture of Moose Fort, which they renamed Fort St. Louis, was an easy victory, but their tenancy was by no means secure. In the bitter rivalry for the fur trade, French and English efforts to retain control of the site on the Moose see-sawed back and forth until, in 1713, the Treaty of Utrecht finally ceded to England all posts on Hudson and James Bays.

Not until 1729 did the Hudson's Bay Company decide to re-establish Moose Fort. The following year, a work party arrived at Hayes Island to commence building a new post. In spite of such problems as bricks arriving from England broken, construction proceeded steadily and by 1732 the fort was reported to be in good "forwardness." Disaster struck on Christmas Day, 1735, when a two-hour fire destroyed completely the new post from which the company had expected great returns.

The decision to rebuild Moose Factory was made immediately and one, Richard Staunton, was sent out from England to take charge of the new post and its construction. Having learned only after the disastrous fire that Moose Factory had possessed two cookhouses—instead of the authorized one—Staunton's superiors instructed him to build one new cookhouse, a "good distance from the powder room."

Records available on this side of the Atlantic are not clear as to when Moose Factory was relocated on its present site on Factory Island. It is likely, however, that the new site was chosen for the post at the time construction was commenced in 1736 to replace the burned one. That it was in its present location by 1774 is positive from Samuel Hearne's chart of the mouth of the Moose River.

With a reorganization of the Hudson's Bay Company in 1810, the post at the Moose became the headquarters of all the factories at the southerly end of James Bay. After the union of the Hudson's Bay and North West Companies in 1721, Moose factory became the residence of the governor-in-chief of the southern department of Rupert's Land. This department was discontinued about the turn of the century, but Moose became the headquarters of the district. So it continued until 1934, when district headquarters were moved to Winnipeg and Moose Factory reverted to the status of a trading post.

With such an impressive historical background, Mr. Speaker, Moose Factory is an ideal site for the establishment of a historic

museum. As we prepare for the celebration of Confederation, the founding of this nation, no centennial project could be more fitting than the restoration of Moose Fort and the establishment of a modern museum.

The Ontario northland transportation commission has enthusiastically supported this proposal and has agreed to sponsor it as a centennial project. On behalf of the commission, may I express our thanks and appreciation to the hon. Minister of Tourism and Information (Mr. Auld) for having wholeheartedly supported this proposal, the project, and for having made available the services of his department for research and restoration of historic buildings.

Moose Factory, along with the neighbouring community of Moosonee, will be focal points and a mecca for tourists visiting northeastern Ontario. Towns along the way, such as Cochrane, will benefit considerably and our own railway, the ONR, will experience a favourable increase in passenger traffic. Five thousand to 10,000 additional visitors a year may not mean much to Niagara Falls or Kingston, but to the James Bay area it will have a tremendous impact on the local economy.

While on the subject of northern development, I believe some comments on Moosonee and Moose Factory would be apropos. They are the two largest communities on the shores of James Bay and adjoin one another, with Moosonee lying at the extreme northern terminal of the Ontario Northland Railway.

Mr. Speaker, this is a frontier region. The population is predominately Indian and is increasing at a rapid rate. Trapping is the main industry, which makes the economy of the area basically rooted in the 19th century. I believe that this northern region, with the assistance and co-operation of federal and provincial governments working together, along with religious leaders and the inhabitants themselves, could become a viable, self-supporting development area.

I will not attempt to deal with the social, educational and physical problems of Moosonee and its environs, because these important matters are presently being actively studied and considered by various departments of this government in co-operation with federal officials. My remarks will be confined to a few recommendations to help bolster the local economy and also provide employment to the growing Indian population.

The two industries which could provide a sound economic base for Moosonee and area are tourism and transportation of merchandise further north. Transportation is the key to

opening up a frontier region. At the present time Moosonee is serviced mostly by rail and, to a small extent, by air. The Ontario Northland Railway has, since 1932, operated a passenger and merchandise service from Cochrane and Moosonee. Austin Airways Limited provides an air service between Moosonee and outposts on James and Hudson bays from Fort Severn on the south-west coast of Hudson Bay to Povungnutuk on the east coast of Hudson Bay. This plane service is limited in its operation, as planes must use floats during the summer months and skis during winter. There is no communication or transportation for approximately two periods of the year—during freeze-up and break-up.

There is a definite economic need for a permanent airstrip at Moosonee. Austin Airways estimates over 90 per cent of its goods moves from the railhead at Moosonee to points further north by air. As the north continues to develop, the importance of Moosonee as a distribution point will increase. However, Mr. Speaker, I realize that the location and construction of permanent airstrips come under the jurisdiction of the federal government.

Recently, the federal government announced a new programme of capital assistance for local airports. A maximum of \$1 million a year in grants will be provided to municipalities and public bodies. The citizens of Kapuskasing were pleased to learn a few weeks ago that \$325,000 would be spent on the improvement of the Kapuskasing airport. However, I was disappointed to learn that the Hon. J. W. Pickersgill had made no reference to the construction of a much-needed airstrip at Moosonee.

Mr. V. M. Singer (Downsview): Write a letter right away.

Mr. Brunelle: In fact, for the benefit of the hon. member for Downsview, I even told our federal member that we, the Ontario northland transportation commission, would provide the services of business cars so that he and the federal Minister of Transport could come to Moosonee and assess for themselves the need for an airstrip. That invitation is still open.

I would respectfully ask the committee of the economic council studying airport facilities in northeastern Ontario to make a survey of the volume of air traffic in and out of Moosonee. Armed with these impressive figures, it should be, we hope, easier to convince the Hon. J. W. Pickersgill of the necessity of this desirable and warranted airstrip.

To really open up the James Bay area—to

make accessible the rich resources of this region—I would strongly advocate the construction of a road to Moosonee.

This project has been mentioned before, but the need for this road today is feasible and necessary. First, I should mention that by the end of this year it will be possible to drive within 100 miles of Moosonee. If hon. members will refer to their northern Ontario maps on their desks and if they will open them up on the section which shows northern Ontario, starting at Smooth Rock Falls, secondary Highway 807 is presently under construction to Fraserdale. From Fraserdale there is a Hydro service road to Little Long Rapids. From here to Kipling, the most northern Hydro project site on the Mattagami river, there is a good, hard surfaced road. There is approximately a 100-mile road gap from Kipling to Moosonee, and road construction on the first 50 miles, up to the junction of the Missinaibi and Mattagami rivers is quite practicable according to studies made from aerial photographs.

This information was given to me by the Spruce Falls Pulp and Paper Company in Kapuskasing, and there is the availability of gravel deposits; the terrain is quite good, and it is quite practical for the first 50 miles. The last 50 miles would present more construction problems due to the swampy nature of the terrain. However, the most knowledgeable experts on muskeg—and I am happy to say that yesterday I spent all day in Sudbury, having been invited to attend the eleventh conference on muskeg, under the sponsorship of the national research council of Canada—tell me that it is quite possible to build a road in this type of peat land area.

Mr. Speaker, I would like to emphasize and point out that a road to Moosonee will complement the railway—I repeat, will complement the railway—and will not detract from it. The road should be built under the roads-to-resources programme, whereby the federal government and the provincial government each pay half of the cost of such development roads. Should this joint sharing programme be discontinued, the Ontario government should undertake this access road alone. I would strongly recommend to the hon. Minister of Economics and Development (Mr. Randall) and to the hon. Minister of Highways (Mr. MacNaughton), that they conduct at once studies of the economic and engineering feasibility of the extension of the highway from Kipling to Moosonee.

I am convinced that an economic study would justify the expenditures for this high-

way. A road would provide access to the extensive forest resources, would facilitate mining exploration and expedite the development of the known rich mineral ore bodies. Think of the impact such a road would have on the tourist industry of Moosonee and area—on northeastern Ontario—on all of the province. Thousands of visitors would drive to see the most northern settlements on the Arctic tidewater. Picture the hundreds of people who would like to boast that they were at the tip of James Bay and dipped their big toe in salt water for the first time. The economy of the entire northeastern Ontario region would be greatly strengthened.

Another important consideration for a road to James Bay—and this, I feel, is a most important one—is that the present population of Moosonee and Moose Factory is in excess of 3,000 persons. By 1975, ten years hence, at the present rate of growth, and the rate of growth in Moosonee and Moose Factory is the highest birth rate on the North American continent, it will have increased to more than 5,000. A community of this size must have a road outlet.

For these reasons, Mr. Speaker, it is imperative that this government carry out at once engineering and economic studies on the extension of the road from Kipling to Moosonee.

If we fail to do this, I feel our northern development programme will fall far short of those being conducted by several of our sister provinces.

Cochrane North, Mr. Speaker, is experiencing significant growth developments in its main industry—the forest industry. The wealth generated by the forest resources in the Cochrane district is realized in the woods operations, the sawmills, the poplar plywood plants and the pulp and paper mills.

At Smooth Rock Falls, the Abitibi Power and Paper Company Limited commenced construction last summer of a bleached kraft pulp mill at a cost of more than \$13 million and with an annual capacity of approximately 100,000 tons. It is expected that the new plant will come into production in the fall of this year with a high-quality bleached kraft pulp, produced from the black spruce pulpwood trees. This new addition will increase employment opportunities in the woodlands and in the mill itself, and will bolster the economy of the entire region.

In the town of Cochrane, on October 4 last, at 6 p.m. on a Sunday evening, tragedy struck suddenly. Within a few hours, the new firm, Cochrane Enterprises Limited—

many of the hon. members here remember that these well-known people appeared before the committee last winter with a private bill—had their recently built poplar plywood plant completely destroyed by fire. The industry, which had only been in operation for a year and four months, had created 325 new jobs in the district and had a payroll of more than \$10,000 a week. It had contributed valuable business to both the Ontario Northland Railway and to Star Transfer.

The million-dollar blaze was an unmitigated disaster to the community. Canada's largest manufacturer of poplar plywood was out of business; if the plant was not rebuilt, the future of Cochrane looked bleak indeed. The owners, the Perron Brothers, of La Sarre, Quebec, and Albert Boisvert of Cochrane, undaunted by their loss, made known at once their courageous decision to rebuild immediately.

I am happy to announce that this new industry, with 20 per cent increased production, commenced operation on Monday of this past week. This will be the most modern poplar plywood plant, as well as the largest, in eastern Canada.

The decision to rebuild and the promptness with which the project was carried out, dramatically illustrates the enterprising spirit of our northern people.

In Kapuskasing, the Spruce Falls Power and Paper Company produces over 900 tons of newsprint a day, with its four modern newsprint machines. I am happy to announce that the company has plans to add a fifth machine. This will increase production by about 110,000 tons of newsprint a year and will require an additional 50,000 cords of pulpwood annually. The expansion will create more jobs in the mill and in the woods.

The town of Hearst is also blessed with expansion in its plywood industry. The Levesque Plywood Company there recently announced the construction of a \$600,000 addition to its present plywood plant.

Economic expansion is evident in many parts of my constituency; however, this rich region is not forging ahead at the rate that it should. Cochrane North's economy depends mainly on primary industries, of which the forest-based industry is the main one. If this rich and huge area is to develop to its full potential, it should be done through economic regional planning with the assistance and co-operation of federal and provincial governments. This applies to the entire northeastern region. The district of Cochrane is unique in that it combines the features of

immense geographic terrain, sparse population, and is located hundreds of miles away from the large southern markets. According to the report *Economic survey of the district of Cochrane* published in 1963 by the north-eastern Ontario development association, I quote from page 147: "It is a recommendation of this report that this district be classified as a 'special development area' whereby the Ontario government should provide special incentives for industrial and resource development." A welcome step was announced a few weeks ago by the hon. Provincial Treasurer in his Budget statement. A three-year tax-free period would be given to new processing and manufacturing industries locating in any of the six designated areas in the province. Timmins is one of these areas and it extends to include the southeastern part of Cochrane North. But, good as this may be, it does not go far enough.

Mr. Speaker, I would respectfully ask the hon. Provincial Treasurer to enlarge and revise the designated areas in co-operation with the federal authorities. I also submit for his consideration that the present plan for designating areas should be reviewed and take much more into account than simply the present yardstick of the unemployment totals of regional UIC offices. In selecting the areas for federal and provincial inducements to secondary industry, the potentialities of these places and the development of their rich natural resources should be a prime consideration. Assistance should be provided throughout areas sufficiently large to contain within them at least one town that could be regarded as a plausible centre of growth.

To illustrate my point, I will refer to the town of Hearst, located at the western end of my riding. This community, located in the midst of rich and extensive forest resources, experienced a booming economy until the year 1947. The provincial government then adopted a policy curtailing the export of pulpwood to the United States in order to maintain requirements for Ontario pulp mills, and to encourage the expansion of pulp production in Ontario.

There are adequate forest limits to supply a 300-ton pulp mill in the Hearst area, according to a study made by The Department of Lands and Forests. Much of this pulpwood is neither being sold in its raw state, nor processed for pulp.

In addition to the raw material being in abundance, there is the availability of natural gas, unlimited hydro power, and a direct rail service from Hearst to Sault Ste. Marie. From here, transshipment can be made by water to

the southern states. The demand for pulp and paper is increasing rapidly. It is predicted that the present consumption will double in the next 20 years. What, then, is holding up the construction of this 300-ton pulp mill, which would do so much to not only fortify the economy of Hearst but of the entire surrounding region? It is some encouragement, Mr. Speaker, some financial inducement which will attract industry to locate in this rich forest region. If we fail to attract them, they will go to other regions and we will be the losers.

I now wish to speak about an industry which, until recently, has been relatively foreign to Cochrane North but will become, within the next few years, a dynamic force in our economy—the mining industry. This sleeping giant is just awakening in Cochrane North. The James Bay basin, which lies in the precambrian shield, has had scant exploration due to its inaccessibility and the swampy nature of a large part of the terrain.

Mr. Speaker, what really sparked a sudden interest in this James Bay area was the combination of two factors. The first was the discovery made last year, by Texas Gulf Sulphur in the Timmins area. This billion-dollar find generated mining activity throughout the entire Timmins-Cochrane-Moosonee region. More than 100 mining and exploration companies have been, and are presently, actively exploring and drilling in this interesting mineral region.

The second factor, which triggered a new wave of exploration interest in this vast muskeg-covered area was the release last fall of a series of aeromagnetic maps by the federal and provincial governments. Of tremendous interest to geologists, prospectors and developers alike, is a 160-mile long magnetic belt—if hon. members will look at their maps, I have coloured it green—stretching south from James Bay, paralleling the Moose and Abitibi rivers and extending to Island Falls, immediately north of the town of Cochrane. A similar major magnetic anomaly stretches from the north end of Fauquier township, a few miles east of Kapuskasing, and extends south to the Chapleau region. It is not known what kind of minerals are causing these magnetic features, since a large part of the areas are covered by swamps underlain by overburden and a veneer of late sedimentary rocks. These features are most interesting geologically and could hold, and I am sure do hold, a rich supply of minerals.

Mr. K. Bryden (Woodbine): What about diamonds?

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Third Session of the Twenty-Seventh Legislature

Monday, May 10, 1965

Speaker: Honourable Donald H. Morrow
Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

MONDAY, MAY 10, 1965

The House met at 3 o'clock, p.m.

Prayers.

Mr. Speaker: We are always pleased to have visitors to the Legislature and today we welcome as guests, in the west gallery students from St. Francis Assisi separate school, Toronto.

Presenting petitions.

Presenting reports by committees.

Motions.

Introduction of bills.

Hon. M. B. Dymond (Minister of Health): Mr. Speaker, before the orders of the day, I am sure you will be equally as pleased as I and all other hon. members of this House to know that a very pleasant surprise has come to The Department of Health through a bequest specifically left to the Ontario hospital school at Smiths Falls. The superintendent of that school, Dr. Harold F. Frank, has just been advised that a sum of approximately \$30,000 has been bequeathed to the school by the late Mrs. Viola Elizabeth Beath, formerly of Ottawa.

The bequest was given to the school with no qualifications as to its use. The late Mrs. Beath had been a nurse in World War I, and for the past several years had been particularly interested in mentally retarded children, and worked long and assiduously in their interests. She had been very impressed with the work done by Dr. Frank and his staff at our hospital school at Smiths Falls and in her will had made evident in tangible fashion the great admiration she held for them.

Knowing Mrs. Beath's intent, it is proposed to place the money in the hospital school's sundry fund when it is received. Through this fund it will provide a great many extra comforts, special events and other such things for the patients at the hospital school.

We are all deeply appreciative of the thoughtfulness of the late Mrs. Beath and I would point this up as further evidence of the active participation and involvement of society in the work we are trying to do.

Mr. D. C. MacDonald (York South): Mr. Speaker, before the orders of the day, I have a question for the hon. Minister of Energy and Resources Management (Mr. Simonett).

In view of the staff report to the Metro Toronto and region conservation authority that all outstanding expropriations will require an amount equal to what the authority expects to raise from its member municipalities and the two senior levels of government during the next four years, does this mean that some of those whose land is under expropriation will have to wait this long for settlement of their claims?

Hon. J. R. Simonett (Minister of Energy and Resources Management): Mr. Speaker, the question raised by the hon. member for York South concerning the acquisition of flood plain lands by the Metropolitan Toronto and region conservation authority is essentially the same question that was asked by the hon. member for Yorkview (Mr. Young) during the discussion of my department's estimates, on April 8, which appears in the *Legislature of Ontario Debates*, number 71, on page 2117.

At that time I pointed out that this question had caused a great deal of concern to both the authority and my department. I have already discussed the problem with members of the authority, and up to the present we have not been able to arrive at a solution. However, the committee which will be established to examine the provisions of The Conservation Authorities Act and land acquisition problems, particularly in urban areas, will undoubtedly put forward recommendations and I expect a solution will be found long before the termination of the four-year period.

Mr. MacDonald: It has taken a long time already.

Mr. K. Bryden (Woodbine): Mr. Speaker, before the orders of the day, I would like to ask the hon. Provincial Treasurer (Mr. Allan) the following question:

Why is the salary scale for attendants at Oakridge hospital at Penetanguishene lower than that for custodial officers at Guelph, and are there any plans for increasing it?

Hon. J. N. Allan (Provincial Treasurer): Mr. Speaker, in reply to this question, I may say that the matters are determined by the civil service commission and the classification is a plan of the commission.

The commission has given me the following report: The duties and responsibilities of the attendants at the Oakridge hospital are regarded as being primarily those of attendants and not custodial. The working level of attendants at the Oakridge hospital is paid on a salary range of \$3,480 to \$4,200. The special nature of the work at Oakridge is recognized by a differential of \$300. An attendant 2 in all other Ontario hospitals is paid \$3,240 to \$3,900. Other levels of attendant at Oakridge benefit by similar differential.

The working level for a custodial officer at Guelph has the salary range of \$4,050 to \$4,400. In determining this rate, due regard has been paid to the rates of pay obtaining in other jurisdictions where employees are occupied mainly in the detention and custody of inmates. A committee from the group that visited this area last week came to see me and I promised them at that time that we would review the classification schedule.

With respect to the second part of the question, "Are there any plans to increase the rate?" the answer is that all occupational groups of hospital attendants, nurses, custodial officers, and so on, employed in Ontario government institutional settings are at present under review and negotiation in accordance with the agreed cyclical salary review policy. These rates will be established based upon such negotiation and will be effective April 1, 1965.

Mr. S. Lewis (Scarborough West): Mr. Speaker, I have a question for the hon. Minister of Economics and Development (Mr. Randall) which only the two of us may understand.

Does the Ontario housing corporation intend to take over and continue the work now being done by Mrs. Lena Cook when she leaves in August of this year?

Hon. S. J. Randall (Minister of Economics and Development): Mr. Speaker, I am pleased to answer the hon. member's question. I believe it does require a little explaining.

By arrangement with the housing authority of Toronto, the Metropolitan Toronto social planning council is carrying out a study of the relocation problems inherent in a major redevelopment scheme such as St. James Town. Under this arrangement, Mrs. Lena Cook, who is an employee of the social plan-

ning council, spends two days of each week in the St. James Town area counselling families who are being relocated by the housing authority of Toronto. I am advised that August was agreed upon as a time when Mrs. Cook's services would no longer be necessary and by which time it was expected that the necessary material for the study report would have been collected.

When Ontario housing corporation was requested by the municipality of Metropolitan Toronto to undertake the rehousing of certain families in the St. James Town area on an emergency basis, the corporation used its own tenant relations' officers and home visitors to work with the families affected. There was constant liaison between the staff of the Ontario housing corporation, the housing authority of Toronto and Mrs. Cook.

In effect, therefore, Mrs. Cook was involved in the St. James Town area to assist the housing authority of Toronto in its relocation activities and to carry out a study on behalf of the social planning council. While staff of the Ontario housing corporation will continue to work in the St. James Town area for the purpose of relocating families, their objective will not be precisely the same as that of Mrs. Cook, who is largely concerned with research.

In a report to the metropolitan welfare and housing committee dated May 5, 1965, concerning its activities in St. James Town, Ontario housing corporation strongly advocated the need for a more sophisticated approach to relocation, if major urban renewal developments, both private and public, are to take place with a minimum of hardship.

Relocation requirements extend beyond the provision of physical accommodation, as important social and psychological factors are involved and must be considered. For this reason it was suggested that discussions take place with the metropolitan welfare and housing committee, with a view to determining the most effective technique which will ensure proper responsibility for emergency housing and adequate services.

Hon. J. Yaremko (Provincial Secretary) begs leave to present to the House the first annual report of the pension commission of Ontario for the period to December 31, 1964.

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, before we proceed with the orders of the day, I would draw the attention of the hon. members of the House to the draped chair of the late Joseph M. Gould, the member for Bracondale, who died last Saturday in Toronto general hospital. I would

like to extend to his widow and his family our deepest sympathy, the sympathy of all of us in this House.

Mr. Gould was, of course, a barrister by profession. He practised here in Toronto. He had been a member of the city council for some five years and that training was evidenced in his treatment of certain matters in this House. He was well regarded by all his fellow members in this House.

Over these past few months, I and my colleagues have kept in touch with him, both in person and by mail. I would like to say that he had a long and very uncomfortable illness which he bore stoically and with good heart. His death will be a great loss to this House.

I would like also to mention the name of Arthur G. P. Frost, who also died over the weekend and who also was a member of this Legislature for Bracondale. Mr. Frost did not run in 1959, but having been in the House since 1951, he was well known to a good many of us. He, too, had been an alderman for ward 5. I would like to extend our sincere sympathy to his family.

Mr. V. M. Singer (Downsview): Mr. Speaker, with the hon. Prime Minister, my colleagues and I join in extending our sympathy to Joe Gould's widow and his family. We will miss very seriously our colleague who spent the years with us since 1959, not only as a member of this House but as a friend—a friend whose loyalty and integrity we valued very highly.

It is always a real blow to politicians to see one of their friends pass on, because we have some idea among ourselves of the trials and tribulations this profession brings to us. Mr. Gould, as we know, not only sat in this House and made a substantial contribution, but as a citizen of the community his concern with his constituents, with his neighbours, with the newsboys for whom he acted for so many years, all marked him as a man of outstanding devotion and care for the community which he served so ably and so well. We in this party shall indeed feel the loss very greatly, as we know our hon. colleagues in the House do as well.

Mr. Speaker, I did not have the personal privilege of knowing Mr. Frost, but I am aware of the record of service he rendered and we extend to Mr. Frost's family our deepest sympathy.

Mr. D. C. MacDonald (York South): Mr. Speaker, it is a very sobering thing to realize that a man relatively young in years can be

cut down in the full flower of life in the fashion that Mr. Gould was, particularly when one realizes that within the past year he was so active as to be seeking the leadership of the party of which he was a member.

I would like to join with the hon. Prime Minister and the hon. member for Downsview in expressing the sorrow of the House at the loss of a colleague and expressing our sense of bereavement with his friends and family; and also to do the same to the friends and family of Art Frost.

I sat in this House for some four years or so with Art Frost. We were members of clubs in the central part of the city and saw each other quite frequently. He was a very kind and gentle man, in the real sense of the the word a gentleman.

It is a rather remarkable coincidence, indeed, that two men who stood and represented the riding of Bracondale in this House over a period of 10 to 15 years should both have died on the same weekend.

Again I would like to join with the hon. Prime Minister and the hon. member for Downsview in expressing our sense of bereavement to the family and friends.

Mr. Speaker: In respect to these two former members of the House, I would ask the members to rise and observe one minute's silence.

Orders of the day.

Clerk of the House: The twenty-ninth order, House in committee of supply; Mr. W. E. Sandercock in the chair.

ESTIMATES, DEPARTMENT OF THE ATTORNEY GENERAL

(continued)

On vote 202:

Mr. V. M. Singer (Downsview): Mr. Chairman, when the committee rose the last day these estimates were before the House, I was in the midst of discussing that portion of this estimate, vote 202, dealing with the powers and authorities both for investigation and for recommendation of the proof of improvement of local police forces. As I recall it, I had begun to outline to you, sir, some of the problems that had been faced in the town of Brampton in connection with policing there. At one stage, I think, the hon. Attorney General (Mr. Wishart) interrupted to say that since January 1—and I am not sure whether my dates are right or whether he in fact mentioned a date—but since a new

council had taken over in Brampton things had much improved.

I am very pleased to hear the hon. Attorney General say this, but I think in view of what transpired in November of 1964 there should be a full and frank discussion of the investigation that went on, the recommendations that were made and the immediate reactions of the local council.

Mr. Chairman, as you may know, in Brampton there was some substantial concern with policing. At the suggestion of the mayor—I think of the day, I do not know whether he is still the mayor or not—a police commission was appointed, and I named the members of the police commission. One of the first things the police commission did—and the police commission consisted of Mayor Russell Prouse and Magistrate H. T. G. Andrews and Judge E. W. Grant—one of the things that the police commission did was to decide to invite the Ontario police commission in to do an evaluation of the policing situation in the town.

The police commission sent in Robert Kerr. Robert Kerr was a former deputy chief of police of the metropolitan police, a gentleman who was certainly well versed in police work, very highly regarded by his colleagues on the police force here in Metropolitan Toronto; and obviously very highly regarded by the police commission, otherwise they would not have taken him on.

Mr. Kerr came in and did a very substantial survey of the police force in the town of Brampton and he gave a report wherein he listed some 21 criticisms that he made of that police. These are some of the things that he said.

He said that the chief constable's office was in a state of confusion, that the top of his desk was covered with files and letters and reports. There were files on the floor and on the chairs and on the top of the filing cabinet.

When I read that, it sounds somewhat like my own office downtown; but in any event, I am not trying to run a police force.

He said that the filing cabinet in the chief constable's office was full of files which were filed in complete disorder with no thought of alphabetical or other arrangement; even the chief could not find what he was looking for. He said that the chief constable has a very poor knowledge of vital statistics in his department and town—such as the area of the town, the miles of streets in the town, the crime, the accident picture—and had no knowledge whatsoever as to what the 1964 budget amounted to. He said that money paid re parking tags was left lying loose on the

desk in the outer office; his suggestion was it should be kept in a locked drawer.

Mr. D. C. MacDonald (York South): It sounds like Eastview.

Mr. Singer: I was going to say that complaint sounds somewhat familiar. In another municipality, I think the hon. member for York South mentioned Eastview, there was quite a concern about money lying loose and not being kept locked up and no proper records being kept up.

He said that the property and liquor storage room, I guess for seized property, was in a disgraceful condition, dusty and dirty. It was not a secure room. Being partitioned off the general office, even if the door is locked anybody could climb over the partition. There was found property which obviously had been held for ten to 20 years, very little of it was properly tagged as to the date found and where and by whom.

He points out that The Police Act, section 17, subsection 2 gives authority to dispose of all property other than motor vehicles or bicycles at the expiration of three months and there is no need to retain found property beyond that period. He states that there was a large quantity of seized liquor and beer in the room not properly sealed or tagged, that the department had run out of gummed tags and seals which are supplied free by the liquor control board and that nobody had bothered to obtain any. He points out that there is no need to retain liquor if the person charged is found not guilty—you return the liquor to that person. If the person is found guilty, you retain the liquor for one month and then dispose of it through the proper channels, the liquor control board.

He remarks that the chief does not check applications of persons desiring employment as police officers. This one I find particularly strange. The chief only does so after they are hired and sworn in and could give no valid reasons why he does not check them, other than that the board is hiring them. Mr. Kerr goes on to say that conceivably someone with a criminal record could be hired but not discovered until after he had been sworn in as a police officer.

He points out that there is no departmental duty book to show day by day who is on duty, off duty, sick or on vacation. At the present time a small journal is maintained which each individual member of the department signs and where he enters time-on and time-off. He says this is not satisfactory and that the sergeant on duty should record all this. The duty book can be used to record overtime,

record attendance, property found and disposition of the same, automobiles held by the department and disposition of the same, and other necessary things of which it is essential that a record be kept. He states that there is no record of overtime worked by personnel. In July, to obtain the amount of overtime work, the list of personnel was placed on the notice board and each member filled in the amount of time. He goes on to add that this is far from satisfactory and I can understand that this would be far from satisfactory.

He states that there is no supervision of constables when they are outside the police station on a beat or patrolling in a cruiser.

There is a complete lack of supervision that makes me wonder what the constables do when on patrol or on a beat. Are they carrying out their duties, as they should, or are they not?

Apparently Mr. Kerr could not obtain an answer to that from anyone.

He states that the memorandum books—commonly referred to as memo books—maintained by the constables are far from satisfactory. They show only time on duty, any calls they receive, in and out from lunch, and going off duty. What does he do if he receives no calls? Where does he patrol? What location does he give traffic enforcement to? What premises does he check? A memo book, in Mr. Kerr's opinion, should be a chronological record of everything he does, where he goes and everything he takes action on. No one checks the memo book to see that he is keeping a correct record. The sergeant should have been directed by the chief constable to do so.

He points out that there are no standing written orders or directives given to the personnel. He states that a police force is a semi-military body and as such it must be disciplined. A force that is disciplined with justice and fairness is a good force. A force which receives no discipline is not a good one. There is no official record of any member of the Brampton force being disciplined in 12 years. He points out that there is a complete lack of training, that no member of the Brampton police force has received recruitment or basic training. The department carries out no in-service training. The four sergeants have attended short one-week seminars on specialized subjects. He says:

I can find no reasonable excuse to explain this lack of training. No department has an overabundance of personnel but you will find that all well-directed and efficient forces are well trained. Chief

Constable Keats claims that lack of sufficient personnel has prevented him from sending men to the police college at Aylmer.

Says Mr. Kerr:

I find this hard to believe when the force is able to carry on during the vacation period when two or more personnel are on leave of absence.

He states as his opinion that this is a serious deficiency.

He points out that the record system is about 25 per cent efficient. Some effort has been made to improve it during the past year. Some responsibility has been given to the sergeant and three patrol sergeants in this regard, but the lack of direction from the chief constable and a lack of knowledge by the four sergeants in what is required in a record system has resulted in no great improvement in the system. He says:

I could list all of the items I found in the files but I can see no great benefit in doing so and occupying the pages of this report in pointing out the inefficiency of the record system. It will be sufficient for me to say that the Brampton police record system is a hit-and-miss system and must be immediately rectified.

He points out that the department has no secretarial help. He says:

It is beyond my comprehension how a police department of 23 men can carry on without a secretary. The amount of correspondence in a department of this size, together with the number of files that have to be maintained, justifies the immediate hiring of a secretary, something that should have been done years before this. . . .

Throughout the survey it was quite evident there was a complete lack of proper written reports from constables to the sergeants, the sergeants to the chief and the chief to the board of commissioners of police. When the chief submits reports to the board which are not properly addressed, and in one instance not even signed, it is not entirely unexpected that he accepts reports written on pieces of paper and on the back of letterhead stationery, and addressed to "Chief," and signed with initials of the person writing the same. Proper procedures are a necessity in a good department and proper reports are one of those procedures.

He states that there are no rules and regulations laid down for the guidance of the force and says:

While I realize that it is the board's

prerogative to study and approve the rules and regulations, the chief should have been presenting his ideas and suggestions on the matter to the board.

He sets out that the operation of an ambulance service is not a police function. During 1963 the department answered 417 calls, which consumed 405 manhours. Considering two constables went on the vast majority of the calls, the manhours consumed are closer to 800, or the full time of a constable for 100 days or 20 work weeks. In his opinion, he says this is a serious matter. On many occasions there have been only two constables on duty, and to answer an ambulance call, which on occasion has resulted in the ambulance having to go to Toronto, the town of Brampton was left with no police protection whatsoever. Even though it is not a police function, Chief Keats argues in favour of it. What does the town of Brampton want—and I think this is a very important question. Does it want an ambulance service or does it want a police service?

He points out that the distribution of personnel to various reliefs leaves much to be desired. The Brampton police force uses a four-platoon system insofar as senior constables are concerned. There are 13 senior constables who are distributed as follows—and he sets out the hours and goes on to say:

With the exception of the constable who was detailed to safety work, the constables rotate around those four reliefs, every four weeks.

The five probationary constables have been assigned to three reliefs.

All those duties are posted on a yearly basis. This results in a constable being able to tell in January what days he will be off in December.

I do not take exception to this system on that account, but I do on two other counts. First of all, this system does not take into consideration the day-to-day exigencies of the department; for instance, unexpected traffic situations or crime problems or lengthy illnesses of personnel, and many other occasions when personnel must be reassigned and utilized. Second, it does not permit the proper distribution of personnel.

In police circles it is known that the 4 p.m. to 12 midnight shift is the relief that carries the heaviest work load, and therefore the largest proportion of the personnel should be assigned to it. The 12.01 to 8 a.m. relief, owing to the amount of crime that takes place during these

hours, must have almost the same number of personnel assigned to it as there is on from 4 p.m. to 12 midnight. The 8 a.m. to 4 p.m. relief has the least workload of the three reliefs and therefore it should have the least number of personnel.

The platoon system does not do this, and on the Brampton force there are many days when there are far too many personnel on duty on the day shift.

He goes on to say that the motor vehicle equipment is not used to its fullest extent. He says:

I spoke to the chief in this regard and he stated that he left the assignment of the cars to the sergeants. The sergeants say that the chief does not allow them to utilize all three cars.

From observations and questioning the chief and the four sergeants, the following is the general rule followed in assigning cruisers:

From 12.01 a.m. to 8 a.m., one cruiser; from 8 a.m. to 4 p.m., none; a cruiser is used on relief only when a call comes in. If no constable is in the station, a light is flashed at the main intersection of Queen and Main to attract the attention of the foot patrol.

I hope that the hon. Attorney General is paying attention to this modern system of policing.

After the light is flashed to attract the attention of the foot patrol, the policeman on patrol walks to the station and takes out the cruiser to go on the call. The cruiser sometimes is used on this relief to serve summonses. From 4 p.m. to 12 p.m. there is one cruiser; and from 7 p.m. to 3 a.m. there is one cruiser.

As can be seen, at no time are there more than two cruisers on patrol; and from 3 a.m. to 7 p.m., never more than one.

The centre business area consisting of two blocks on Main Street and two blocks on Queen Street receives at least 60 per cent of the effort and attention of this force under the present beat and cruiser patrol system.

Then he goes on to suggest the redistribution of personnel should be considered, putting six constables on the 12.01 a.m. to the 8 a.m. shift.

This would ensure that three one-man cruisers and one foot patrol were available for duty seven days a week, with two constables relieving.

He suggests that on the 4 p.m. to 12 midnight shift seven constables should be on duty. This would ensure that three one-man cruisers and one foot patrol were available. A second foot patrol would be available five evenings a week and could be used for those nights that are busy, for example, Friday and Saturday. In a municipality like Brampton, Friday and Saturday are pretty busy nights, and one would think that the schedule would be adaptable enough to take care of the economic habits in the town.

He points out that all occurrences are entered in an occurrence book chronologically without any thought of breaking them down into the various types of offences, and so on. This is an antiquated system which possibly would be adequate for a one-man force, and here we have 23.

This system provides no means whereby a record is kept of each individual occurrence or complaint. A 23-man force must have the crime picture, the work load and the activity of the force instantly under evaluation, seeking ways and means to combat crime and to provide a better police service. An occurrence book does not provide these facts and this system, as used by the Brampton police department, must be changed to a system of occurrence forms properly filed, as used by all up-to-date and efficient forces.

He states, regarding the lack of delegation of authority and responsibility:

Chief Constable Keats, whatever his reasons are, has endeavoured to direct the department by himself. Previous to 1964, he delegated no authority or responsibility to his senior officers—an inspector, a sergeant and a corporal.

This lack of delegation even applied to correspondence received while the chief was absent on vacations and conferences. No one opened the mail and it remained that way until he returned. I can find no instance—

says Mr. Kerr:

—where any responsibility was given to a senior officer prior to 1964. Several promotions were made effective on the first of January 1964, and the sergeant and three patrol sergeants were given certain responsibilities. This was a step in the right direction, but they received no instructions from Chief Keats as to how they were to carry out those responsibilities, with the result that the records of the department and the overall supervision has shown little or no improvement.

He concludes by saying:

There are other small areas of deficiencies which I could list, but I believe that for the purposes of this report, sufficient have been listed.

And to that I would say, amen. Surely there could not be a more damning indictment of the operations of a police force than that.

Hon. A. A. Wishart (Attorney General): Would the hon. member explain to the House, and for my benefit; is he being critical of the town of Brampton and its police force, of the legislation, of the police commission, of the report that was made, or of the Attorney General?

Mr. Singer: Perhaps a little bit of each, Mr. Chairman. Perhaps the hon. Attorney General will permit me to summarize my criticisms when I come to the end of this story. I do not think I am being critical at all.

Let me go this far at this point: I am not being critical at all of the police commission because they were acting, in so far as they were allowed to do so. I am certainly not being critical of Mr. Kerr, because I think that he came in, and as a trained police officer he made his report, wrote down what he said and there it is.

But I am being critical of the state of the legislation; I am being critical of the way the force is run; and I am going to be critical of the council of the town of Brampton, because the town, having received this report, decided that they were going to do away with the police commission because they did not like police commissions that asked for this kind of report and got the report. In a long front-page story in the *Brampton Times and Conservator*, dated November 4, the headline is: "Council Votes Death to Police Commission." So out goes the police commission because they did not like the kind of report that was made. The report reads:

They instructed their town solicitor to prepare a bylaw repealing the bylaw that created the commission consisting of the three gentlemen who are on it. The majority of councillors contended that Mr. Kerr's report was unfair, and the breakdown in communication between the council and the commission was to be corrected by the commission's demise.

Mr. Chairman, if all of these sins of omission and commission have existed and they were only brought to light by reason of an investigation which had been asked for by the town police commission, the reasoning of the gentlemen on council who believed that these situations would only be corrected by

the demise of their own police commission somewhat escapes me. In any event that is what they did, over the violent objections of the mayor.

Mayor Prouse told the council they would be jumping out of the frying pan into the fire if they were successful in dissolving the commission, and added that the separation of politics and police administration is necessary.

The mayor explained that The Police Act requires only the head of the municipality necessarily to be on the commission, not the judge and magistrate too, which was once the case. He placed the blame for insufficient co-operation between council and the commission on the shoulders of council.

I do not know, Mr. Chairman, whether or not they were successful, even though they decided to instruct their solicitor to prepare a bylaw to get rid of the commission, whether they were successful in getting rid of it. Perhaps the hon. Attorney General can tell me.

This became quite an election issue and this became quite a local issue. One of the editorials here says: "What a council!" I think that is appropriately said.

Council's firing of the local police commission this week is one of the blackest chapters in the history of our local government. Only Mayor Prouse and councillor Bill Bryden opposed the ridiculous resolution, showing themselves worthy of representing the ratepayers.

The real point of this, Mr. Chairman, I think, should be obvious. If we are going to have investigatory powers such as are vested in the police commission, the Ontario police commission, then surely there should be some authority somewhere, whether with the Ontario police commission or with the hon. Attorney General himself, to examine the report such as Mr. Kerr prepared, and if necessary to take action in regard to that.

This happened in November, and I was very interested to hear the hon. Attorney General say that the situation had much improved. How many of the 21 complaints Mr. Kerr lists have been cleaned up I do not know; perhaps the hon. Attorney General can tell us. But the fact that the police commission, through their officials go in and investigate and this report is made and then it comes back to the local council who for reasons best known to themselves say: "It is a prejudiced report, you are only picking on us"; or, "You are only picking on some personnel we have had around for years"; and "The only answer is to fire the local police commission," certainly is a bunch of nonsense.

If these errors, if these sloppy practices, if these examples of bad policing do in fact exist, and if they are pointed out as they were by the Ontario police commission, surely, Mr. Chairman, the responsibility lies on the shoulders of the hon. Attorney General to see that something is done about them, and something is done about them in a forceful way.

At the beginning of my remarks, I suggested that there were perhaps two alternatives. One was that the chief of the day could be handed the report and told, "You've got six months—or a reasonable time—to clear this up"; or if the decision was made that the chief of the day was unable to do this, then perhaps there should be another chief. But to allow this thing to come back into council and have these great discussions about whether the local police commission was good or bad, whether or not the commission was trying to pick on the chief and others, and whether or not Mr. Kerr's report and the actions of the Ontario police commission were an infringement on local autonomy, surely is an exercise in complete frustration and surely there could not be a better example of the inefficiencies that we have here in the province of Ontario in trying to control and set up proper police procedures.

There is no suggestion here, Mr. Chairman, that the policemen were dishonest, or that there was any corruption, but there is certainly the obvious suggestion that the force was sloppily organized, that there were no proper records, that there was no proper discipline, that there were no proper duty rosters, and that sort of thing. In modern policing and in a big municipality, close to the largest city in the province, surely something better than that is needed and should be available.

When this report was made available, what action did we get from the Attorney General? I have looked carefully and I have inquired carefully and I have been unable to find that the Attorney General did anything. I use "Attorney General" in a collective sense—his office did nothing. Surely somebody in the department must have and should have the authority. Whether he wants to put it in a statute and give it to the police commission or not I do not know—that is his decision—but if you do not want to do that, then you should keep it yourself. This report seems to be an authentic report, and I do not think anybody has challenged Mr. Kerr's ability to make this report—the police commission certainly accepted it. Knowing what I do of Mr. Kerr I

would think it would be an honest and careful report. And what situation do we have? We have complete and utter confusion in the police force of a large municipality in the province of Ontario.

What else do we have in Peel county? Peel county is policed by the forces of Toronto township, Brampton, Chinguacousy township, Streetsville and Port Credit. The northern portion is policed by the OPP with the exception of two small forces in Bolton and Caledon East. Consequently a map of police jurisdictions in Peel county looks rather like a patchwork quilt. There is no uniformity, no cohesion, and as far as I have been able to ascertain, no co-operation whatsoever among all of these various forces. The Brampton force and the force in Chinguacousy township, I have been advised—and Chinguacousy township, as the hon. Attorney General well knows, surrounds Brampton—do not even operate on the same radio frequency. The Brampton force with its three cruisers, which it rarely uses, probably does not turn on the radio anyway. But surely it would make some sense in a definable geographic area such as Peel county, to have these forces operating with some sort of cohesion and co-operation. That apparently does not exist.

What is the solution? The solution was pointed, without specifically mentioning Peel county, in the Ontario police commission's annual report, and it is amalgamation. I suggest again, Mr. Chairman, the solution is not going to be arrived at by permissive amalgamation or by persuasive amalgamation. When a situation like this exists and has existed for a number of years and is aggravated by this sort of situation, the only solution is going to be by forced amalgamation.

Again, Mr. Chairman, as I indicated to the House when the debate took place on Friday in relationship to the report of the select committee on The Municipal Act and related Acts, I do not think that where the government comes to the conclusion it must act that it should act and completely ignore the local municipalities. I would think that where an emergent situation such as this appears, the hon. Attorney General would ask for the most up-to-date report on the policing of Peel county that his Ontario police commission can produce. Having received that, he should call in representatives of the various communities or municipalities that are concerned with it and show them the report and ask them for their suggestions. But having done all that and having listened carefully, then there is a responsibility on the hon. Attorney General or on whomever he

chooses to put it, to act and to bring order out of this chaos.

I suggest to the hon. Attorney General that we are getting no such action at the present time and we are unlikely to get it for the foreseeable future because we have had no positive statement of policy at all in regard to this sort of problem.

Of interest, Mr. Chairman, along the same line, are the answers that were tabled—I suppose on behalf on the hon. Attorney General—on Friday last in respect to two of my questions, No. 56 and No. 57. In question 56 I was trying to find out how many new police officers had been hired in 1963 and 1964 and how many had received any training. As I read the answers that were produced, if I understand them properly and I think I do, something less than 50 per cent of the new officers who became officers in 1963 and 1964 in the province of Ontario received any recruit training at all. Something around one half of the policemen who were hired in those two years were sworn in and put on their uniforms—and there they were, they were policemen.

To revert to what Mr. Kerr said about Brampton: Apparently in Brampton, as new officers were hired, they were not even investigated by the chief before they were hired. What kind of policing do we have in this province if there is not a standardized system of training for new policemen?

In question 57 I was asking about promotions. Of those people who were promoted in 1963 and 1964 in about 577 Ontario police forces in municipalities having more than 10,000 in population, something more than 100 of the promotions took place without any qualifying examinations, and those are in the larger municipalities. In the smaller municipalities, having a population of less than 10,000, where there were some 81 promotions—substantially less than half—some 33 promotions took place after there had been courses and perhaps some qualifying sort of tests. Therefore more than half of the people promoted in the small forces apparently had, according to these answers, no training for their promotions, or no qualifications, and so had something less than 20 per cent in the large municipalities.

Mr. Chairman, our police arm is a most important arm in the enforcement of justice in the province of Ontario. These questions and these answers and this sort of criticism, are not just being made up and I am not just gathering newspaper reports out of the wild to dream up unfair criticism. These are reports made by substantial and responsible

people and they are made under the supervision of the hon. Attorney General's own police commission. The answers that are given to me are obtained from departmental records, and indicate beyond any doubt that the efficiency of our policing in the province of Ontario falls far short of what the people of Ontario are entitled to expect. I think today, sir, that we should hear from the hon. Attorney General—but not that the government is thinking about building a new police college in a couple of years, not that it is thinking about persuading somebody to amalgamate, not that the police commission is going to go out and make more reports and table them for nobody to act on. I think we are entitled to hear a positive programme of reform for our police in the province of Ontario.

Mr. J. Renwick (Riverdale): Mr. Chairman, on the question of the estimates of the police commission. I would like to ask the hon. Attorney General if, having read the first report of the police commission on organized crime, whether there is a second report in preparation and if so when is it likely to be tabled?

Hon. Mr. Wishart: Does the hon. member, Mr. Chairman, mean another report from the Ontario police commission, in addition to the one that I tabled very recently?

Mr. Renwick: Yes, Mr. Chairman.

Hon. Mr. Wishart: I think not. I am not expecting another immediately, not at this time.

Mr. Renwick: Mr. Chairman, on that same question, if I may return to it: The first report, as I understand it, was indicated in its context to be a preliminary report on organized crime by the police commission. The commission indicated—and I am speaking of the report of January 31, 1964—the commission, when it made that report, indicated its intention to proceed with a continuous and intensive study of the question of organized crime and indicated in the context of its report, not only that it was the first report, but that it was also simply a preliminary report.

I think the answer which the hon. Attorney General has given on this question indicates to me that the government is for some reason now preparing to withdraw entirely from participation in the control of organized crime in the province of Ontario, and to withdraw and abdicate its obligations entirely to the Ontario police commission. I was concerned, in reading the report of the police

commission, which was tabled a few days ago, to note that the hon. Attorney General will now only become involved in questions relating to the Ontario provincial police if it is decided by the Ontario police commission that he should be asked about matters of particular concern. This question has been resolved, apparently, in the terms which are set forth on page 12 of the report which, after reciting the provisions of subsection 2 of section 40 of the Act, setting out the relationship between the Attorney General, the Ontario police commission and the Ontario provincial police, then goes on to say that the commission will only give directions to the force on matters of general and broad policy and not on the actual operation of the force, which is, I believe, understandable.

It then goes on to state that the Attorney General will grant general approval for such directions, subject to the responsibility of the commission to refer to the Attorney General for specific approval policy matters of particular significance.

I would like to anticipate that the hon. Attorney General will give us some explanation as to how in fact he considers that he, as the Attorney General, will have any relationship with the question of the control of organized crime and the intrusion of syndicated crime into the province of Ontario if that very remote connection only is maintained between himself and the commission.

Is it possible that the hon. Attorney General can give us some indication of the extent to which organized crime is in existence now in the province of Ontario; and in what areas it is in existence and whether from the time that the last report was published in January of 1964 there is any evidence of further intrusion of syndicated crime into the province of Ontario?

I noticed that the hon. Attorney General has referred on a number of occasions to the importance of the public awareness and public concern about organized crime, and yet we now appear to have a decision, made by the hon. Attorney General's department and by the police commission, to withdraw from public concern and public discussion this whole area of organized crime. Now it may be that the wise thing is not to publish a second report along the lines of the first report on organized crime, but we would certainly feel here, that it is most important that each year the Ontario police commission should devote a substantial part of its report, or indeed a second report, to an objective, consecutive, intelligent appraisal of the past year with relation to organized crime in the

province of Ontario, so that the people of Ontario will have some basic information on which to judge whether or not this whole area is under proper surveillance; and where, in turn, the police commission and the Ontario provincial police and the other municipal police forces will have from the public the sense of awareness which will greatly assist the police forces in carrying out their policing obligations.

I do not think that anyone reading that first report, having read prior to that the report of the hon. Mr. Justice Roach when he conducted the public inquiry, can now be satisfied that a year later, or a year and a half later, we should simply get a very cursory statement in the police commission report about the investigation of crime on two pages, pages 29 and 30, where in fact the only thing that is stated is that there will now be two intelligence officers who will be non-operational but who will, I assume, provide a co-ordinating facility within the police commission for information about crime throughout the province of Ontario and will provide a co-ordinating facility with the other police authorities acting in the province of Ontario, such as the Royal Canadian Mounted Police and the municipal police forces; as well as with police forces operating in the adjacent boundaries in the United States of America, and with the federal bureau of investigation and the federal bureau of narcotics in the United States.

It does seem to me that without explanation it is difficult to sit here and understand how these two particular officers can in fact effectively deal with organized crime. I for one certainly cannot accept the statement that therefore, through our intelligence officers, the investigation into organized crime is continuing and will continue on a professional basis.

The whole substance and point of my remarks on this particular area of the estimates is that surely there must be a continuing desire on the part of the hon. Attorney General and on the part of the police commission to make certain that the people in this province are constantly and continuously aware of the extent to which organized crime is operating in Ontario, the examples of how organized crime does operate in Ontario and the degree to which syndicated crime is intruding into organized crime in the province of Ontario for the purpose of a monopoly control.

I read with interest about the extension of the police intercommunication system throughout the province. I think it is a very good step forward. I have read with interest

the various indications of co-ordinating activity which are taking place among the various police forces. But I can simply say that to have what, to me, is a basic, an elementary report providing us, apparently for the first time, with the number of police jurisdictions operating in Ontario throughout the municipalities, which is, after all, strictly a counting proposition, and then to be faced with two short pages on the investigation of crime and a very brief statement as to the interrelation between The Department of the Attorney General and the police commission and the Ontario provincial police, would certainly indicate the essential need for continuing to have this whole area of police operation in Ontario under public scrutiny and public surveyance so that the department will get some sense of urgency in carrying out the obviously needed reforms that are necessary for the proper functioning of the police system in the province of Ontario.

I would hope that in the course of what remarks the hon. Attorney General may be making that he would let us have his views about whether the question of *in camera* inquiries is simply a matter which is now abandoned by the government, whether the government is studying the question of *in camera* inquiries, whether it has come to any conclusion about it. Whether it thinks it is possible to reconcile the rights of individual citizens with the necessary functioning of the police authority in the province.

I think it would be most helpful, if not in the course of these estimates certainly in other reports of the police commission, and I personally would think that they could be issued twice a year, that there should be a continuing series of brochures setting out the facts about organized crime, with examples of the types of frauds which are committed upon the public, and explaining to the public how crime operates. Many of the areas in which crime operates are matters which most of us are not particularly aware of, and I think that if the patterns and the ways in which crime is operated in the province of Ontario were specified, many more people would be aware and readily able to spot a developing pattern in any particular field.

I would also hope that in the course of his remarks the hon. Attorney General would indicate the number of instances in which there have been investigations by the commission of police brutality: the number of references that have been made about police brutality to individual municipal police forces, and the number of instances in which The Department of Reform Institutions has referred questions of police brutality to the

Ontario police commission for its investigation.

I would simply conclude my comments on this particular vote by urgently asking the hon. Attorney General to adopt some of the suggestions which we make, so that public interest will continue to be focused on this question of organized crime, and so that it will not now be withdrawn from the limelight of public scrutiny and returned into the closed operations of the police commission with no adequate statement from time to time to the public of the extent and degree of penetration into our society of organized and syndicated crime.

Hon. Mr. Wishart: Mr. Chairman, I listened with a good deal of interest both to the remarks of the hon. member for Downsview and the hon. member for Riverdale with respect to the estimates under this vote.

I must say that, as I indicated in listening to the hon. member for Downsview, I failed to grasp in what direction his criticism was pointed because I really must say that I fail to see where criticism of a single police department in this province of Ontario impinges very heavily upon The Department of the Attorney General. I think the hon. member was fair enough to say that perhaps he was not really being too critical of this department; certainly he was not critical of the police commission or of the investigating body or the very capable persons who inquired into the situation in Brampton. He was critical, he said, of the police force there and of its management.

I can perhaps say this in response to his comments, that of the 21 recommendations made by the board which inquired at the direction of the police commission, more than half have been carried out. A change has been effected in the personnel of the police commission of that town. Actually, the commission is the same now for both Brampton and Chinguacousy; the heads of each municipality are different, of course, but the other two members are the same on both commissions.

I agree that it would be desirable—and I think the police commission report points out that it is desirable—that one of the directions in which we should and must move is to amalgamate, so as to dispose of small police forces with 10 men or less on the force. Here is a municipality with, I think the hon. member mentioned, some 23 men, which perhaps is not functioning as best it might. But, I think, in fairness to some other municipalities, that was rather a local situation and I think

it is largely corrected. As I say, many of the recommendations have been carried out.

I may tell the House that within the last 10 days Chief Magistrate Arthur Klein and Senior Adviser Clark of the commission attended that community and again studied what had happened and, as I indicated to the House last week, we have good reports of what is transpiring there.

I think we must move in the direction of amalgamation, as the commission report says. We perhaps should try it first by permissive legislation, then by persuasion, and if both of these methods fail, then by mandatory legislation. I may tell my hon. friend that if he has to deal with municipalities in this province by telling them that they must do something that has been in their constitutional rights as governments created by this government—and those rights long enjoyed, and with a long custom and a long usage of carrying them out, and with a very capable and responsible manner of looking after their own local government—he will find, I think, that the municipalities are a very difficult group with which to deal.

True, our policy, I believe, has indicated that we should have at least some larger unit of government next below the province in a type of regional government, or a county type of government. This has been illustrated recently in our Department of Education and its legislation. But policing is a little different. There are a few different features here; municipalities are a bit more jealous of those rights. One municipality may claim to be a little better behaved, or a little better run, or have fewer problems and problems of a different nature than another within a county or within a region. It may contend that it conducts its affairs more economically, more efficiently. To say to five or six or eight or 10 municipalities in a region, "You must come together; you must have your policing done under one head," and to say this all of a sudden in legislation is a difficult thing to do.

I think that by passing permissive legislation, and to some extent persuasive, as we are doing, we will lead municipalities in this direction and I do not think I could be honest if I stood here and said, "Yes, we will accept the suggestion, we will force this situation on the municipalities in legislation at this time."

If I may use education again, I would illustrate this way: You can gather up all the children, all the students, from all the municipalities in the region, and you can apply to them and give to them the same standard of education, the same service, the

same transportation, and the same across the board. But you have one municipality, say, of 3,000 people, one of 1,800 and one of 4,000, separated by some miles, with different conditions, one an industrial community, one something else again, and you can say, "We will combine you all together." This is what they fear. How do they know, that where there must be a deployed type of force moving about the area, they are going to get a standard form of police service when the situation calls for it? These are some of the problems that cause municipalities to hesitate.

I know the problem is there. It is one that should be solved, one that must be solved, but all I can say is that we move in that direction, and legislation which I have introduced is a step in that direction. The report of the police commission indicates its awareness and its recommendation to you; and I shall only say we shall move in that direction, following the recommendations of the report as quickly as possible.

On the remarks of the hon. member for Riverdale, I think I should first say this: He is concerned that the government has "withdrawn"—if I took his words down correctly—"from the control of organized crime." Now that is one way perhaps of expressing his view, but I do not understand it that way.

We have a police commission which is a continuing body. A commission which last year was comprised of some rather different personnel, to some extent, had brought in a report on organized crime. It sought certain powers, certain extended powers to continue its investigation. This Legislature refused to meet the recommendations of the commission with respect to the large and perhaps somewhat drastic powers that were asked. The Act which was passed in the last session of the Legislature provided—I read from section 17 of last year's Act:

The Lieutenant-Governor in Council may direct the commission to inquire into and report to him upon and matter relating to the extent of investigation or control of crime or the enforcement of law, and he shall define the scope of the inquiry in the directions.

Now the police commission reporting—and I believe it is at page 29—reporting on the investigation of crime, said:

Whereas your commission considers that the best way to combat crime, whether it be referred to as organized or syndicated crime, is by having well organized and equipped police forces staffed by trained personnel. Nevertheless, we deemed it advisable to create an intelligence section

consisting of two intelligence officers to cover information pertaining to criminal activities in Ontario and to evaluate and correlate this information so that it would be constantly available to the Attorney General, this commission and the police forces throughout Canada and elsewhere on a "need to know" basis. This intelligence section pays particular attention to areas of crime which are passed under the control of an organization or syndicate. They, in the words of The Police Act, imposing this duty upon the police commission, are establishing and will maintain a system of statistical records and research studies of criminal occurrences and matters related thereto for the purpose of aiding the police forces in Ontario. These intelligence officers are non-operational. They do not—

and then they go on to point out they will not investigate particular crimes nor will they investigate police forces.

So that our system now—and I think it is a good system—is that the police commission, having an intelligence section of the best personnel we could find and properly equipped, now have a finger at all times on crime; organized, syndicated, single—of whatever nature and wherever it appears. This type of continuing investigation, with persons trained to investigate crime and then to relay that information and make it available, as they say on a "need to know" basis as it appears, right at the time it is incipient, to the police forces concerned with the investigation, suppression of crime and the arrest of criminals.

This, I submit to you, is the best type of investigation possible. The Act, as you in this Legislature passed it last year, provides that the Lieutenant-Governor in Council may direct the commission to inquire into and report upon. This would be a continuing of the type of investigation such as was being carried on when this Legislature met last year. The opportunity is still there, the means of carrying on such an investigation are there; but I submit to you that it is a better way, unless a very desperate need arises where the commission says, "We need to hold some sort of public inquiry." I think the manner in which it is now being done is a better way to investigate crime.

The hon. member asked about the *in camera* hearings. This was one of our subjects of debate in connection with the bill last year. The words, I believe, were removed from the Act, at least they did not appear in the final legislation. I think my

answer must be that the *in camera* hearing is available to the same extent, is available in an inquiry carried on by the police commission, to the same extent that it would be under The Public Inquiries Act.

Now I do not intend at this moment, here and now, to give a dissertation on the case law relating to the rights of persons and witnesses in an inquiry and where and when and to what refinement the *in camera* situation may be carried. But I would say to you I think it is correct that the commission would have the same right as might be exerted in a public inquiry under The Public Inquiries Act.

I am indebted to having it pointed out to me that in section 17 to which I previously referred, subsection 4 reads:

Upon the request or with the consent of a witness at an inquiry under this section his evidence shall be taken in private.

So that you will recall in our debate last year and our discussion in this Legislature it was felt that it would be made permissive to the witness so that he might be protected by having his evidence taken in private; or we may translate that, I think, to *in camera*.

Whether that goes far enough, I recall at that time there was some difference of opinion, but it was felt it was reasonable and proper in the circumstances of this type of inquiry to provide that protection, to throw that cloak of protection at least, around a witness giving evidence before an inquiry. But the inquiry is only such as may be directed by the Lieutenant-Governor in Council and he does so, I would say, on the advice of the commission, coming through the Attorney General.

I do wish to make clear my submission to you that I feel the best type of inquiry, the best type of method to deal with crime, is to have a good intelligence section; to have competent, well-trained police officers; to have good liaison between your forces; to have excellent communication; to be ahead of the criminal whenever he makes a move.

I do not think—perhaps someone would put me right—I do not believe that Scotland Yard gets out a detailed police report of its activities. It is a famous investigation branch of a famous police force, but I am not aware that its current activities are made public for the benefit of the public. I think it works quietly. Most of the things we read about it, with the exception of what we read of proceedings in the courts, since we read of the court's procedures as we do in our own country, are about an historical matter after

the famous case is over, apart from those reports which appear in the press.

When the hon. member says "I think the public should be aware of criminal activities, criminal procedures, of organized crime, syndicated crime"; I do not feel that the public needs to be kept vigilant in that way. I think the public knows, because from day to day we read of the criminal being apprehended, of the criminal being tried in our courts, of the methods that are used in our country, of the methods that are used in adjoining provinces, and of the criminal exploits that go on here and in the country to the south of us. We read about their methods and their devious means and procedures in the newspapers when they come before the courts for trial. I think the public is well aware that always, within our borders and on the edges of our borders, will sit and lurk the criminal element, and that we must always be vigilant to meet it and beat it before it can take advantage of the situation.

I say again, the intelligent police force, well equipped, well trained, with a good morale, competent in numbers and competent in training and competent in equipment, with its communications as good or better than the criminal can produce, supported by a judiciary which is independent and ready to administer the law, and supported by the character of a people who will not stand for bribery and corruption and for criminal shenanigans to go on, is the best defence against crime of any kind—organized, syndicated, or whatever you may call it.

I do not think I could become alarmed in the face of crime; I know it is always there. In my duty as adviser of this government in this department, I say we have established a strong police force, a well-equipped force and an intelligent force, and we have bolstered its ranks so that it is capable of combating crime wherever it may appear. So far, I am happy to say, there has been no call, as the police commission points out in its report, for the type of investigation which should have to be directed by the Lieutenant-Governor in Council, under section 17.

Mr. E. W. Sopha (Sudbury): Mr. Chairman, I well recall in the early years in which I sat in this House the attitude of the former Prime Minister of the province toward organized crime and toward those people who made their livelihood through engaging in criminal activities. It was that if they continued to do that, he always had a mental preconception that we would get the police after them and put them in jail as being bad

people. Neither that concept nor that practice, if it was followed by the police forces, proved very successful, as was demonstrated by the report of Mr. Justice Roach, which was tabled in this Legislature.

No one will ever convince me—they can talk to me all night or talk to me for a week—that the Mafia or the Cosa Nostra, by whichever name it is more appropriately called, has not got its tentacles into Ontario and does not engage in the control of book-making and gambling activities. Certainly, if as seems apparent, it is in a position of some importance in Montreal, as has been demonstrated by the revelations of the activities of Lucien Rivard and some other people, then almost certainly, perhaps to a lesser extent, the Cosa Nostra has its minions and its auxiliaries and its subsidiaries within Ontario.

I, sir, am a great admirer of the Ontario provincial police force.

I have been criticized in this House, though not very seriously, by the hon. Prime Minister (Mr. Robarts) and by the hon. Minister of Public Works (Mr. Connell) and the hon. Minister of Energy and Resources Management (Mr. Simonett) about relying upon my own experiences and revealing my own experiences in the House. I never felt that it was too great a sin for a man to base what he had to say and attempt to make a contribution on what he had experienced himself, for after all, experience is the greatest teacher.

I have had considerable contact with the Ontario provincial police, and as the years go by, I am increasingly impressed with the efficiency of that force in the detection and prosecution of crime as compared to the efficiency of municipal police forces.

If I may be permitted to say as a barrister who has been engaged in, I believe it is seven murder cases now, there is the difference of night and day when the antagonist on the other side to defence counsel is the Ontario provincial police and an inspector from the CIB, and when the defence counsel faces the detective branch of the local police force.

Comparisons are odious and I hesitate to make them, but I think it may be of some use to make that observation in order to bolster what I have to say later. Speaking for myself, I would be quite content if the Ontario provincial police policed virtually all of this province with perhaps the exception of the larger metropolitan areas—with perhaps the exception of cities—I would be quite content. I would feel quite safe and happy when I laid down my head to rest at night, if the

Ontario provincial police were responsible for the policing of the rest of the province. Indeed, in terms of land area, as I calculate it, the Ontario provincial police is now responsible, in terms of area and acreage, for the policing of the greater part of the province of Ontario.

I can tell that when I look at the figures in the Ontario police commission's report and when they reveal that only 280 municipalities are responsible for their own policing. I am informed reliably, in fact I am informed right from the top, right from the horse's mouth, that there are 938 organized municipalities in Ontario and of these 938, 32 are cities, 157 are towns, 159 are villages, 572 are townships and 18 are improvement districts. So if you add the cities and towns—those would probably have their own police forces—you would get a total of 189.

I know of one improvement district that has its own municipal police force and that is the improvement district of Elliot Lake, so we have, then, a total of 190. That leaves 90 municipalities, and probably the 90 municipalities are townships, so that the Ontario provincial police in organized municipalities is probably responsible for the great majority of townships—remember I said that there were 572—and all of the villages, which number 159. Certainly in terms of numbers if not in terms of population, two-thirds of the municipalities in the province are policed by the Ontario provincial police.

To reduce it to exemplary terms, to use specific examples of the type of responsibility that the OPP carries on, I have always considered it to be the very epitome of the ridiculous to see in my own district the Ontario provincial police members leaving their headquarters on Lisgar Street in the heart of downtown Sudbury and journeying northward on Highway 69, their destination being the townships of Hanmer and Capreol which they have the responsibility to police, those two townships, organized municipalities, having no private police forces. On the way to their destination in Capreol and Hanmer townships, to the south of these communities they pass through six miles of the township of Blezard, which has something between a two-man and three-man force. You can never tell whether it is a three-man force or a two-man force because the turnover is very great.

Why, I ask myself in terms of economy, if they are going to Hanmer and Capreol should they pass through that six miles of Blezard township—and almost all the inhabitants of Blezard township reside on either side or within a few blocks of Highway 69—yet the provincial police are not responsible

for the policing of that township. The expense has to be borne by the local ratepayers, and I say to myself: Would not common sense dictate that somebody get together with somebody and Blezard be relieved of its obligations to police itself and the Ontario provincial police take on all three townships?

Now, that is the northeast part of the riding. Over on the northwest an identical situation occurs. The Ontario provincial police again leave their headquarters and they journey out that road—about which the city of Sudbury is fighting with the hon. Minister of Highways (Mr. MacNaughton), trying to get him to pay the cost of rebuilding it—they journey out Highway 544 and their destination this time is Balfour and Dowling townships, adjacent to the town of Chelmsford. Chelmsford is the home of my brother from Nickel Belt and has its own police force, that is a two-man force—no, I think it is a one-man force and a part-time constable.

The provincial police, going to Balfour and Dowling, they pass through Rayside on the way. That is another six-mile township. Rayside has had its own force for, it must be something approaching eight years. But again, the same situation is repeated. What I say is that it is the very epitome of the lack of economy. Why, I ask in reasonableness, if the provincial police are responsible for two townships can they not take on the one that they go through?

Having said that, I add that the people are so law-abiding in Blezard on the one hand and Rayside on the other, nothing ever really happens in those two townships. Certainly nothing serious, within my memory, in the last decade or more.

Again, speaking for myself, returning to what I said, I would be content to see a great expansion in the Ontario provincial police force and the impinging upon that force of greater responsibilities for the policing of this province, because it is an exceptionally fine body of men.

My experience teaches me, having dealt with Ontario provincial police officers, that the overwhelming number of them are men of keen desire to serve, are men usually of a temperament that has put them in police work whereby they are content to devote the rest of their life to it. In the vast majority of cases they are courteous but firm—firm in their responsibilities but are able to carry them out with courtesy. In the police court, where I meet them most often, they are alert and intelligent, well trained in the art of giving evidence.

Again I draw a comparison. There is the difference between night and day to see a

trained provincial policeman in the witness box on the one hand and a municipal officer on the other. Some of the municipal officers in the smaller municipalities—I must make the judgment—some of them in the witness box are foolish and are the victims of an alert defence counsel, not me, these are other defence counsel, but they are easily led into error.

Now that is my assessment of the Ontario provincial police force. The force is one of which we can be justifiably proud, and especially in the field of the scientific detection of crime. Only the Ontario provincial police force has at its beck and call the scientific aids and the Attorney General's laboratory. I know that the municipal forces can use them, they can bring their exhibits to the laboratory; but there is a close contact between the CIB—that is to say, to lengthen out those initials, the jargon, the criminal investigation branch of the Ontario provincial police—there is a close liaison between the criminal investigation branch and the Attorney General's laboratory.

I would like to see that in every case of serious crime, perhaps outside Metropolitan Toronto, in the province, in every case of serious crime—that is to say murder, arson, rape, and those are the most numerous—I would like to see an officer of the criminal investigation branch of the Ontario provincial police assigned immediately to it. Once again we see a disparate and contradictory situation where if a serious crime such as murder occurs in a small community, then the Ontario provincial police inspector moves in almost immediately; if it occurs in an urban municipality, it is left to the local force to deal with and the local force may not be well enough equipped and well enough trained.

That is what I have to say about the provincial police.

The only thing I'd do by way of reform is that I would go around and take down the picture of the commissioner of the provincial police that he has put in all the district headquarters. Really, he is not a generalissimo of the provincial police and he is not something like General MacArthur.

When I first saw his picture in full regalia, with more scrambled eggs than some of the admirals that I served under in the fleet, I was rather startled. I wondered whether the local detachments, before dispatching themselves on the highways in the morning, had to line up in front of the picture and perhaps salute it. I do not think that contributes very much. I would take that picture down if I ever replaced the hon. gentleman from Sault

Ste. Marie (Mr. Wishart) in that seat. I do not believe in pictures of people or politicians spread out around the province, or senior civil servants for that matter.

Now, sir, I want to get to something even more specific. Twice within the last three years the Ontario police commission has been in my community of Sudbury investigating the local police force, that is to say, the city of Sudbury police force. The general assessment that I make about the visits of the police commission—the first one under the chairmanship of Judge Bruce Macdonald, and the second visit under the chairmanship of the newly or recently appointed chairman of the Ontario police commission—the assessment that I make of—

Hon. Mr. Wishart: Would the hon. member indicate whether the commission came in at the request of the municipality or the council, or whether they came in of their own volition?

Mr. Sopha: On both occasions they came in by request; first, if I am correct—and somebody will correct me if I am wrong—the first occasion, which I think was two or three years ago, the years pass by and one does not always have an accurate memory of dates, the first one was at the instance of the local police commission; and the second one, the recent one, was at the instance of the city council because a very active alderman on the second occasion had been making some rather serious and startling charges about brutality on the part of some of the officers in the Sudbury police force. But I was going to say that my assessment of both of those investigations by the Ontario police commission is that we have not in Sudbury, to date, been left very much better off as a result of the intervention.

I can sum up the first one; I can sum it up very shortly, and I can say with accuracy that it accomplished virtually nothing. When the police commission invited them in, they had a series of meetings with the police commission and as a result—I am not sure—they asked the chief of police to resign and the last predecessor but one of the present incumbent of the office of Attorney General, the present hon. Minister of Lands and Forests (Mr. Roberts) very conveniently and very obligingly gave that chief of police a job in The Department of the Attorney General. Nobody could ever quite figure out what the nature of his duties were; he just sort of wandered around the halls here and he had a job of a nature that he was in charge of co-ordinating those things which

needed to be co-ordinated. It was a sort of job something like that, but he had an office on the 4th floor. Finally, discovering that the man was—what is the word?—atrophying, or in danger of dying from atrophy, they appointed him a magistrate. That was the predecessor of the present incumbent. That was the only result, so far as I can see, of the first visit of the Ontario police commission.

As recently as last week an inspector attached to the Ontario police commission made a report to the police commission of Sudbury of his investigations, which have been carried on over a period of three or four months. The particular inspector is, of course, very well known to the present hon. Attorney General—a fellow citizen of the same community, Inspector Robertson. Inspector Robertson made his report last Thursday and when questioned by those guardians of freedom and protectors of the public interest, the press, he declined to reveal any of the contents of his report because, he said, there were some personalities involved in the report. He, very cavalierly, I thought, said to the press that perhaps in two or three months' time the contents of the report would be made known—perhaps, he said.

I do not feel, speaking on behalf of the constituents that I represent, that such an attitude on the part of that inspector, reflected in the refusal of the police commission to reveal the contents of the report, is very salutary for our city.

Hon. Mr. Wishart: May I just interject here to ask the hon. member, as I asked before, who asked for the report to be made? You told me the city council. The police commission assigned an inspector to make the report; he made the report. Would he not be very improper if he did otherwise than to present the report to the council, which paid for it and which engaged his services through the police commission to make it, and then let council give it such publicity as it sees fit? Surely, it is not the place of the inspector to broadcast it. I think he should properly present it to the city council. I must say that at this time.

Mr. Sopha: I must disagree. In the enabling legislation, the power is clearly given to the Ontario police commission to go into any municipality and it does not have to be invited.

Hon. Mr. Wishart: It was invited.

Mr. Sopha: It does not have to be invited.

Hon. Mr. Wishart: But it was.

Mr. Sopha: It can go in, as we say in the law, *proprio motu*—on its own initiative.

Hon. Mr. Wishart: It can—

Mr. Sopha: It can go in, and it has done so. It has gone into municipalities.

Hon. Mr. Wishart: But not in this case.

Mr. Sopha: All right. But the distinction is a distinction without a difference.

Hon. Mr. Wishart: Oh, no.

Mr. Sopha: It does not really matter who invited whom into the community.

Hon. Mr. Wishart: There is one small difference. Let me acquaint my hon. friend with this difference which is of some moment to certain people. If the police commission goes in *proprio motu*, of its own initiative, then the government of this province pays all the expenses of that inquiry. But if it is invited in by a town or city council, or a municipal body, then the costs are at the expense of the municipality and that makes quite a difference in who has the right to get the report and who can give it publicity.

Mr. Sopha: I will say to the hon. Attorney General, through you, Mr. Chairman, that I am not going to be drawn into any discussion between himself and myself in the realm of pettifoggery—any discussion that reflects really a question of semantics. I am one of those who believes that this Legislature here and the Treasury benches over there, which comprise the government of the province, and the arms and agencies of which the Ontario police commission is one, are superior bodies to municipalities, and indeed in this specific case I believe the Ontario police commission is, by statute, a superior body to the local police commission in Sudbury.

In this particular case, so far as I read the press and I listened to the television and radio in Sudbury, no comment was made at all by the local police commission about the report. The only comment that was made was by Inspector Robertson. He was the only one quoted. And there was no question, so far as the citizens of Sudbury were concerned, that the local police commission was withholding the report. It was Inspector Robertson who said to the press, "I am not going to release this report because personalities are involved."

As late as Saturday night, when that great event had been completed of which I spoke last week to the hon. Minister of Highways there was the annual gathering of the clan,

that great event, at which Allan MacEachen was guest speaker. Next week—I might interpolate, if the Chairman permits me—having completed that great event, you would not hardly believe it, but I am on the platform in Sudbury with John Diefenbaker. If the hon. Attorney General and I get along today, I give my undertaking that when I am on the platform at that ceremony next Saturday with John Diefenbaker, I will say to John Diefenbaker privately, "You know, those Tories at Queen's Park are not half as bad as you think they are." If I can get him to reduce his assessment of you by 50 per cent that is quite an accomplishment, after what he said about you—you remember what he said about you. We will not review that.

Hon. J. P. Robarts (Prime Minister): This is all private—

Mr. Sopha: He did not say it privately, he said it in the House of Commons. I will talk to him privately, I will indeed. I have never met the man in my life and I look forward to it. I look forward to meeting the former Prime Minister of this country.

Mr. R. Brunelle (Cochrane North): A great man.

Mr. Sopha: Yes; well he has made quite a contribution to the life of this nation. Let us leave that.

I want the hon. Attorney General to face up to it. If there is something wrong with the Sudbury police force after two investigations by this commission, then of course personalities are involved.

How else could they help but be involved? The Sudbury police force is made up of people, human beings, officers—one woman, and 80 or 85 men. If something is wrong, personalities are wrong.

As late as Saturday night the rumour flying about the city was that three officers of the force had been suspended. That was the rumour. Names were being bandied about, names of the officers. There was no verification of it.

Now within our community the police force has been functioning in a very unsatisfactory way for a number of years. Let me tell you this about the police force, against the background of what I conceive to be the responsibility of the Attorney General in regard to corrective measures under The Police Act, which was amended in this Legislature during my time to set up this Ontario police commission and to give it powers to take corrective action in regard to municipal police forces.

Up to four years ago I was counsel, solicitor, to the Sudbury police association and I grew to have a personal knowledge of the workings of that force as long as they reposed their confidence in me to be solicitor for the police association. There came a time when the group in control of that association, the group whom I represented, the executive, in a very dramatic fashion, which I will not detail, was thrown out by the majority of the members of the association. When I saw who the new executive was going to be, let me tell you I delivered my resignation by hand the same day.

Now despite my contact with that association none of the officers, Inspector Robertson or anybody else from the Ontario police commission, ever came around to my office and said to me, as the local member and indeed the local member who had had intimate contact with the police force and who, in earning his daily living, sees this force in the courts of justice; at no time did any of them ever come to my office and say, or come to me at Queen's Park and say, "What do you know about it? Have you any information to give us?"

But no, a few years ago when I had something to say about organized crime in this province and, "requiescat in pace," when I have something to say about the involvement of a Cabinet Minister with those in organized crime, then two of the inspectors, the top man, the very top man and his deputy, journeyed to Sudbury to my office and came in, unannounced, plumped themselves down on a chair in my office and said, "What do you know? What do you know about it?"

Well, it was two against one at that point and I will never forget and I will never forgive that. I sent for my junior, to make it two against two. I asked him to come in and sit down while I talked to these two who had come unannounced; and I a member of this Legislature.

The proper person, in my view, if they wanted to question me—and I wrote to the Prime Minister of the province about this—the proper person to question me as an elected member of this Legislature was the Attorney General, a fellow elected politician; not two senior civil servants.

So I said to them on that occasion, just to make the record complete, I said to them: "Can I tell you off the record? I will tell you what I know. Can I tell it to you off the record and I will give you the information I have."

They said, "No, you cannot."

I said, "You do not get the information, you do not get it then. Good day, and that is final."

Hon. J. Yaremko (Provincial Secretary): You said you would speak to a judge, and the judge was appointed but you did not come forward.

Mr. Sopha: The judge was not yet appointed.

Hon. Mr. Yaremko: You said you would speak to him, but when he was appointed you did not have the guts to come forward.

Mr. Sopha: I did not need to.

Mr. MacDonald: Here is Sir Galahad.

Mr. Sopha: I say this to the hon. Provincial Secretary through you, Mr. Chairman, that in the course of this debate if he would keep his lips closed and his ears open, he would catch more facts than flies.

Hon. Mr. Yaremko: I got in the witness box, but you did not have the guts to—you sat as a spectator.

Mr. Sopha: You needed to. We could go into the whole circumstances about you and your deputy.

Hon. Mr. Yaremko: Yes, now that the report is all filed.

Mr. Sopha: There was no information in my possession that was not given from the witness box. Had I gone into the witness box, anything I had to say would have been redundant. There was no question of myself ever being called—

Hon. Mr. Yaremko: You do not make redundant remarks, is that it?

Mr. Sopha: There was no question of me ever being called to the witness box. All the information I had was in the possession of the counsel for the Liberal Party and it was presented.

Hon. Mr. Robarts: Get on to 1965.

Mr. Sopha: You ought to say to the hon. Provincial Secretary that in view of the history of the Provincial Secretary and his deputy, he should never open his mouth about the Roach commission.

Hon. Mr. Robarts: These are dead issues—

Mr. MacDonald: I agree with the hon. Prime Minister, but perhaps he might suggest to the hon. Provincial Secretary that he stay

silent instead of raising issues that are dead issues.

Hon. Mr. Yaremko: Who is raising the issue?

Mr. MacDonald: You.

Hon. Mr. Robarts: Mr. Chairman, it is not always easy to sit silent. We are patient but sometimes a little spark will show.

Mr. Sopha: That is a great contribution.

Hon. Mr. Robarts: It is equal to anything I have heard this afternoon.

Mr. Sopha: A great contribution! You have only been here for part of it. I do not criticize you for not being here—that is your own affair. We just seem to get along better when you are not here. So you go with my blessing.

Now I am coming to the conclusion of my remarks. That is, having traced the history I had come to the point where I complained that these people never saw fit to come and see me and to hear my views about the workings of a police force within my own constituency. I wonder, if Sudbury had the misfortune of being represented by a government member, would they in that case go to the government member and acquaint him with what they were doing and attempt to seek knowledge from him? Do they stay away from an Opposition member in the same way that the bride and groom do not like a skunk at a wedding? Is that the inarticulated major premise from which they work? These things I wonder about.

But in the light of the situation in Sudbury and the elapse of a period of three or four or five years under which our police force has been under some degree of suspicion, I hand a challenge to the hon. Attorney General, to tell the House and to tell me and to tell the citizens of Sudbury what he intends to do in the exercise of his office to, once and for all, through the use of the Ontario police commission, get the city of Sudbury police force on a firm and efficient footing, to remove the abuses from it, to remedy those things that need to be remedied, so that the citizens can once again return to the frame of mind of perhaps ten years ago, when they had confidence in their police force, they felt safe in their homes, when they had the conception that they were served by men of integrity, competence and ability.

Mr. Chairman: Is vote 202 carried?

Mr. Singer: No, no!

Mr. MacDonald: Mr. Chairman, if the hon. Attorney General wants to leave his comments until the conclusion, I want to revert briefly, and I hope I can rather dispassionately, to the topic that my hon. colleague from Riverdale was raising before the hon. member for Sudbury spoke.

I would agree with the hon. Attorney General that it is much more appropriate and effective that those agencies charged with guarding society against the operations of organized crime should operate quietly. There were some obvious limitations on the procedure adopted in this province when we were forced through circumstances—and through circumstances that were created by this government in good part by refusing to even acknowledge the existence of organized crime for quite some time—to establish a Royal commission, with all of the attendant publicity and everything. Having coped with the emergency of that situation, I repeat, I agree with the hon. Attorney General that I think guarding against organized crime in a continuing way, day to day, can best be done by an appropriate agency, like the police commission, with an efficient police force, in a quiet way, rather than with the press at its doorstep and the TV cameras focused on its activities all the time.

However the question that worries me—and I come to a few that I want to put to the hon. Attorney General—is that he says that he is confident that we have got that sort of agency now. I hope his confidence is well placed. But I just want to draw a few things to his attention.

One of the conclusions drawn by the Roach report with regard to the way in which organized crime became established in the province of Ontario, was that when it became too hot for those who were directing organized crime in the larger municipalities, where there were more effective police forces, they moved out into the smaller communities, or they moved out into those gaps between the police agencies, where they felt there were weaknesses that would permit them to continue to exist.

I think, Mr. Chairman, that there is something more than coincidence in the fact that the Ontario police commission, in two succeeding years, has said to this government that if we are going to be able to do our job, we have got to face the fact that the small police forces across this province are inefficient. They simply are not trained; they have not got modern equipment. They may conceivably be more effectively co-

ordinated by the OPP through channels that are being established, but they simply are not competent forces able to deal with organized crime. I say to you, Mr. Chairman, and to the hon. Attorney General, that as long as this government refuses to act, as I think it should have acted two years ago, on the recommendation of the Ontario police commission, in eliminating these little forces that are ineffective, in effect, establish regional government or regional administrative units—this is something we have been talking an awful lot about in this province—for the police forces across the whole of the province, then and then only will I for one in this province, be confident that we have got the kind of law enforcement agency that is going to be in a position to cope with the development or the resurgence of organized crime.

It is idle for the excuses to be made, as they continue to be made this year as they were last year, with regard to the difficulties in establishing larger units—breaking through the parochialism of these small police forces across the province. When you bow to those local interests, and do not act, you are leaving this province with an ineffective law enforcement agency and therefore you are leaving this province with the danger that organized crime can be re-established.

If I may put it bluntly and personally, the responsibility now devolves on the hon. Attorney General, who is a very kindly and a considerate man, but it is his responsibility to implement something which has been clearly recommended to this government in two succeeding years. You are going to have to take the responsibility for not accepting the recommendation of the Ontario police commission and implementing it, and I repeat, when you put that recommendation along with the conclusions of the Roach report, there are some pretty dangerous and sobering warnings that emanate from it.

The second thing, Mr. Chairman, that I want to draw to the attention of the hon. Attorney General is this: Arising from that highly controversial debate that we had last year on the so-called police state bill, in the government's effort to implement the recommendations of the Ontario police commission for getting a more effective agency in this province, rightly or wrongly—and for the moment I am not going to argue the rights or wrongs; I want to look at the consequences that flow from them—we came to the conclusion that, for example, the police commission could not hold *in camera* sessions. The hon. Attorney General has said that the OPC now has two intelligence officers, and

he uses the term “non-operational.” I presume the hon. Attorney General means by that that these are people who are sort of behind the scenes, keeping on top of the situation, feeding the information that they get to the police commission, and that if the police commission ever becomes persuaded that the situation has got to the point that it must have broader powers, it will make application to the Lieutenant-Governor in Council and can proceed to have an investigation.

From my understanding—and I do not pretend it to be complete, but it is not non-existent, if I may put it at its lowest level—of the operations of organized crime, I do not think your intelligence officers are going to be equipped to the extent that they cannot, on occasion, in effect, hold *in camera* sessions with the appropriate people to get information.

Let me try to make my point this way. As I understand, the difference between the structure we have established following the police state bill last year, and the structure in New York state, it is that at any time the comparable body in New York state can move to investigate a situation. Nobody needs to know about it except the authorities from whom they get permission, and they can proceed to hold *in camera* sessions. If they want to use the penalties against somebody who refuses to testify, then they have to go to a court, so it seems to me they are protecting the rights of the individual. But they can do it quietly and they can do it in a fashion that if those who are involved in organized crime are brought in, their buddies out in the field do not know about it and, therefore, the witnesses do not run the risk of finding themselves in the bottom of the Niagara River with a block of cement on their feet. Or an average citizen is not fearful to come in and speak because there is no danger that he is going to become the subject of attack from these very vicious operators in organized crime.

In other words, it seems to me you have got a situation in which, only with a serious development is it going to be possible, or is it likely, that the police commission will be forced to the position of asking for permission from the Lieutenant-Governor in Council to hold an investigation. If such an investigation is held it will have to be for the most part a public investigation, with all of the difficulties that involves, if you are going to get at the full operation of organized crime. I acknowledge that the hon. Attorney General has been advised by his deputy that any witness can ask for an *in camera* session. But this means that most of the investigation is

going to be out in public, and therefore you cannot operate in the fashion that the hon. Attorney General himself has said is the best way—a quiet, behind-the-scenes getting at the facts before you alert those concerning whom you are seeking the facts, so that they can resort to alternative tactics. That is the second point.

I have a third point I want to raise—and again I am not arguing the right and the wrong of it. I would concede in advance that this is an issue in which there are sharp cleavages of view in all political parties. This almost becomes a matter of conscience. But some day, if I may borrow the proletarian phraseology of the hon. Provincial Secretary, somebody on the government side of the House has got to have the guts to face up to the issue of how we are handling, or how we are authorizing, the use of many of the modern devices that are now available for organized crime or for anybody who wants to resort to their use. I am talking about bugging and wire-tapping and things of this nature.

I repeat in this House what I said a year ago—that on some occasions the police force uses these; business uses them to get information on their competitors; on some occasions the federal authorities in Ottawa have sent representatives from Canada to courses in the United States to learn how they are being used. I say to the hon. Attorney General that some time soon somebody has to face up to the fact and cease winking at the fact that they are being used day in and day out—in some instances, in a clandestine fashion, even by our law enforcement agencies because they are faced with the problem that they are coping with organized crime that is using them.

I repeat that this is an exceedingly controversial issue; it cuts across political parties in terms of policy. I do not know of any political party that has a policy on this, but some time soon, if you want to have effective law enforcement agencies—indeed, some time soon, if you want to enforce the law, because the hon. Attorney General gets up and says that he is opposed to this and some of his backbenchers say, “Hear, hear”—he has to seek out its use when it is being used today, because it is in violation of the law.

The reverse side of the argument is the one that has been advanced by Robert Kennedy in the United States, and top people in Great Britain. They argue that the only way in which you can intelligently cope with this situation is to pass a law which says that nobody—including the police force—can

use these modern devices unless they have been given permission by application to the courts, with all the safeguards that are necessary, and that we can lay down the law for their use.

If you do not do that kind of thing, you end up with a situation in which organized crime is using these devices all the time and the police forces are forbidden to use them unless they resort to them in a clandestine fashion on some occasions. I think that this is a wholly unsatisfactory situation and I conclude once again by saying that it is another area where I think that the hon. Attorney General has got to face up to the problem and presumably to reconcile and resolve within his own Cabinet and within the government, what is the responsibility of a government in this modern day and age when coping with these modern kinds of instruments.

Until he does that, in terms of larger units of administration for our police forces, in terms of other aspects of the difficulties involved in investigating in regard to organized crime under the laws that we now have established, and in clarifying the law with regard to these modern devices, it seems to me that some of us who have to sit on this side of the House, and among the public, and wonder whether we have the most effective kind of agency to cope with organized crime, are entitled to have our reservations and not be as confident of the situation as the hon. Attorney General is.

Mr. Singer: Does the hon. Attorney General want to reply, because I have another topic that I want to get on with?

Hon. Mr. Wishart: Mr. Chairman, we have taken a long time on this vote but I think we might spare a few more moments and I would like to reply to some of the things that have been said and at least make some comment upon them.

The hon. member for Sudbury was very complimentary in respect of the Ontario provincial police force and on behalf of that force and the commissioner I would like to say that we are grateful for his words of compliment which I am sure are well deserved by that force. It is, as I have reported to this House, a competent, capable, well-trained efficient force, and the commissioner and his staff accept those compliments for the excellent force with which we have been provided.

I think that this House should know that, of course, nothing that I say is in any way boastful, but I do say with pride, that in the

recruitment and in the promotion of that force right from top to bottom, there is never a suggestion of anything political. This, I think, is one of the great strengths which lie under the morale of that force; it is one of the strengths which give it the high standard that it has. It is something of which I am proud and I report it to this House.

I would say to the hon. member for Sudbury that it is almost a matter of routine, actually, in most of our smaller municipalities, if they request it in the event of a crime of a serious nature, such as the hon. member referred to, that an inspector or two inspectors from the CIB are sent to assist in the investigation and in the preparation of evidence and the securing of such evidence for presentation to the court, this is almost a matter of routine, a matter of course now. I want to reassure the hon. member for Sudbury and other hon. members of this House, that this is the procedure which is followed—the OPP intelligence services are made available beyond the areas which they actually are charged with policing. They are available to the province and to the municipalities.

I am going to be very brief about the inquiry which was conducted by the Ontario police commission into the affairs of the police force in the city of Sudbury. I can only say that it was requested by the city of Sudbury, by the council. An inquiry was proceeded with promptly and I suggest that since the city of Sudbury required it and since the city of Sudbury was paying for it, that I would have been ready to criticize severely—and I think that the commission would have criticized—the inspector who made the report, if he had started talking to the newspapers before he handed the report over to the people who were entitled to have it, the council of the city of Sudbury. It is up to them to act; it is up to them to publish it. They can do as they like with it, but certainly the inspector was right in saying that he would not talk about this report. I can only say that I think he was entirely correct.

I was glad that the hon. member for York South agreed that we should investigate crime quietly. I agree also with him that there are some areas which still give us some concern in the matter of organized crime, but beyond that I do not propose to go into detail. I do not, however, think—and I think the facts do not support the proposition which he put forth—that organized crime has moved or is likely to move into the small hamlets, the towns and villages and even

small cities. This is not what evidence shows is its performance. This is not its way of operating.

Actually—if we are talking about the very small police force and if we are speaking of it as a weak link in our chain of control with respect to crime—I do not think that is the serious part of our weakness, because I do not think that organized crime can exist, operate and maintain itself in a small municipality without becoming apparent. It seeks the large area where there is activity in which it can operate and where there is cover by virtue of population, where it can carry on its nefarious activities.

Mr. MacDonald: You are ignoring the network of bookmaking across this whole province—in every village of any size—

Hon. Mr. Wishart: Bookmaking could still be done in the large and in the small centres, and across the province anywhere with the electronic equipment we have today. It could be done anywhere, whether it was in a municipality or in the backwoods. I will—

Mr. Sopha: Bookmaking breeds other crimes, it has been demonstrated time and again.

Hon. Mr. Wishart: This is true.

Mr. MacDonald: It is the treasure chest of organized crime.

Hon. Mr. Wishart: This is true and I only reiterate that it is a policy, a recommendation, that we amalgamate as soon as this can be brought about, and I will have to accept, as the hon. member says, the responsibility for not doing it today. I do not think it is feasible to do it all of a sudden and to bring it about in this province at this moment, in legislation. While I think the pattern is clear, we move toward it, and we move as reasonable men. That is all I can say to that, and I think that anyone who attempts to do it otherwise would be met with such opposition in certain of the municipalities that it would not be successful.

I also would like to say a word about the use of modern devices to combat crime and the activities of criminals. I did say last year in this House that I think these devices are an invasion of the freedom of the individual. They are; on this we must agree. I say this: I would be happy to see them used against the criminal, certainly if I could confine it to that area, but how, tell me how, do you apply a rule or a device or a method against one member of society be he innocent or guilty and make sure that you touch only the guilty?

Mr. MacDonald: Why do you ignore its continued growing operation in society already?

Hon. Mr. Wishart: Last year, when the hon. member asked me the same question, I inquired and I was told by all the police forces of this province that they did not use the electronic listening snooping devices. I have not inquired at this moment; it is not that I do not want to inquire to get an answer the hon. member suggests will not suit me, but I do not know of any police force that has the right to use these electronic devices.

Mr. Singer: Would you like some evidence now or shall we save it for a later moment?

Hon. Mr. Wishart: Just a moment. I understand that these things are being used. I think it is perhaps possible, perhaps it is possible to bring them into use for certain purposes for the combating of crime and to lay down such safeguards that they may be used by proper people for the proper purpose for doing away with improper activities. This is a problem which I have not solved and I appreciate—

Mr. K. Bryden (Woodbine): Could it be dealt with on the same sort of basis as the search warrant principle requiring that a court must give authority?

Hon. Mr. Wishart: Well, it is a problem which I think is deserving of consideration and which is having consideration and at that I shall have to leave it. I shall be glad to have the comments and advice of the hon. members of the House.

Mr. Chairman, speaking with respect to the remarks of the hon. member for Riverdale, I had intended to refer to some of the recommendations that had been made by what we call the MacDonnell commission, and to say something of the implementing of those recommendations. I shall be brief.

The first one—these were numbered—was that all police forces should be under the immediate government of an independent and non-political authority, subject to removal for cause, by the government on the recommendation of the Attorney General. That pursuant to that policy police commissions should be appointed for all municipal departments now governed by municipal councils. That provision be retained in the organization of such a commission for political representation.

Actually, we moved largely to that and the legislation which I brought into this House a few days ago extends that principle;

we are increasing the types of communities in which police boards are now required. That recommendation has been fairly well carried out; there are still some areas to be implemented.

Number 2 suggested: that smaller police departments where geographically feasible be amalgamated.

I can only say that the forthcoming legislation will promote that amalgamation and, as you know, we have dwelt upon it. It has been urged by permissive legislation, then by persuasive legislation and eventually, if necessary, the mandatory powers. I think we shall move to that.

Number 3: That all police recruits with the possible temporary exception of those employed by Metro Toronto, be trained and qualified at the Ontario police college.

We have gone a long way toward that; we trained a great many more last year than in the year before. We are seeking the new facilities, and eventually we shall achieve that and I think before too long. All our police recruits will be trained before they come on the force.

Mr. Singer: How long?

Hon. Mr. Wishart: I cannot tell the hon. member.

Mr. Singer: One year, two years, five years, ten years?

Hon. Mr. Wishart: Not too long, I think I would say to the hon. member. If we get the facilities, which should not take too long to acquire, we should be able to train our police force. We need facilities and staff. We have asked for additional funds in our estimates this year for staff. I have told you that the new plans for the police college are on the capital expenditure list for The Department of Public Works. I think this is reporting progress.

An hon. member: Hear, hear.

Hon. Mr. Wishart: Number 5:

That the Ontario provincial police high-grading squad be renamed the gold theft squad or another more appropriate name, and continued as a special squad.

I think that recommendation has been fully carried out. The recommendation contains more language than I have read but the recommendation has been carried out.

Number 6: That the Ontario police commission, the Ontario provincial police, the Metro Toronto police department each appoint a criminal intelligence officer,

responsible directly to the head of his organization whose responsibility it shall be to maintain a complete and up-to-date appropriate record of known criminals and their activities and associations, to meet frequently and maintain contact.

This is our intelligence branch, this has been done. This, I think, is one of the most important recommendations. The language again is longer than I have read but it has been carried out.

Number 7: That the Ontario provincial police establish and maintain for the benefit of its own and municipal forces a central criminal records office under the direction of its intelligence officer.

This is done, the records are there. They are maintained not only for the benefit of municipal forces but for all the other forces with which the Ontario provincial police has liaison and that includes all the forces with which it deals.

Number 8: That the Ontario police commission, the Ontario provincial force and Metropolitan Toronto police department co-operate in the formation of an intelligence clearing committee representing the major law enforcement agencies in eastern Canada and the United States.

That recommendation has been carried out. That is the central intelligence clearing committee.

The recommendation with respect to pawnbrokers and second-hand dealers being provincially licensed is under study but has not been carried out.

There was a recommendation that courts be asked not to impose concurrent sentences. That is something that we can only work at by suggestion; we have no power to legislate in that manner.

Number 11 was incorporated in The Police Act.

I think with those remarks I have referred quite fully to the comments which have been made by the hon. members.

Mr. Singer: Mr. Chairman, I am a little surprised at the hon. Attorney General's remark that he is not aware of the use by the police of some of these modern devices that the hon. member for York South was referring to. The hon. Attorney General, being an honourable man, I am sure he would not have made that statement unless he believed it to be true.

Hon. Mr. Wishart: What I said was that I had not actually asked the police forces to

answer me on that question. I do not know the language exactly but I indicated that I had not inquired this year as to the extent of such devices.

Mr. Singer: Whether the hon. Attorney General had inquired or not I would think that at least one instance of the use of such devices should have been drawn to his attention by his officials. I refer, sir, to a clipping that was contained in the *Globe and Mail*, March 2, 1965, probably in the bulldog edition because I do not think it appeared in the Metro papers. I am going to read it in full; it is only a short clipping and I would like to hear the hon. Attorney General's comments on it. It is headed:

MICROPHONE IN CELL; MURDER CASE
COURT TO HEAR RECORDING
Special to the *Globe and Mail*

North Bay—A provincial policeman was ordered yesterday to produce a tape recorder and the tape made when the listening device was concealed in a cell where a murder suspect was being held at Sturgeon Falls.

Magistrate Norman Nadeau told Constable Jean Racine to have the tape and equipment in court today when he resumes the preliminary hearing of the capital murder charge against Maurice DeVoe, 16, of Cache Bay.

DeVoe is charged with the November 29 night slaying of Marie Lavergne, 69, of Cache Bay.

Constable Racine, a defence witness, told of the listening device concealed in DeVoe's cell when questioned by defence counsel, Richard F. Donnelly. He said he had been asked to translate the tape [it was in French] which was made December 9, but was unable to do so because there was too much vibration from the spot where the microphone was placed.

When Mr. Donnelly moved that the tape be produced and played in court, Crown attorney E. A. Tilley said he did not see what use it would be if it could not be understood.

Magistrate Nadeau, however, ruled that the policeman should not be the judge as to whether the tape could be understood in order that it be brought into court. Constable Racine said that he had no knowledge of any other listening device used in the case.

Mr. Chairman, I find it difficult to understand how an incident of this sort that is so repugnant to our ideas of the enforcement of

law was not brought to the hon. Attorney General's attention. Certainly from the wording of this newspaper story—unless it is completely erroneous—there can be no doubt that there was a listening device placed in the cell of a man charged with murder and that the device was on when he was being interviewed by defence counsel. Certainly there can be no doubt that a provincial police constable knew about it because he went into court and gave evidence about it. What kind of system of justice have we got in this province where a provincial police officer can do this sort of thing, and how can the hon. Attorney General have made the statement he did in regard to listening devices and that sort of matter unless his officials keep him in abysmal ignorance of what is going on? I would like some explanation of that.

Hon. Mr. Wishart: Mr. Chairman, I have no hesitation in saying this is the first occasion on which I have ever heard of this incident. It may have happened, and I daresay it did—I do not deny it—but it was not drawn to my attention. I do not know what edition it appeared in; I have not heard about it.

Apparently the matter came up before a magistrate in a court—

Mr. Singer: Exactly right.

Hon. Mr. Wishart: —and he directed that the device be played for whatever it was worth. I know nothing more of it than that. The court made a ruling as to whether the device was evidence; that anything to be heard on it was or was not evidentiary. That is all I have.

Mr. Singer: Mr. Chairman, that is, perhaps, all the hon. Attorney General wants to say at this time, but I think, following on the remarks of the hon. member for York South, surely the people of Ontario are entitled to know what ground rules the government has in regard to this. The hon. Attorney General stands here today, and he stood here a year ago, and says that he is not aware of police using listening devices. Then I say that he is kept in abysmal ignorance by his own officials.

Here is a provincial police officer who goes into court and says a device was there and that it is the only one he knows about. Not only that, but this would appear to be one of the most obvious invasions of a defendant's or of an accused man's right to talk to his counsel in privacy. Was there any disciplinary action taken? This is a serious thing.

Here is an accused man, apparently lodged

in a jail cell, being interviewed by his own defence counsel and the police are listening in on a listening device. Albeit, it did not mean anything because it was not even a well-placed listening device; it was not placed on level ground, so that the recording it produced could not be understood. But the fact is that according to this report—and if it is correct and there seems no reason why it should not be correct—there was the most obvious and most terrible invasion of the rights of an accused man, and I say if the hon. Attorney General has not heard about it until now, then his officials are not doing their proper job, because this should have been dealt with immediately.

Before these estimates are over, and I suspect that they are going to go on for a few days yet, I would like the hon. Attorney General to find out what he can about this and to bring us a full report, including a report about what disciplinary action, if any, is taken, and the extent to which this sort of policy goes on. I do not know who Constable Racine is—I would presume that he is attached to some northern detachment of the OPP—but I would not presume that Constable Racine would embark upon actions of this sort without the knowledge or the concurrence of his senior officials. Was it his corporal? His sergeant? His inspector? How far does this go? Is it a usual thing that when the OPP is involved in murder cases, listening devices are placed in the cells of accused people? This, I think, is most important.

I was not going to bring this up at this time. Until the hon. member for York South raised it I was going to save this for vote 212 because it deals with the OPP. But here it is in this context, and there will be a few days' time yet so that if the hon. Attorney General does not have the facts before him, we will wait for his answer. I do not know whether he would care to comment further on this—

Hon. Mr. Wishart: I did not say when I was up a moment ago, Mr. Chairman, that having made a note of it, I had every intention of investigating and finding out and getting this information, but since the hon. member has referred to it again I can tell him now that it is my full intention to investigate all the facts—if they are facts. I can say this right now: If it is a fact that an accused, whatever his crime, cannot discuss his case with his defence counsel without being listened in upon, then a reprehensible situation has come to pass which cannot be sustained for a moment.

Mr. MacDonald: Mr. Chairman, I want to make two brief suggestions to the hon. Attorney General. I want to suggest to him that when he goes and asks whether or not the police force is using these devices at various levels in the province of Ontario, he does not take a "yes" or a "no"; he inquires into the situation, perhaps by such methods as he wishes to resort, to get the full story of it.

I want to suggest to him that the law at this moment and the attitude of this government at the moment in the minds of many policemen places them in an absolutely impossible position. They are asked to protect society against people who are using these devices all the time, and they cannot use these devices themselves. I can assure the hon. Attorney General that I was talking to a very highly appointed police officer a year ago who, in so many words, assured me that they were being used, so I suggest to the hon. Attorney General that he not come back and just say that he has simply asked them and has been told that they are not being used.

The second thing, just by way of edification, is that I happened to turn on my car radio at one time a few months ago—and I believe it was repeated a few days ago, perhaps because of some discussion in relation to legislation before this House—and tuned in a programme from a local radio station called "Periscope," in which the interrogator did one of his very good jobs of questioning the operations of a private detective agency. It would really make your blood run cold to listen to the matter-of-fact exposition to all that they could do, and presumably all that they are doing today. The thing that really intrigued me when I heard it for the first time was that there was no inhibition on their part to indicate the kind of instruments that they were using and how they could be used. I would not like to be unfair, because it is some time ago since I heard it, but implicit in it, I think, was a breach of the law as the hon. Attorney General suggests the law exists today in the province of Ontario. I draw that to his attention for his investigation.

Mr. Sopha: Mr. Chairman, we have got involved in a number of subjects and I want to return to the business of the investigation by the Ontario police commission in Sudbury and make a couple of additional comments.

I want to assure the hon. Attorney General that on this side of the House, and I have paid very close attention to the debate, we are attempting to be constructive. We are not attempting to criticize for the purpose of

criticism and one of the things we have in our mind is that with the accession of the present hon. member for Sault Ste. Marie into the post of attorney regis, we have the opportunity of making a fresh start in this department. I say with assurance of conviction that the administration of this department under his two predecessors was pretty dreadful, during the last six years.

The second last one, who has now moved along the row, was abominable, and we had plenty of illustrations and examples of that right in this House. I went to the last one and asked him not to appoint Campbell as director of the securities commission, and I asked him to appoint another man, a man on Bay Street of the highest integrity who was well equipped for the position. I got short shrift. I was insulted. I was told that as a member of the Opposition, I had a lot of nerve coming to him to make a suggestion for the appointment to the important position of director of the securities commission. Look at the trouble we are in now. Look at the position Campbell is in now. I leave it.

Let me read the last paragraph of the Ontario police commission's report, under the heading "Police Brutality":

Other cases of police brutality, when drawn to the attention of your commission through press or public reports, are investigated through the channel of the appropriate police governing authority and the resulting evidence placed before the proper tribunal or other authority for remedial or disciplinary action as considered necessary.

Now I say that is not good enough for the administration of police forces in this province. This business of local autonomy—though the words were never used by the hon. Attorney General, that was the concept he was referring to this afternoon—that phrase local autonomy is a convenient crutch. The Treasury benches use the phrase when they do not want to do anything; then they say shrouding themselves in the most holy aspect, they say we do not want to interfere in the workings of local municipalities.

But then on the other hand, when they want to interfere in local municipalities, they do it with abandon.

The hon. Minister of Highways does not allow a local municipality to monkey around with the King's highway that runs through the municipality. He has his say about it.

The hon. Minister of Municipal Affairs, (Mr. Spooner) when he wants to interfere in local autonomy, to give you an illustration, he goes into the municipality and he says, put

such and such an industry on the assessment roll. Could you imagine greater interference with local autonomy? He has done it on two occasions in the Sudbury district.

The Ontario hospital services commission has left a small measure of local autonomy in the operation of hospitals, a sphere with which the hon. Attorney General is very familiar.

The water resources commission, another one, has not left much of a measure of local autonomy.

Perhaps your legislation needs to be amended. We were given the impression, when this police bill was enacted in this Legislature, that the Ontario police commission would become a supervisory body over all police forces throughout the province with the aim of increasing their efficiency and with the aim, of course, of giving the citizens of this province the best policing that the amount of money that is spent can buy.

Now, I say, Mr. Chairman, to the hon. Attorney General, that it is not a good enough answer to say that, however, if the Ontario police commission gets into a municipality to investigate the police officers, to make a reply by saying it is up to the local board or commission to reveal what they have found out.

Perhaps the legislation, I repeat, needs to be amended. Perhaps, and probably, we would vote for the amendment if the legislation went to the extent of saying that having made their investigation and having made their recommendations, there was a mandatory feature given to the Ontario police commission—or better still the Attorney General, perhaps, would be better to order the police commission to carry out the necessary measures to correct the evil.

Now, to illustrate: In the first investigation by the police commission in Sudbury one of the complaints about the force was that there was a considerable degree of nepotism in the force; it was one of the things referred to in the report. Now, the nepotistic—maybe I am creating a word—the nepotistic characteristic of the Sudbury force has never been corrected. It remains there, to fester irritations and jealousies among that force.

The second investigation was instigated by police brutality. It is a remarkable thing that quite a number of constables from the Sudbury police department have been paraded through the courts in the last year or so, charged with assault. I have a case coming up in a couple of weeks' time where one of the items of evidence will be that the accused was assaulted by the police officer from this same force.

I tell the hon. Attorney General there is a good deal of concern in Sudbury about our police force, the 88 personnel; there is a good deal of uncertainty about it. I say it is not good enough for Inspector Robertson or the hon. Attorney General to say we will not release the contents of the report. The hon. Attorney General need not, if he is interested in the health of a community, if he is interested in the well-being of the residents.

The hon. Attorney General, like his colleague the hon. Minister of Highways and his colleague the hon. Minister of Municipal Affairs and, indeed, the hon. Minister of Public Welfare (Mr. Cecile,) another sterling example of interference—the hon. Attorney General himself can release the contents of the report and say: "Here is what we have found and here, in respect of Sudbury, is the corrective measures that we expect to be taken to bring this force back to maximum efficiency."

If the hon. Attorney General does not want to do that, then, I say, let us, at this session of the Legislature, if time still remains, or at the earliest opportunity at the next session, let us amend The Police Act to bring it into line with a degree of central control in the government of Ontario, bearing in mind, of course, that all of the police forces, all of the police commissions in the province are supported to some extent by public funds voted by this Legislature. If they are going to be supported by public funds, it is quite appropriate that there ought to be some central control.

Finally, within a democracy there is no more fearsome organization than the police forces, there is no greater threat to individual liberty than police forces that have not integrity and honesty. I am not making any reference to any specific police force, but the police arm is the arm of the government whereby the government, the state, a unique institution, is enabled to enforce its enjoiner by the use of force. That is what the police force is and only the state, in a pluralistic society, is entitled to use force. That force comes under The Department of the Attorney General, so I am one of those in this House who will vote for a high measure of control over local police forces by the Ontario police commission. I say that in the confidence that the great mass of the citizenry of this province would join with me.

Several hon. members: Hear, hear!

Mr. Sopha: They would feel comfortable if all of the police forces, that group entitled to use force against them, were under the control of a central body staffed as it is by

men of integrity, alert intelligence and initiative plus, plus this feature—I join with enthusiasm with my hon. friend from Downsview who has made some remarkably trenchant observations during the debates—plus this needed factor: A great reduction in the number of police forces in this province. This police commission has said in this report categorically, in the clearest possible terms, they have said “No force under ten men can possibly be efficient.” Well, even the most droll person can understand those words, even the most droll “No force under ten men can possibly be efficient.”

An hon. member: And we have over 200 of them!

Mr. Sopha: Do not tell me, I have seen them; I have seen lots of them, the forces under ten. I could give illustration after illustration. Remember the poor town of Blind River! The hon. Attorney General, when he first started to practise law in Windsor after he was called to the Bar at Osgoode Hall, he left Windsor and he established in Blind River, the first place he set up the private practice of law, and he was there for many years. Remember their experience?

Things got so bad in Blind River in the running of the police that finally the municipal council had to come along—I shall be finished very shortly—they had to come along and they had to ask the Ontario provincial police, will you send us a sergeant—pardon me, he was a corporal at the time—will you lend us a corporal to be the chief of police in Blind River? And Corporal Walter F.

Etmanski became the chief of Blind River for many years.

That is where we stand, as expostulated by the hon. member for Downsview and myself. In speaking on behalf of the whole of our party, we have given you a blueprint that we think it is necessary for you to follow to increase the efficiency of the police arm in the province of Ontario. We will continue another day.

Mr. Singer: Hear, hear!

An hon. member: Is the vote carried?

Mr. Singer: No, it is not carried.

Hon. Mr. Rowntree moves the committee rise and report progress and ask for leave to sit again.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of supply begs to report progress and asks for leave to sit again.

Report agreed to.

Hon. H. L. Rowntree (Minister of Labour): Mr. Speaker, tomorrow we will have second readings and will continue with the estimates.

Hon. Mr. Rowntree moves the adjournment of the House.

Motion agreed to.

The House adjourned at 6.05 o'clock, p.m.

No. 91



ONTARIO

Legislature of Ontario

Debates

OFFICIAL REPORT—DAILY EDITION

Third Session of the Twenty-Seventh Legislature

Tuesday, May 11, 1965
Afternoon Session

Speaker: Honourable Donald H. Morrow
Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, MAY 11, 1965

The House met at 3 o'clock, p.m.

Prayers.

Mr. Speaker: We are always pleased to have visitors to the Legislature and today we welcome as guests, in the west gallery, students from Fonthill public school, Fonthill and St. Francis of Assisi separate school, Toronto.

Presenting petitions.

Presenting reports by committees.

Mr. D. A. Evans (Simcoe Centre), from the standing committee on labour, legal and municipal bills, presented the committee's fifth report, which was read as follows and adopted:

Your committee begs to report the following bill with certain amendments:

Bill No. 73, The Private Investigators and Security Guards Act, 1965.

Mr. Speaker: Motions.

Introduction of bills.

MEDICAL SERVICES INSURANCE

Hon. M. B. Dymond (Minister of Health) moves first reading of bill intituled, An Act respecting medical services insurance.

Motion agreed to; first reading of the bill.

Hon. M. B. Dymond (Minister of Health): Mr. Speaker, because of the importance of this matter, I felt that a rather full statement would be appropriate at the time of first reading.

As I present this bill respecting medical services insurance for the consideration of the House, I am quite sure it will be patent to all hon. members that this piece of legislation is not an isolated Act, but rather a further step in a programme of health services which actually began with the life of the province.

The health of our population has always been of concern to government; on the birth of the province, the first government assumed

responsibility for the care of patients in already existing mental hospitals, a service which is still provided by the government in a greatly increased and expanded degree.

Then, in the early days of our history, when the life of the population was seriously threatened by epidemics of infectious diseases, government intervention and participation became necessary. This grew into what is now our extensive public health system, which is responsible for many health services, mainly in the field of prevention. Then followed government involvement in school health programmes, and support of tuberculosis patients in sanatoria, with case finding in tuberculosis as a preventive measure, and in the later 1930s the government began direct subsidization of general medical care for those who were then among the great hosts of the unemployed, a programme which grew to provide certain health care services to all in receipt of social assistance.

The real beginning of government participation in an orderly and steadily progressive health care programme came in 1947 when, after an extensive study of health needs of the people of our province, capital grants were first provided for the construction of hospitals for active treatment, convalescent and chronic care. The grants began at \$1,000 per bed and doubled to \$2,000 per bed in 1958. In 1959, grants on many service areas were added and in 1963 all these grants were still further increased to \$3,200 per bed or bed equivalent in service areas. Then, a year ago, as you will recall new low-interest loans were provided as a further incentive to expanding our active treatment hospitals.

All these supports have been of great value in encouraging and helping our people to achieve their goals. However, the greatest single step forward was taken by the government of this province on January 1, 1959, when the Ontario hospital care insurance programme came into operation. Covering more than 90 per cent of the population from its inception, today more than 99 per cent of our people are insured. Indeed, it can be said that to all intents and purposes, all of the people of Ontario are insured against

hospital costs. I would emphasize, Mr. Speaker, that this programme was founded on certain principles which have been proven sound, workable and successful—principles from which we have never departed.

These were, and are, that hospital care insurance would be universally available to all, regardless of age or state of health. The services of our hospitals are there for those who need them so long as the need is based upon medical necessity.

Coverage is non-compulsory, except for employee groups, and this was done to ensure continuity of protection for those who, over the years, had had hospital care insurance included in their wage and salary contracts.

So, to sum up, the government has contributed extensively to health services through mental hospitals and clinics; public health and preventive programmes; tuberculosis prevention and treatment; school health programmes; maternal and newborn care; general hospital construction grants; and hospital care insurance.

Now, Mr. Speaker, the government of this province proposes a further step forward as provided in the bill I have just introduced.

Within weeks of the introduction of the hospital care insurance programme in 1959, The Department of Health, with other appropriate departments of government, began studies in depth to seek ways of assisting to meet other health care needs. These studies have gone steadily forward in the interim. Although a tremendous volume of data is available concerning health care, standards, quality, quantity, costs and needs, there are, nevertheless, considerable gaps in the information which we should like to have available to us.

For example, we have considerable knowledge regarding those who are insured and those who pay directly for their medical care costs, but we still need to know a good deal about the adequacy of insurance contracts now in force. Again, we have scant knowledge of how much care is provided for those who have no insurance and cannot pay for their health care, nor have we any reliable statistics of the cost of such care. Of course, we could apply national or provincial averages, but there are many factors involved in health care so that, at best, such averages might well be little other than educated guesses.

Then, too, much of the information we have is related to treatment of disease and disability that has already happened, and not nearly enough information about what is involved in the prevention of ill-health.

I know hon. members will appreciate that this is contrary to all the best concepts of health care, but I am equally certain they will appreciate that a health problem must be attacked in the way that will meet the emergency at the time; when the disease is established, then the patient must have treatment. But, going hand in hand with this—or, if this is not possible, then immediately following treatment—methods of prevention must be sought out, developed and instituted. This can be prolonged, difficult and costly, and many authorities are convinced that not nearly enough emphasis has been put on this phase of health care, and that not nearly enough is known about it. Nevertheless, diseases which, a relatively short time ago, were considered to be hopeless of successful response to any treatment are today scarcely heard of, or their management is a simple routine. The doors opening to us by researchers beckon us on to achievement greater by far than anything that has yet come about.

Still, for all this, the immediate needs are evident and the general trend in all states and nations is to provide treatment services.

The division of the health care dollar has quite consistently been shown to be as follows: hospital care highest, followed in order by physician services, dentist services, other health services—lumped together—and prescribed drug services.

Since the first step had been taken, namely, the provision of hospital care insurance, it appeared logical that our next step would be in the area of physicians' services, and that is the purpose, and will be the effect, of this bill.

It is founded on the basic principles originally enunciated in Bill No. 163, the same principles as those upon which our hospital care insurance programme was founded.

We have provided in the bill just introduced that medical services insurance will be:

(1) Available to all, regardless of age, state of past or present health or financial status.

(2) Guaranteed non-cancellable and renewable. All of us are aware that many would provide insurance for themselves but, because of age, or chronic illness, they cannot buy it, or, if they are insured, it is possible that many existing contracts could be cancelled or the carrier might, within the terms of the contract, refuse to renew it. Insurance of this kind is of no use to an individual. Under this Act, this will not be possible.

(3) It will be voluntary. Although many cry for compulsion, an equal or even greater number cry out against it. The records in

Ontario show that, given the opportunity, our people do not want, do not like, and would rather not have compulsion.

(4) The cost of standard contract will not exceed a maximum which will be approved by government on recommendation of the advisory council.

(5) (a) It will be available from the carrier of the individual's choice, except: (b) In the case of low income groups, the province will pay in whole or in part for the standard contract. This part of the programme will be administered by the government, through a division of The Department of Health to be set up and to be known as the medical services division.

This division will be housed in the building occupied by the Ontario hospital services commission, and the technical personnel and facilities of the commission will be used. However, the commission, as such, will not be involved in either the policy-making or the operation of the programme.

This means that in the case of those who need assistance to meet the cost of those physician's services, the government will directly administer the public funds used to pay these costs.

Herein is the greatest departure from the original proposals in Bill No. 163, and also from the proposals of the Hagey committee. It will be recalled that in both these instances, those who required partial assistance were to be permitted to secure coverage from the carrier of their choice. This, I repeat, will no longer obtain. For those who are wholly or partially assisted by the government, there will be one carrier, a division of The Department of Health, and to these people will be issued a standard contract.

Mr. Speaker, I should like next to deal with the question of who will receive total or partial assistance.

For a long time now, personal income has been considered an acceptable measure of one's ability to meet the normal costs of everyday living, and certain scales of income have been set by government as being sufficient to meet those costs. Income over and above these levels has been, and is, subject to personal income tax. It has been argued that those who had sufficient income to have money taken away from them by government by taxation, could hardly claim at the same time, by government definition, to be eligible to have money returned to them. While agreeing in principle with this thesis, we believe that those with taxable income of up to \$1,000 require assistance in such matters as meeting the costs of medical care.

On the basis, we propose to continue to use taxable income as a measure of the need to be assisted. The bill therefore provides:

(a) That those of our citizens who are in receipt of incomes not great enough to be subject to income tax shall be covered by a standard contract without charge. For these people, the entire cost will be provided by the province.

(b) That those persons in low-income categories will be able to obtain, on application, a standard contract at a premium geared to the broadly accepted principle of their ability to pay. In other words, persons whose incomes are so low that they pay little income tax will receive assistance in securing standard contracts. A table, illustrative of how this would operate, will be placed on the record, I will not take the time of the House to read it now.

It will be noted that here, too, we have deviated from the Hagey recommendations by providing full coverage for all non-income tax-paying persons and a graded level of support for others rather than the premium percentage as proposed.

Hon. members will no doubt be interested in the numbers likely to be involved. Again, this is difficult to ascertain with any degree of accuracy. It is impossible, of course, to know who may choose not to prepay or have prepaid his medical care costs, and we do not subscribe at this time to compulsion. It is difficult, even with all the information available to us, to know who in the non-taxable or the lower taxable groups are already well provided for by group contracts through their employment.

We do know that Ontario is the province with the highest ratio of voluntary medical insurance in Canada. Some 76.5 per cent are already covered, and a further 7.3 per cent have special coverage, so that some 83.8 per cent of the people of Ontario are covered at the present time.

We have assumed, however, for practical consideration, that all who are eligible would apply for standard contracts. On this basis, we have some 978,000 non-income-tax payers and 847,000 with taxable income up to \$1,000. These may be sub-divided as follows:

	No. of single persons and families	No. of people covered
Non-income-tax paying groups	462,361	977,869
Taxable income \$500 or under	156,424	378,195
Taxable income \$500 - \$1,000	157,879	437,654

This means that a total of approximately 1,800,000—over 25 per cent—of our people, are likely to be totally or partially supported.

It will thus be seen that, with nearly 84 per cent of our people already insured, and this provision made for a number in excess of 25 per cent of the population, the 16 per cent coverage gap in Ontario may well be covered. I would make clear, however, that this postulation does not follow naturally. I would repeat what I have already said—we do not know how many of our people, for any one of a variety of reasons, may elect not to seek medical services insurance, but we have reason to believe that the provisions of this bill are amply adequate to assure that the needs of our people will be met.

The estimated cost of the public Treasury of the programme I have outlined is \$70 million in its first full year of operation.

What will be provided by the standard contract? The contract is designed to meet the needs for physicians' services, medical, surgical and obstetrical, in the home, office and hospital, from the physician of the patients' choice. After the contract has been in effect continuously for 12 months, one annual physical examination per member, and psychiatric services up to 25 hours per year for an individual, and 50 hours per year for a family, will be available as insured services.

The programme is founded on a general physician service and the benefits will be at the general physician tariff of the Ontario medical association. If, in the judgment of the physician, referral to a specialist is indicated, the contract will provide payment of the specialist at the OMA specialist tariff. It is the stated policy of the Ontario medical association that "the stated tariff is to be considered the fee schedule that will be used for physicians' services."

There will be no interference with the patient's choice of doctor or the doctor's choice of patient.

In the case of those supported by government, it is hoped doctors will bill the department directly for services, but they may, if they choose, bill the patient, who will be reimbursed according to the schedule for the services rendered.

As I have already stated, the Act will be administered by a new division of The Department of Health. It will be headed by an executive director and it is intended to set up an advisory group of nine persons, to be known as the medical services insurance council to represent the public (five members), the medical profession (two members) and the insurance carriers (two members).

The council will advise on maximum premiums, open enrollment periods, the form and content of standard contracts and, indeed, on all things related to the programme. It will also hear all complaints and advise upon their settlement.

Provision is made in the Act for prompt assistance to anyone becoming unemployed, so that he will never be out of benefits.

Coverage will be provided in the standard contract for unmarried children, totally dependent up to the age of 21 years, in keeping with the provisions of the income tax regulation.

It is intended that this programme will come into operation June 1, 1966, following an open enrollment period. A vigorous publicity and advertising campaign is being planned, by which it is hoped to make all our people fully aware of the programme and to encourage those who are eligible for assistance to submit an application.

Mr. Speaker, I fully anticipate that there will be argument that everyone should be compelled to come under our standard plan, and that this is the only equitable and workable way in which complete and adequate medical services coverage can be attained.

This really boils down to a difference in basic philosophies. Some believe that government should regiment the people, deciding what is best for them and imposing that decision upon them by compulsion. Others, and we subscribe to this, believe the same objective can be attained without compulsion.

We believe we have proven this in our experience with hospital care insurance. Our studies, which have been extensive in this matter of medical services insurance, would indicate that if every province did what we now propose, there would be no insurance gap left. We have, in these calculations, considered the partial plans, and, even excluding or ignoring them entirely, have concluded that complete coverage could be attained by providing for the non-taxable groups in the population. If, as is proposed by this bill, assistance were provided for those in the low tax brackets, we certainly believe the gap could be closed.

Surely we have had clear and unmistakable evidence that compulsion brings in its wake many and great problems. Scarcely a month passes in which we do not read of the difficulties arising in nations and states where compulsory schemes have been introduced and imposed upon the people. France, Belgium, Italy; all have had serious difficulties within recent months with services not avail-

able because doctors were on strike. Britain is presently facing serious trouble with the plan there. Need I remind hon. members of what happened in Saskatchewan?

No doubt it will be held by some that, "we have not gone far enough."

Mr. D. C. MacDonald (York South): I rise on a point of order, Mr. Speaker.

Mr. Speaker: Will the member state his point of order?

Mr. MacDonald: I state my point of order, and it is twofold.

One, this government has seen fit to bring in this bill in violation of the rules of the House. The rules of the House state, as to be found on page 112 of Alex Lewis, namely:

39. Two days notice shall be given of a motion for leave to present a bill, resolution or address for the appointment of any committee, etc.

For some reason or other, the government in its final decisions made them so hastily that it has brought this bill in without conforming with the rules of the House.

My second point of order, Mr. Speaker, is this: It is one thing to give a short explanatory statement on first reading, which the rules permit when there is going to be no debate. It is another thing for the hon. Minister to get up and to indulge in highly controversial political debate when we on this side of the House are going to have no opportunity to say anything until second reading comes.

Now I suggest, Mr. Speaker, that the original introduction of the bill was out of order because the government has not conformed with the rules, and the hon. Minister is becoming more and more out of order the longer he proceeds.

Mr. Speaker: I would like to point out that it is customary for any person, a Minister or member, to give intention of introducing a bill. A period of, I believe, 48 hours, is required. If anyone had stood in his place today and objected to this bill being introduced, of course I would not have allowed it to be introduced and would have taken it as notice and allowed the Minister to introduce it on Thursday. But since no one objected to the introduction of the bill, it has been customary to accept that as being unanimous consent of the House. Therefore, since the bill has now been introduced, we will have to proceed with it.

I perhaps would agree with the member who has brought up the point of order that

perhaps this past paragraph would have been better left out of the Minister's presentation; but since we are near the end of it, I would ask him to proceed and finish.

Hon. Mr. Dymond: Thank you, Mr. Speaker. I must take full responsibility, sir, for introducing this bill without giving notice of motion. I thought I had crossed all the "t's," dotted all the "i's," and I crave your indulgence, sir. When no one objected when I did propose the reading, I took it that I had unanimous approval of the House; and I said at the outset, sir, that because of the high importance of the matter I felt that it merited a lengthier than usual statement.

Mr. MacDonald: An explanation is one thing and a political speech is another.

Hon. Mr. Dymond: If the shoe began to pinch, Mr. Speaker, I am afraid the hon. members had better see the doctor and get their feet fixed.

Interjections by hon. members.

Hon. Mr. Dymond: No doubt then, Mr. Speaker, it will be held by some that we have not gone far enough.

I am almost finished.

There are those who will not be satisfied with anything short of a total health care plan imposed upon all of our people by compulsion. I have already mentioned compulsion, so let us look at the other part of the argument.

I can shout the hon. members down, if they want to indulge in a match.

Mr. Speaker: Order! I would ask the members for order.

Will the Minister proceed.

Hon. Mr. Dymond: While we all agree that it is desirable to aim for a programme of full, high quality health care for our people, the methods of attaining this goal may very well vary. Only experience can tell us which, if any, is better than all others.

But we who are charged with the responsibility of government must determine how the goal is to be achieved. All political parties in this House have admitted, at some time or other, that a programme of this magnitude must be phased. With this we agree and this we are doing.

This, I submit sir, is but another and logical step forward in a progressive programme aiming at our common objective.

But in such planning, priorities must be determined and established. It would be

pointless, for instance, to say we were providing payment of physicians' services if there were not enough physicians to provide the service.

I need not remind you that government cannot practise medicine. There are many who tell us we have a shortage of doctors; albeit Ontario, with one doctor to 776 population, has one of the highest doctor population ratios on the continent. This is bettered only by five nations in the world. Nevertheless, we recognize the need for great numbers of well trained personnel and this shortage must be met before we can lead our people to believe that a full-scale programme is possible. We must put first things first, and this we are doing.

After much study and planning, this government last October announced a massive programme of support to help university teaching hospitals to update and expand their facilities so that greater numbers of professional and technical people could be qualified to meet the needs of our people. We have now added to that a programme of expansion of schools of nursing which will be laid before the House later in the session. The greater part of this by far must be financed by the province alone, the while providing for all the other expanding services required and demanded by a rapidly growing province.

So it is, Mr. Speaker, that the programme proposed in this bill cannot be taken as an isolated one. Rather, I submit, it must be read as an important and logical step forward in the context of all that has been done, is now being done and is envisioned for the future for the well-being of our people.

The total cost of the programme for expanding facilities announced last October was of the order of \$120 million. Schools of nursing may well add a further \$30 million to this; and with the programme provided by this bill costing an estimated \$70 million, the total will exceed \$200 million. That money must be found by the province, since to date the federal government has not offered any assistance.

No, Mr. Speaker, we have not said, nor do we yet say, this is the end, the last word in health care insurance.

Mr. K. Bryden (Woodbine): It is not even a good beginning.

Hon. Mr. Dymond: It is but one further step forward in a long and progressive programme which has as its ultimate objective health care of the highest quality possible, available to all of our people respecting, of course, the right of the individual to deter-

mine if he wishes to avail himself of that service.

We believe, sir, this is a worthwhile step, and I heartily commend this bill to the serious consideration of the House.

Mr. Bryden: Worthwhile only for insurance companies.

Mr. Speaker: Order!

Mr. J. B. Trotter (Parkdale): Mr. Speaker, I was wondering if the—

Mr. Speaker: Order!

Although this is not the time for questions, we have had a little bit of flexibility in our business today and I am sure that the member would be in order to ask a question.

Interjections by hon. members.

Mr. Trotter: Could the hon. Minister give the House some idea of what the premiums for a family will be under the proposed scheme?

Hon. Mr. Dymond: Not at this time, Mr. Speaker.

Mr. Trotter: Has the hon. Minister any idea? Does he bring in a plan and have no idea?

Mr. W. D. McKeough (Kent West): On the last page.

Interjections by hon. members.

Mr. Speaker: Order!

THE MUNICIPALITY OF METROPOLITAN TORONTO ACT

Hon. J. W. Spooner (Minister of Municipal Affairs) moves first reading of bill intituled, An Act to amend The Municipality of Metropolitan Toronto Act.

Motion agreed to; first reading of the bill.

Hon. J. W. Spooner (Minister of Municipal Affairs): Mr. Speaker, there are half a dozen or eight amendments to The Metropolitan Toronto Act. They deal with matters relating to assessment, transfer of pension benefits, and they also deal with the question of the operation of a system of the Toronto transit commission on Steeles Avenue. It has been found that the TTC may operate a transportation system on Steeles Avenue, but only on one side of the street because the dividing line between two municipalities is now in the centre of the road.

A matter of tax exemptions relate to land acquired for the subway extension and a number of other items similar to that, and include also authority to the metropolitan council to make a number of grants to various charitable organizations and also to the widow of the late John Blank; and also a grant of \$12,000 to the Metropolitan Toronto convention and visitor association towards the cost of publishing a film.

Mr. F. Young (Yorkview): Before the orders of the day, Mr. Speaker, I have a question for the hon. Prime Minister (Mr. Robarts), notice of which has been given him.

Will steps be taken toward having Ontario represented in Detroit on June 15, when the governors' conference in regard to pollution in Lake Erie which met in Cleveland yesterday, reconvenes?

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, the meeting being planned for Detroit on June 15, as I am informed, is not a continuation of the meeting held in Cleveland but is another in a series of meetings that are being convened by various jurisdictions and authorities that are interested in this problem. The meeting yesterday was termed the Governors' conference on Great Lakes pollution and was convened by the governor of the state of Ohio in Cleveland, the hon. James A. Rhodes. Now Governor Rhodes wrote to this province and asked if we would send a representative and Mr. K. H. Sharpe, who is one of the assistant general managers of the Ontario water resources commission, attended that meeting. If we are invited to Detroit I can assure the House that we will be there.

Mr. Young: The press report stated that we were not there yesterday.

One further question to the hon. Prime Minister, Mr. Speaker. Will the government make representation to have the current terms of reference of the international joint commission widened to include consideration of the Kierans plan to divert water from the James Bay watershed to the Great Lakes?

Hon. Mr. Robarts: Mr. Speaker, this question also calls for something more than a straight yes or no answer. The Kierans plan is one of several that are under study and that are aimed at controlling the range and stage of the levels of the Great Lakes and making greater volumes of water available for domestic and industrial requirements, reducing pollution and so on.

This government, through the Ontario water resources commission, is carrying out

certain investigations and studies covering all these areas in order that we may be in a better position to determine what course of action we might take here.

I would say this, that the international joint commission really deals with border waterways only and the Kierans plan has this inception not on an international border but perhaps in the Ottawa river, and it overlaps into Quebec. What I have done—

Mr. Young: But it deals with water levels!

Hon. Mr. Robarts: Yes, it deals with levels, but the basic function of the international joint commission, and perhaps in this respect it might not be a fully effective body, has been to deal with boundary waters such as the Detroit River, the St. Clair River, the St. Lawrence River, and so on. This is where it has traditionally operated during the 50-odd years in which it has been in effect. It may not be that something like the Kierans plan would come within its terms of reference; these are closely laid down, because it has to take instruction from agreement by both federal levels of government. In other words, they must agree upon what is going to be referred to the international joint commission before it starts to function. At this stage of the game, I am not certain how interested the federal government of the United States is in the Kierans plan. There are several other plans of a similar nature being discussed in North America today, but I would say that I have asked that the subject of national water problems, as I think they might be most aptly described in Canada, be placed on the agenda for the forthcoming federal-provincial conference which will convene on the 31st of this month, in order that we may be able to institute studies into these matters, because the Kierans plan concerns not only this province; it really is a national project.

Mr. MacDonald: Mr. Speaker, before the orders of the day, I have a question for the hon. Minister of Energy and Resources Management (Mr. Simonett).

Now that a number of 30-day options placed by the special tribunal investigating properties under expropriation for the Pittock dam have been permitted to lapse, can the hon. Minister report on what solution has been achieved in this situation?

Hon. J. R. Simonett (Minister of Energy and Resources Management): Mr. Speaker, in reply to the question asked by the hon. member for York South, may I say that I met yesterday with the chairman and several members of the executive of the Upper

Thames River conservation authority to discuss this matter. Arising out of this meeting, certain proposals are now being considered by the authority. As a result, I shall not be in a position to reveal the course of the discussion or the proposals until the authority has had an opportunity of considering them fully and of reaching certain decisions.

Mr. Speaker: Orders of the day.

Clerk of the House: The ninth order.

THE POWER COMMISSION ACT

Hon. J. R. Simonett (Minister of Energy and Resources Management) moves second reading of Bill No. 116, An Act to amend The Power Commission Act.

Motion agreed to; second reading of the bill.

THE FIRE MARSHALS ACT

Hon. A. A. Wishart (Attorney General) moves second reading of Bill No. 117, An Act to amend The Fire Marshals Act.

Motion agreed to; second reading of the bill.

THE JUSTICES OF THE PEACE ACT

Hon. Mr. Wishart moves second reading of Bill No. 118, An Act to amend The Justices of the Peace Act.

Motion agreed to; second reading of the bill.

THE CHILD WELFARE ACT, 1965

Hon. L. P. Cecile (Minister of Public Welfare) moves second reading of Bill No. 119, The Child Welfare Act, 1965.

Mr. H. S. Racine (Ottawa East): Mr. Speaker, I would like to make a few remarks on Bill 119. We would like to stress this afternoon that there is basic agreement in our party with the purposes and principles expressed in this bill. Child welfare is most important to develop a mentally and physically healthy population that Ontario needs if it is to continue on its march toward better living conditions for all. A comprehensive child welfare plan contributes not only to the mental and physical health of Ontario, but to the eventual spiritual and material well-being of the province as a whole.

Basically, the bill we have before us this afternoon is a good one, but it has been far

too late in coming and it is still somewhat incomplete in scope. The Liberal Party of Ontario has urged the government of this province to enact more comprehensive child welfare legislation for some time. Finally, we have been presented with this bill, which is painfully lacking in many measures necessary to ensure even adequate child welfare services in the province of Ontario.

A comprehensive child welfare legislation must do at least six things. It must provide:

1. Preventive measures—methods by which the child can be cared for within the environment of his natural family. This is of primary importance.

2. It must provide for the protective care of neglected children.

3. It must deal with the supervision of foster children, and attempt to encourage the adoption of children into normal family environment.

4. It must arrange for the supervision of child welfare institutions.

5. It must provide a framework of co-ordination and integration within which child welfare agencies can function to their maximum potential.

6. It must accept the responsibility for some measure of after care; that is, provision to help children make the difficult transition from institutional society back to normal society with as little tension and friction as possible.

A child is a person with rights, capacities and tremendous individual potential. We firmly believe that this potential can be developed within the environment of the natural family and we are pleased to see that the government has acknowledged this by giving to the children's aid societies the responsibility to provide guidance, counselling and other services to families for the prevention of neglect of children. The 1961 report to the hon. Minister of Public Welfare emphasized the need for preventive services and states:

In many instances the parents also require intensive and skilled help because of psychological and social difficulties.

It is evident that many children now in care could have been helped to remain in their own homes, while others might have returned home much sooner. Preventive measures, based on the principle that removal of a child from his natural environment must be only as a final resort, have been in effect in Denmark for at least six years. In Finland, preventive measures were introduced in legislation in 1936; according to a review of

child welfare, published in 1959, they have become so efficient that the children who are removed from their natural families are done so only for serious reasons, and so receive more and better attention. This is the way it should be. The principle of the unity of the family was embodied in The Child Welfare Act of 1953 in Norway and we are pleased to see that the government of Ontario has finally decided to acknowledge this concept in 1965—12 years after Norway did it, and 29 years after Finland.

I would like to point out, however, that recognizing the need for and value of preventive measures is not enough. To establish such basic measures as the 1964 report of the advisory committee on child welfare recommends will cost a great deal of money, and provision has not been made for this in the present bill. Such basic services embody the concept of family welfare as opposed to the narrower concept of child welfare and should include homemakers' services, child guidance and psychiatric treatment services, special education and employment facilities and day care services for children.

The report of the advisory committee on child welfare recommends that these basic services be financed entirely from public funds, but the legislation we have before us does not guarantee any such financial arrangement. The bill is vague in this area, where we feel it should be very specific.

The 1964 report recommended that funds from private sources be used mostly to pioneer new services and provide more specialized services, but according to Mr. Lloyd Richardson, the director of the Metro Toronto children's aid society, funds for prevention would still have to come from voluntary services.

We agree with the report of the government's advisory committee in this matter and feel that the government should not stop at recognizing the need for preventive measures, but should guarantee at least a specified percentage of the funds to meet the cost of such measures.

The second point on which I would like to speak is the actual care of neglected children. The bill sets out very explicitly procedures for committing neglected children to children's aid societies; but once they are placed in these societies, what happens to them? Institutions in Ontario are overcrowded and not sufficiently differentiated. At the end of 1963 there were approximately 3,050 children receiving service in 27 institutions. This is an average of some 112 children per institution over the course of a year.

What are the effects of the institutionalization and regimentation on the individual child? Neglected children, more than any others, require individual attention. The 1961 report on institutional needs states that:

Institutions should be so organized as to limit numbers in any living unit to assure development of the most normal relationship possible.

Now, how normal can these relationships be when 60 or 70 children are in the same institution and are treated by not enough staff and insufficiently trained staff?

But institutions are not the only place where overcrowding occurs. The courts are terribly overcrowded. The children's aid societies have reported that on April 1 of this year the average time that children have to wait for court orders was from six to eight weeks.

Overcrowding is a real problem and is reflected again in foster homes. The 1961 report on institutional needs stresses the existence of a substantial quantity of unmet needs for institutional care; and the 1964 report maintains that the foster care programme for permanent wards is characterized by too many substandard foster homes. The study of permanent wards included in this report indicated that the average ward in the 11 to 15 age group had already been placed in 4.8 foster homes. Now, what effect does this have on the mental stability of the child? It certainly cannot be beneficial.

The 1961 committee on institutions concluded:

It is clear that no complete pattern of services to children exists and it is believed that legislation to control foster family and institutional care of children is not adequate.

What we have in services has "Topsied" up as needs were exposed and as government or citizen groups were prepared to take on the challenge. This has resulted in needs that are not covered, a great variety of standards and several pieces of legislation which are inconsistent in their provision for standards and controls.

We appreciate that the government is finally taking measures to correct this by regulating standards, but simple regulation of standards is not enough. Facilities must be provided for adequate training of staff and funds must be provided to ensure that staff and institutions will be available whenever and wherever the need arises. In line with this, we feel that the number of children's aid societies possibly should be reduced in

line with the recommendation made in the government's advisory committee report and more attention be given to regional allocation of children's aid societies and welfare services generally.

Also, we would recommend that positive steps be taken in the near future to ensure that there are enough trained personnel available to maintain this new programme.

The 1961 report on institutional needs recommended that institutions should provide a minimum total full-time staff of one to each three children in care, and at no time should there be more than 10 children under the supervision of one worker. Staff workers are currently working under exceedingly heavy case loads. The 1964 report of the government's advisory committee points out that the average monthly case load per field worker is 404 cases.

We stress again that it is the children who suffer in these cases. It is false economy indeed for any agency or authority to expect or anticipate the best results from unqualified or unsupervised staff.

At the end of 1963, children's aid societies offered positions for 950 social workers. Fifty of these were unfilled; and of the 900, only one in four had any formal social work education. The most enlightened legislation regarding child welfare—which this is not by any means—will still not work if provisions to supply adequately trained personnel are lacking. We remind the government of this in their attempt to take positive steps to ensure the beneficial treatment of the neglected children of Ontario.

The next point I would like to make, Mr. Speaker, is one regarding co-ordination. This bill was introduced to remedy a lack of co-ordination and integration in provincial welfare services. It has succeeded in many respects, but in others it is still lacking. It is a fact, and a sad fact, that children who present themselves in certain places tend to get certain forms of care. The 1961 report on institutional needs made this clear when it concluded that children who come before the courts are likely to go to training schools—those who come to certain mental health clinics, to mental hospitals; those known to child care agencies, to treatment centres, and so on.

Now these various institutions are under the jurisdiction of different ministries of this government. For the mentally ill or emotionally disturbed, care is provided in Ontario hospitals and in Ontario hospital schools under The Department of Health; for delinquent children, in training schools, under

The Department of Reform Institutions; and for deaf and blind children, under The Department of Education. The problem of integrating interdepartmental areas of jurisdiction to provide maximum benefit to the individual child is most important, and we regret that the government took no action to try to integrate the various departments in the interests of child welfare.

The last point I would like to touch on, Mr. Speaker, is aftercare facilities. This is an area of child welfare which has been completely neglected in previous legislation and to our great disappointment in the present bill. The difficulties in child welfare are by no means solved when young persons are discharged from an institution. The transition from institutional life to normal life in society will often be painful. Without good and effective aftercare, institutional treatment cannot have its full value. We feel that the government has a definite responsibility in this area.

In Sweden, the government accepts this responsibility by building apprentice homes in hospitals, where discharges can live while reorienting themselves in society.

In Finland, one of the aspects of aftercare is the child welfare committee's duty to appoint a supervisory guardian for the child, to supervise the young person and assist him with help and guidance. The Child Welfare Act of Finland also contains a provision ordering the child welfare committee to grant financial aid to young persons until age 23, if necessary.

We feel that in a progressive province like ours, similar realization and acceptance of responsibility towards discharges should be forthcoming. We firmly believe that without sufficient aftercare, much of the value of child welfare will be lost; we regret that the government did not see fit to include appropriate measures for aftercare in this legislation.

In conclusion, Mr. Speaker, we again agree with the purposes and principles of the legislation, but we are disappointed that it has come so late, and that it still lacks so much. We feel that child welfare legislation should be as comprehensive as possible and we are afraid that the lack of a guarantee of funds for preventive work, the lack of arrangements for interdepartmental co-ordination, the lack of provisions for adequate staff and the lack of suitable arrangements for aftercare unnecessarily endanger a successful child welfare programme in Ontario.

Mr. S. Lewis (Scarborough West): Mr. Speaker, the hon. member of the Liberal

Party who just spoke, and this party, are about to part company on many counts.

I find the general public response to this new Child Welfare Act an exceedingly curious one. It is, I suggest, both ambivalent and uncritical—ambivalent in the sense that there was an initial outburst of enthusiasm from various groups—I can think of children's aid societies in particular. Shortly thereafter, rather vigorous retrenchment and great reservations were expressed as the more fundamental principles of the Act came under scrutiny. It is my feeling that the children's aid societies were, by and large, so glad to be alive when this Act came in that, having taken that initial gasp of breath, they only later began to look at it and to express the concern that was contained in their press release, and what I am sure will be subsequent statements.

It was uncritical in this sense, Mr. Speaker, that the Act is so complex in some respects that we tended to accept the explanatory notes which accompanied it. As the hon. member for Downsview (Mr. Singer) pointed out in another connotation a few days ago, the explanatory notes accompanying Acts can be seriously deceptive and misleading; I want to suggest that that is what happened in this case.

It was also uncritical in its reception, Mr. Speaker, because the public, by and large, was so gratified at finally having a child welfare Act, which was supposed to be substantial—there had been so much heralded observation about three years of committee study—that everyone again gasped in appreciation and accepted the Act at face value.

Mr. Speaker, in large part we embrace an illusion. This Child Welfare Act, I suggest to the hon. Minister, is an impressive façade which conceals worrying implications. It is time to break the pattern of total commendation in this Legislature and to scrutinize some of the serious principles involved.

I suggest, Mr. Speaker, that there are such glaring deficiencies in this Act that this party had to wrestle carefully with the prospect of supporting it in principle, which we will do, because any child welfare legislation is necessarily crucial and valuable and takes a step forward. But there are features so inadequate and retrogressive that in two or three fundamental respects we have to state our reservations without qualification. It is again, if I may put it to the hon. Minister, the ever-frustrating experience of the intent of legislation being undermined either by the Act itself or by the regulations which accompany it.

Let us refer back to this advisory com-

mittee report as a starting point. At the outset of this report, the hon. Minister, in his foreword, indicated that there were 14 major recommendations. Those are his words; major recommendations. I want to pull out one of those recommendations. I will read it; No. 12:

That continued emphasis be placed on expanding and improving the quality of adoption services.

I want to eliminate that because it is not easy to embrace in legislation, and I shall leave us with 13 major recommendations, if I am permitted to do so.

Mr. Speaker, on the basis of the 13 major recommendations which the hon. Minister outlined, three have been adopted in toto, four have been adopted in qualified part and six have been rejected by this government. I strongly suggest to you, Mr. Speaker, that any government which pretends to a child welfare Act that is supposed to reflect three years' study of an advisory committee, cannot make those pretensions stand in this Legislature when almost 50 per cent of the recommendations are rejected, and another half or more of the remainder are accepted only in part.

Let us take a look at some of those recommendations and subject them to partial analysis.

The focal principle of this Act, Mr. Speaker, is the question of Crown guardianship. Of course, to the members of the New Democratic Party and to the members of the official Opposition as a whole, that is a fully acceptable proposition. If the hon. Minister will allow me to be colloquial, I will say that it introduces into Ontario society that happy image of Papa Louis, if I may put it that way; Papa Louis is well suited to the role, Mr. Speaker. He is warm, kindly, honourable, and bilingual; I cannot think of any greater paternity for 14,000 permanent wards in the province of Ontario.

Papa Louis has only one serious drawback; he is handicapped by a severe case of congenital and hereditary conservatism. That, I suggest to you, Mr. Speaker, undermines a lot of what the kindly, paternal hon. Minister opposite would wish to do. The Crown accepts the final and ultimate responsibility for those children—and let it be said at this point, if I can deflect my own remarks, Mr. Speaker, we assume that the hon. Minister accepts such responsibility. He is in fact the guardian, and when one of those 14,000 children falls into trouble we in the Opposition are going to come into this House and say, "It is your child, Mr. Minister; what are

you doing about his plight?" There are a vast number of children in this province for whom that question can obtain, and I assume that the hon. Minister will give sufficient reply at the time.

There is no question that sound guardianship, therefore, properly falls in provincial hands; and there is no question also that it may encourage a certain uniformity of standards across the province in children's aid societies—although let it be said, Mr. Speaker, that we do not know, because standards are left to the regulations and the regulations are not published. But the entire rationale of Crown guardianship is based on the premise that the care and custody for these children will be adequately provided; and the entire onus in this bill is placed on children's aid societies without any accompanying guarantee that they can do the job; and that is, after all, the test of Crown guardianship.

Let me quote from the speech by Professor Spencer of the school of social work to the child welfare league conference. He said:

However necessary the place of the clear legal and administrative framework of guardianship may be, it is the spirit and the manner in which the legislation is carried out that are ultimately the determining factors.

To do justice, therefore, to the subject of guardianship, we are in reality compelled to examine within a broad context the standards and practices in child welfare in a community.

The committee itself—

referring to the advisory committee:

—clearly foresaw that the very process of transferring responsibility from 55 children's aid societies to the Crown, in practice to the Minister of Public Welfare for Ontario, would mean that these societies—

the children's aid societies:

—would immediately declare the inadequacy of their resources to care for certain children. Thus they will now have greater justification for expecting the province to make available the necessary resources.

Now will Papa Louis make those resources available?

Well, the strength of guardianship, Mr. Speaker, being contingent on financial arrangements, it is worth, I think, analyzing those financial arrangements; and that is precisely what I should like to do for the next few minutes. But I want to point out initially that the financial arrangements as

embraced in this Act run counter—now I cannot say this strongly enough—run counter to everything we understand by modern concepts of child welfare, and they in no sense fulfil the recommendations of the advisory committee. So let us take a look at them.

I am going to move slowly because sometimes I myself find it difficult to grasp; I will happily stand corrected by the hon. Minister if he wishes at any point to intercede with an explanation.

At the outset, because I think it is worthwhile, Mr. Speaker, let us clear up one of the illusions; the illusion about unwed mothers. I want to say to this Legislature something that some hon. members do not realize because of all the fanfare related to the Act.

This Act does not pay 100 per cent of the cost for services to unmarried mothers and their children. That was the recommendation of the advisory committee, they made that recommendation; but this Act does not do this. This Act pays 100 per cent of the cost for children born out of wedlock who subsequently come into the care, as we understand it, of children's aid societies. That is the only area to which the 100 per cent figure applies. It does not cover services to the mother during the period of pregnancy, during the period of confinement, during the period immediately after confinement. Those services, handled now, as many of them are through children's aid societies, are not within the ken of the 100 per cent fanfare that we heard. Those are still left to the original arrangements, the 60-40 split which presently prevails.

Nor, Mr. Speaker, does the 100 per cent formula apply to the children of unwed mothers, which children the mothers are attempting to keep in their homes without putting them into a foster home or up for adoption. They will have to maintain themselves on the present inadequate basis of general welfare assistance for three months and then, if they are fortunate, mother's allowance after that. Again there is no substantial relief whatsoever.

That 100 per cent figure, about which we heard so much, applies only to the children in care. I mention that at some length, Mr. Speaker, because it is important to point out that this means very little relief for the municipalities indeed; in fact, marginal relief. The argument was that this would save the municipalities a degree of money, where they would say with largesse that they were now prepared to expand their programme into other fields.

In fact, it is so marginal that it will not allow them to expand their programmes in other fields, it will simply take the pressure off. It is a good example of the illusory and misleading nature of most of the financial arrangements under this Act. The province implies great savings; the savings, in fact, do not exist.

Let me turn to the fundamental provisions, and before outlining them, let me take a moment to indicate what now exists. The children's aid societies presently receive most of their money in two ways; in fact, perhaps all of their moneys for a good many of the societies. There is a per diem payment for children in care; and that is a 60 per cent municipality, 40 per cent province split.

Second, there are special and voluntary and very small grants from municipalities for so-called "protection services"; that is, services in the home designed to protect the child from a degree of neglect so serious that it would warrant eventual separation. I point out, Mr. Speaker, that the amount of money now spent across the board on protection purposes is only about 16 per cent to 17 per cent of total children's aid societies' budget, so you can see that the per diem payment was the crucial payment.

Now, what happens under the new Act to these methods of financing children's aid societies? Well, the children's aid society will establish a projected budget in negotiation with one or more municipalities incorporating requirements for first, care; and second, protection. Then of that total budget the municipality will have to undertake 60 per cent of the cost, the province will undertake 40 per cent. That is the basic provision.

The second provision is that within this total projected budget there can now be some moneys laid aside for preventive services. Now what do preventive services mean? They mean that even before neglect is evident, the children's aid society can step in and give some assistance, because if they do not it is likely that the circumstances will deteriorate and the children thereafter may need either protection or specific care.

Now let us say something about these preventive services right at the outset. They are all permissive, Mr. Speaker. The preventive services are not mandatory under this Act. And let no one mistake it. I read section 6 of the Act, subsection 2, part (g), where it outlines the areas within which the children's aid society shall provide services and then says:

And subject to the regulations—
which are not printed!

—may be operated for the purpose of providing guidance, counselling and other services to families for the prevention of neglected children.

Now, Mr. Speaker, through you to the hon. Minister, everyone in this House knows, when he is honest with himself, that the state of municipal financing today does not allow the embracing of permissive legislation with any kind of enthusiasm. This has been evident in the whole field of protection services; it will not be transferred to preventive services. The hon. Minister is sorely delinquent in this particular for having left the entire area of preventive services on a permissive basis.

The children's aid societies will be the first to say that this is the crucial and fundamental area of their work—more fundamental, in a sense, than the precise services they otherwise handle. The reason this government finds itself in so much financial difficulty so much of the time is because we place onerous responsibility on agencies to hold a patchwork society together when, if we caught the ills at the root moment, those subsequent extremities would not arise.

On the surface, Mr. Speaker, returning to the basic budget features of care and protection, this is a step forward and seems to be an acceptable proposition. But I want to suggest to the hon. Minister that there are so many serious qualifications to this 60-40 formula that the entire principle is virtually nullified. Let me try to put them in order.

Point 1: It is the municipality that governs the amount. It will pay 60 per cent of what it agrees to negotiate and accept as an overall figure. For the first time in child welfare legislation, that part of the municipality's power is, in effect, also permissive. The total figure is negotiated with children's aid societies and, of that figure, municipalities will pay 60 per cent.

I point out to you that that is a dramatic departure. Up to now, Mr. Speaker, the municipalities have been paying 60 per cent of a mandatory figure set by a court order, not by themselves. The only appeal the municipalities had from the previous basis was to go to some kind of appeal court and say they did not agree with the arithmetical calculation—but they still had to pay the 60 per cent. The only grounds for appeal was inaccurate arithmetic. The rate for care, as well as for protection, will depend entirely on a figure of the municipality's choosing. If the hon. Minister opposite says he will give them regulations which spell it out, let it be pointed out, Mr. Speaker, that the hon. Minister himself anticipates trouble. The only

reason we have a child welfare review board to arbitrate is because the municipalities have a right to set the figure of which they will pay 60 per cent.

Point 2, Mr. Speaker: The director of a children's aid society in any given area must negotiate separately—first it will be behind the scenes, then it will be across the table—with every municipality to which a portion of the total budget is referable. In the case of children's aid societies in the province of Ontario, as the advisory committee report pointed out, they incorporate many municipalities. What you are really asking in this Act is that directors of children's aid societies should turn into full-time politicians, doing nothing but negotiating behind the scenes for the budget of which, if they are fortunate, they will receive 60 per cent.

Point 3, Mr. Speaker: The advisory committee never contemplated such a principle. I cannot emphasize that strongly enough. The advisory committee which met for three years, and on whose recommendations this Act is supposedly based, never contemplated such a principle nor, for that matter, such a low provincial contribution. That is equally important. Let me quote from the advisory committee report, page 25.

The committee recognized early in its deliberations that the relative willingness of municipalities to participate financially differed because of varying financial capacities and a wide variation in attitude and understanding of local child welfare needs and problems.

Father Bauer, in his dissent, said:

The value sense of local government stems primarily from the right of property rather than the right of persons.

But the hon. Minister is willing to entrust child welfare in the province to the rights of property. There was some ancient and glorious figure of the left wing who said that property was theft; in terms of the deprivation for children under this Act, that may well be a prophetic saying.

The committee, Mr. Speaker, advocated a formula which would take into consideration the following facts: the needs of the area; the fiscal capacity of the local authority; and the financial effort being made locally by the municipalities themselves. Then the advisory committee recommended that the province will pay an absolute minimum of 50 per cent and probably more. They would have been startled into revolt by a suggestion of an across-the-board 60-40 split, with the onus on the municipalities to provide the 60 per cent

and with the authority in municipal hands to establish the overall figure of which that 60 per cent was a part.

Point 4, Mr. Speaker: A brief, submitted to the hon. Minister from the Ontario welfare council in February of this year—and approved by their distinguished board on which sit members of his staff—anticipated the results of this Act. They went much further, and I want to quote from them. Pages 6 and 7 of the report:

The services required by children and their families today are costly. This is so not only because of inflationary trends but because of the nature of the services required to deal with the difficult and complex problems referred to earlier. It is important that we recognize and accept this if we are to meet the needs of the children. Traditionally, these costs have been shared between the province and the municipality. Increasingly there are questions as to the appropriateness of these services being charged to the municipality.

That is the Ontario welfare council, Mr. Speaker, which goes on to say this:

The implications of the recommendations of your committee are for a generally enlarged and costlier programme for reasons already made clear. The reflected costs to the municipalities resulting from these increases may well leave them in a position of little or no relief and therefore tend to renew their questioning and resulting resistance. It is our experience that despite provision for equal sharing of costs for other services, such as homemaker and day care, many municipalities have declared that they are unable or unwilling to provide these. For these reasons we feel that provincial financial responsibility for protection in child care, as well as for the other essential family services, should be at a level which will ensure that the financial consideration does not hinder local communities in providing good services.

I emphasize this final reflection of theirs:

For this reason we feel that the municipal share should be nominal.

“Should be nominal”; but not only is the municipal share not nominal, it is 60 per cent of the cost and it is 60 per cent of a figure—again I emphasize—which they determine. I re-emphasize that they determine, Mr. Speaker, because I do not think there is another piece of legislation of this government which gives the municipalities the power over child welfare that this gives them.

Indeed, even under general welfare assistance your split is 80-20, with the municipalities paying 20 per cent, not 60 per cent. Surely child welfare should be considered of equal character.

Why this concern over the 60 per cent that is given to the municipalities, and their right to determine it? For a simple reason, Mr. Speaker, which leads me to point 5.

Let us be frank and honest with each other. The municipalities are showing increasing resistance to financial aid for child welfare. At precisely the point when the Minister puts a burden on them so severe that they cannot possibly respond in adequate measure, events demonstrate that the municipalities are unwilling to respond even to the conditions that presently prevail.

Look at what happened to the Metro children's aid society not so long ago—this year in fact. Metropolitan Toronto council refused them the request for 42 additional workers in the protection field, and told them that they could relate their budget to a 5 per cent increase across the board. The 5 per cent increase, Mr. Speaker, bore no relationship to child welfare needs; it bore relationship only to what Metropolitan Toronto council felt that it could absorb.

Take a look at our juvenile and family courts structure. Everyone remembers that the juvenile and family court was cut \$100,000 by metropolitan council in the recent past. Accompanying the cut were such enlightened and sensitive remarks as those uttered by Reeve John McBeth:

Even if your budget was limitless in staff and money, you could not cure the ills of juvenile delinquency.

It is this kind of irrelevant and anachronistic mentality, plus the strictures on municipal budgets with which we are faced. What the hon. Minister is obviously doing in this Child Welfare Act is making it impossible for municipalities to respond.

What about the case of the Windsor children's aid society? It is presently carrying eight children at Warrendale for intensive residential treatment; carrying them because Windsor has the courage and the strength to adopt some kind of deficit financing.

Which municipalities will allow deficit financing to keep children in institutional care where it is required? The truth is, of course, that the municipalities cannot possibly respond in the measure that the hon. Minister outlined. Why should they suddenly be more willing than their resistance in the past has demonstrated? There are all kinds of hon. members of this Legislature who sat on municipal

councils; let them recite their experience of the munificence of municipal councils in the fields of child welfare.

In Metropolitan Toronto, child welfare needs would be competing with draperies and furniture for the city hall. In other councils they will be competing with sewers and roads. In my township of Scarborough, the municipality categorically refused day nurseries or homemaker services—a municipality of over a quarter of a million!

Now, are we to assume, Mr. Speaker, that when you put the onus to the degree of 60 per cent on municipalities and allow them to set the overall figure as well that they can possibly comply? That part of the legislation is an almost unbelievably retrograde step.

That brings me to another point, because the ultimate folly of all of this is that only the children will suffer. We will play with our financial compilations, but it will be the children who will suffer ultimately.

That brings me to point six. As I said, the entire formula, Mr. Speaker, I suggest, runs counter to all other legislative trends; and that is really why I do not understand it. In health we just had an emasculated medical care plan introduced into this Legislature this afternoon; but there is some provincial programme involved, some provincial financing.

There are shared welfare programmes federally-provincially. The pensions programme has a federal-provincial emphasis; the Ontario housing corporation has just stepped in and taken over local authorities so as to give provincial emphasis. Education has an increasingly provincial emphasis. Throughout society, in the field of social services it is recognized that the senior levels of government should not only bear a majority of the cost but should at least have some rights to determine the total figure. But not here, not in this piece of legislation! That is what makes the financial provisions an absurdity.

I want to ask the hon. gentleman opposite, Mr. Speaker, directed primarily to the hon. Minister, and I am sorry for this conclusion, perhaps it can be explained to me; but I want to ask the hon. Minister: Is he out to break the children's aid society? Is he out to destroy the morale of the children's aid society? Is he out to cripple them, financially? Because that is what is going to happen in the area of protection and prevention.

Does the hon. Minister want to absorb them into a publicly run child welfare service? If that is so, well, let him do so. Why do we need this intermediate façade? Or

perhaps the hon. Minister opposite wishes to further embarrass the municipalities, perhaps that is his ultimate objective. Even then I cannot possibly conceive of the rationale.

Everyone agrees with the principle of local involvement and local initiative. We hear it repeated ad nauseam in this Legislature, but to a large degree that principle is met by involving municipal councillors on children's aid society boards and by asking them to pay a representative portion of the costs, perhaps 20 per cent; but certainly not 60 per cent and certainly not the right to determine the total figure. That has never happened before and it should not be allowed in this legislation.

Again I say, if the hon. Minister says that is not what the legislation does, let me point out to him that the legislation supposedly guarantees money for the juvenile and family court, but when the chips are down, the municipality does not respond.

Well, says the hon. Minister, I really have it solved, we have this child welfare review board; and when the municipalities and the children's aid societies are at each other's throats, we will bring in the child welfare review board and we will arbitrate.

I want to say, Mr. Speaker, that I find that board suspect from the outset. It has only one representative from the children's aid societies. It has a representative from the Treasury board; it has a representative from Municipal Affairs; it has one representative from Public Welfare and one representative appointed by the Minister from some accredited social work school.

It is essentially the same philosophy as exists when the hon. Minister goes to Ottawa to negotiate for shared programmes. It is the Treasury board people who come along and they work out a neat financial deal, but they do not work out any kind of acceptable welfare deal. Now this is not a department of labour which requires arbitration, Mr. Minister, this is a department of public welfare. We strongly urge that there be some major amendments to the various sections when this bill comes before committee of the whole House.

So much for the principle of Crown guardianship and fiscal responsibility. I want to spend a few moments now on the related principle of administrative units. The hon. Minister opposite will have anticipated this, and I am sure he knows that this is another crucial and profound weakness of the bill.

Again, Mr. Speaker, the advisory committee advocated almost anything other than that with which we are left, and there is

no change from the previous Act. Now admittedly, the committee was divided on the precise size of the units and the chain of authority, but they were absolutely unanimous in their condemnation of the prevailing child welfare apparatus. But it is the prevailing child welfare apparatus to which the hon. Minister chooses to adhere. Municipal government, as it is presently organized for child welfare purposes, simply cannot do the job.

Now we go back to page 18 of the committee report, and I quote:

Throughout its studies the committee was made increasingly aware of the fact that the machinery of local government in the province is out of date. The multiplicity of units of local government, their inequalities of tax capacity, the wide variations of size and facilities and the unsuitability of many of them, under modern conditions, to be areas of administration, make it very difficult to assign any specified level or type of local government as these now exist in the province, as the most appropriate one to exercise responsibility for the development and maintenance of services to children.

The committee understood that fully well; so much so that they made the following recommendation in the report, perhaps their most strongly worded statement in the entire report, and I quote it to the hon. Minister:

At this point in time the committee recommends that the province, through mandatory legislation, create welfare authorities covering the whole province so that each area will be included by legislation in a stated authority.

Well, Mr. Speaker, the hon. Minister opposite chose totally to ignore that recommendation.

Now let us again be frank: Other areas which fall within the hon. Minister's department, such as county organization, have been abject failures. There is a 1948 welfare units Act on the statute books, but it has never been implemented by this government. So all the efforts at regionalization have failed, and yet the hon. Minister is willing to bring in this Act which totally maintains the status quo.

Even the people who dissented from the majority opinion in this Act would have gone much further. Father Bauer said that the solution offered:

—would tend to perpetuate those inequalities of services to children that currently exist within the province and which were repeatedly drawn to the attention of the committee.

And James Griggs, who dissented, made the same point and Miss Bessie Touzel, who dissented, made the same point. In other words, your advisory committee, after three years of study, said: "Here are a series of alternatives, Mr. Minister, choose one of them. But in Heaven's name do not maintain the existing apparatus, because children cannot be served within the existing apparatus." But the hon. Minister, as I may say, characteristic of his department, decided to maintain it. Again, it is completely against the trend of every other department of government.

Papa Louis is carving out a singular reputation for himself, not only in relation to care of children, but in relation to the administrative unit and to the financial agreements. In education, we have carved out regional units. In health, we are embarking on regional hospital planning. In economics and development, there are plans for regional planning. The hon. Prime Minister (Mr. Robarts) is on record as subscribing to regional planning as part of a war on poverty.

Mr. V. M. Singer (Downsview): They are against sin, too.

Mr. S. Lewis: Some of us are sceptical, but it is on record and a municipal law select committee comes forward with the idea of regional government. Everyone is in step except Papa Louis, and it is a most disconcerting proposition.

Mr. Singer: Maybe he is the only one telling the truth.

Mr. S. Lewis: And it may be, indeed, that the hon. Minister of Public Welfare is the only man in the Cabinet who truly understands reality, and who recognizes that the inadequate and absurd status quo will continue to function under a Conservative government. I would say, Mr. Speaker, let it function in some fields, but wipe it out in the field of child welfare. It has no place, no relevance, no validity, no justice. You are undermining every reasonable principle in this Act by maintaining it.

There is another aspect about the administration of units which, this report reveals, is worth exploring. It talks about children's aid societies and the problems they have. It is worth knowing, in case some of the hon. members of the House have not read the report, that staff of children's aid societies in this province varies from three to 300, that the geographic area varies from 50 square miles to 150,000 square miles, that budgets vary from \$20,000 to \$3 million, and that populations vary from several

thousand to two million. The report suggested amalgamation, and alternative children's aid societies sizes—but not so the hon. Minister. He chose to abandon that particular recommendation. The report also demonstrated that every children's aid society, in order to function adequately as an administrative unit, should have a minimum of 15 to 20 child welfare supervisors.

Mr. Speaker, of the 55 societies in Ontario, 43 have less than the required figure. Thirty-two have less than ten; 22 have six or under. In other words, almost half of the societies in the province do not meet even one-third of the requirements, and 80 per cent of them do not meet the generally accepted requirements. Again, absolutely nothing from the hon. Minister in this Child Welfare Act to guarantee that there would be some measure of staff training, of inducement, or of amalgamating the children's aid societies to make larger units, so that the administration to children in the province is effective. Not a hint, and I find that difficult to subscribe to, Mr. Speaker.

The next contributing principle is the one of regulations. I shall be short on this, except to say to the hon. Minister that we in this party plead for—nay, we demand—the regulations. We ask that they be tabled prior to committee stage in this Legislature.

I suppose everyone could guess, Mr. Speaker, that the hon. Minister has a proposed draft of regulations. If I were to examine a crystal ball I would say that he probably met in private conclave with directors of some of the children's aid societies to discuss the proposed regulations. They are written and this House has a right to know them. We have the right to know them because all the salient features of this Act are contingent on those regulations. Listen to what is left to regulations:

Section D: Prescribing the standard of services that children's aid societies shall provide.

We have no idea as to the definition of services.

Section F: Defining operating costs for the purpose of section 8.

That is, the budget of children's aid societies. No definition is provided.

Section G: Prescribing the manner of determining the maximum operating costs referred to in sub-section 4 of section 8 that may be included in a budget.

That is all the moneys that were designed for protection.

Section 8: Prescribing special needs of children for which joint facilities may be established under section 14.

That, I suppose, is for emotionally disturbed or handicapped children, or similar categories. Again, not a single hint as to what the regulations contain—regulations fundamental to the substance of the Act. All of the major sections of the Act are contingent on those regulations, but the hon. Minister will not put them before us. I want to say this, Mr. Speaker, and I hope he can respond. At the very least, let us have some pretty significant and influential representation before the standing committee on health, education and welfare of this House. I assume that the hon. Minister will invite all the members of the advisory committee. They may not wish to come, but some of them may wish to, and present their thoughts. I assume he will invite the children's aid societies; I assume he will invite people involved in child welfare. After all, this is the hon. Prime Minister's reason for standing committees; let us hear what they think should be contained in regulations. Let us hear what they feel about the financial inadequacies or adequacies, as the case may be, of this Act. I assume that such notification can be made public knowledge and become part of the privilege of this House.

Mr. Speaker, yet another contributing principle involves the capacity of the child welfare branch of The Department of Public Welfare to do the job. Through the years, the child welfare branch has been the impoverished and neglected cousin of the department. Its few members have worked bravely—heroically, let it be said—in the face of adversity.

There has been inadequate numbers, inadequate training and qualification, low morale at times, astonishing turnover and shifts, possibly characterized by no other department. Let me say, Mr. Speaker, that the hon. Minister has argued that professionals are impossible to come by and that all is well. During the course of this session, I think things will emerge about the child welfare branch which can question certain aspects of that. I suggest to you that the branch requires a wholly new impetus and, indeed, a total transformation.

In case it be said that I am quoting the opinions of just one member of a political party, let me point out what the advisory committee said in its report:

The committee is convinced that some of the problems existing in the child welfare field in Ontario today would not be

as acute if The Department of Public Welfare had sufficient qualified staff to provide, through the child welfare branch, more service and professional consultation aimed at setting and improving standards in the field and carrying out much-needed research.

Little improvement in service can be hoped for unless there is a substantial change in the numbers of qualified staff at the department and branch levels.

That is an advisory committee statement after three years of study. Advisory committee statements are always couched in dignified and delicate language; between the lines we know what they think of the way in which the branch is operated.

Back in 1954 the advisory committee on field services of the child welfare branch reported that to provide adequate service to children's aid societies and children's institutions, there should be ten qualified child welfare supervisors at the branch level. That was ten years ago. I would think anyone would agree that there should now be a minimum of 15, but as the committee pointed out, the branch has been operating frequently with less than five. Indeed, in a matter of recent memory, if I can mention his name in this House, when Douglas Gardiner was doing children's aid society supervision for the child welfare branch of The Department of Public Welfare, he and one other person at one point were supervising all 55 societies. That is within recent memory; two people for 55 children's aid societies in the province. Occasionally there were three; at times there were four; but the number has always been marginal. It is a reflection of some of the weaknesses that exist in the children's aid societies throughout the province. It is a reflection, not of their own inadequacy, but of the lack of direction and supervision given them; and of the lack of leadership and understanding given them by the child welfare branch of The Department of Public Welfare.

Only unbelievable dedication kept that branch going, and again I emphasize—as the committee pointed out—it has to be pulled together. Having said that, Mr. Speaker, let me say to the hon. Minister that I am aware—we in this party are aware—of the footwork behind the scenes. There is a frantic, patchwork branch brought together for the purpose of implementing this child welfare legislation; and it is not sufficient. There has to be a new solidity, a new set of qualifications and a new substance to the child welfare branch. All people in the field recognize that.

I will go one step further, Mr. Speaker. All the supportive services are equally in need. Day nurseries, homemakers, the mothers' allowance branch—the case load in mothers' allowance is one worker for 404 cases. Now, how can we possibly do any reasonable counselling, any reasonable guiding, under those circumstances? That figure, Mr. Speaker, is taken from the child welfare advisory committee report.

The essential weaknesses inherent in this legislation are a reflection of the weakness of the department and of the branch. I say nothing but "bravo" to the people who have sustained it this far, and I hope the hon. Minister will take steps to improve the quality of service.

Almost finally, Mr. Speaker—hon. members will be pleased to know—I want to discuss one of the other major principles of this bill, which is special homes provided under section 16 for these children with special needs; and it is a very sorry task to see that children with special needs are never defined. We do not know to whom the hon. Minister refers.

Take a look, for a moment, Mr. Speaker, at the financial provisions of that section. The hon. Minister opposite will make available 50 per cent of the costs or \$2,500 per bed, whichever is the lesser—that ancient Elizabethan phrase with which he is enamoured—"whichever is the lesser." We know what happens under The Children's Institutions Act and other Acts when you have that "whichever is the lesser" formula. They do not get any grants to speak of, and one might ask the hon. Minister opposite where the extra 50 per cent is going to come from? Which municipalities are prepared to throw in 50 per cent toward construction costs for special group homes, for treatment centres? What we will be back to is the syndrome of public united appeals again, making children's aid society work contingent on the voluntary subscriptions, on the perilous foundations which have handicapped the work for such a long time.

Again they will be crippled through lack of rational planning and, of course, Mr. Speaker, nowhere in the Act is there any hint of operating costs or of subsequent personnel and their financing. All of this is left in the air and I say to the hon. Minister that that is not good enough.

I say it to him for this reason: As he knows, there are several communities in this province that have simply run out of foster home possibilities. There are no more foster home placements for some societies; they have exhausted them, and there are many foster

homes that cannot handle the children with difficult problems.

Increasingly, we need short-term, group home care; institutional care for which this advisory committee endlessly pleaded throughout its recommendations. At the end of this document, Mr. Speaker, there was that significant Treen study—the Harold Treen study—of wards of children's aid societies. He pointed out that fully 80 per cent of the wards suffered from significant physical or emotional problems requiring some form of immediate treatment, and that 26 per cent of them had highly complex and serious psychological problems. For those children you need a shift in emphasis to group homes or to some kind of short-term institutional care.

Again the onus is, in effect, shunted onto the municipality. The call will not be taken up with vigour. The Metropolitan Toronto children's aid society, Mr. Speaker, now has 300 severely disturbed and retarded children for whom it cannot adequately provide. This bill gives no basis for the group homes that will be required across the province for emotionally disturbed and otherwise handicapped children.

I suggest to the hon. Minister that what will happen is that children's aid societies in the province, with some courage and some understanding, will resort to the course of action where they will bring the children to the door of Papa Louis and will leave them there. They will say, "Mr. Minister, they are your children, we cannot provide for them. You have no right to impose them on us; we do not have the facilities."

The hon. Minister is simply going to have to respond, because the province of Ontario is filled with "Jamies." The Jamies are not only in the detention homes; the Jamies or children of severe disturbance of a lesser kind, but still severe disturbance, populate children's aid societies and other areas. The hon. Minister has made himself responsible, but he has not provided the adequate resources for anything substantive to be done. It is a move, but it is not substantive.

Finally, Mr. Speaker, with some trepidation, I want to mention the religious factor in adoption—with trepidation, because I bow to the expert knowledge of my colleague from another party, the hon. member for Lakeshore (Mr. Eagleson), who will probably want to address himself to this topic. I want to suggest to hon. members that the legislation is clever—almost inscrutable—in terms of adoption. It is so ambivalent that maybe the hon. member for Lakeshore can clear the air.

The religion factor in foster home placement under the Act, can be ruled out if it impedes placement after a reasonable time. I do not know how "after a reasonable time" will be defined. It may be defined as the Americans define "with all deliberate speed," one never knows how these things will be defined. And we do not know whether it will also apply to adoption placement purposes. It might.

There is a provision in the Act for foster home parents to apply for adoption, so that it may apply. The religious factor in adoption may have been taken out, but if so the Act needs some clarity. It should not be left in its present hazy and confused way for court order to interpret. If the hon. Minister's intentions are to allow inter-faith adoption, then let him say so unequivocally. The vacillations and the reversals of the hon. Minister in the past do not help the situation any.

Now let me say to the hon. Minister that in summary I want to read the recommendations and show him how I came to my initial figures. First, the three proposals to which the government has agreed.

No. 1. That the Crown in right of Ontario be designated as to the legal guardian of children who are permanently removed by the court from the custody and control of their parents.

That is, in fact, done.

No. 2. That the determination of the residence of the child taken into care be simplified.

That is, in fact, done.

No. 3. That the protective and preventive services be emphasized to a greater extent.

Well, within that generous wording, Mr. Speaker, that is, in fact, done.

Now what about the partial implementations:

That the total budgets for all child welfare services be recognized in the financial sharing arrangements.

That is simply not so; that has only been partially implemented. Nowhere does the Act guarantee that preventative services will be part of the total budget. Certainly it does not guarantee that the municipalities will accept this overall approach, so that is just half marks.

And here is another recommendation:

That the cost of services to unmarried mothers be borne entirely by the province.

As I pointed out, that also deserves just half marks. The province is providing cost only for children who come into care.

Another recommendation:

That a definite system be established for the collection of funds from parents where such parents are ordered to contribute to the support of their children who have been taken into care.

Mr. Minister, I did not concern myself with this in the analysis I attempted; let it be said that costs from parents and costs from putative fathers, and so on, as outlined in this Act, are as inadequate as they have been in past Acts. Indeed, within this Act, reference is made to the fact that it will operate as payments to deserted wives operate! Every hon. member of this House knows what a ludicrous and empty thing payments to deserted wives is in this society. So that also merits only half marks. Then:

That more specialized resources to serve children in care be developed and utilized such as group foster homes, and constructive planning for each child for a permanent type of care be undertaken at the earliest possible stage and be carried progressively forward.

Well, the hon. Minister cannot accept full marks for that because there is no guarantee that municipalities or societies will find sufficient funds.

Now, where did the report entirely fail in the recommendations? Let me read those involved:

That local or regional municipal child welfare authorities be established to work in conjunction with the children's aid society in the area of jurisdiction or to be directly responsible for the administration of the necessary child welfare services.

Not a hint, Mr. Speaker.

No. 2. That the consolidation of all local welfare services as, for example, at the county level of administration, be furthered, encouraged and promoted.

Not a hint in the report.

No. 3. That the number of child welfare jurisdictions be reduced in favour of larger administrative units.

That was not done in the legislation.

No. 4. That every effort be directed toward the acquiring and retention of more graduate social workers for the child welfare field and the training of qualified personnel.

Nowhere is that guaranteed or undertaken in the Act.

No. 5. That every effort be made to co-ordinate and integrate legislation dealing with the welfare of children and family.

Nowhere is there the integration of family counselling or day nurseries or homemakers or the other ancillary facts which influence lives of children.

Mr. Speaker, we will support this bill on the basic principle that it enacts child welfare legislation, or at least corroborates the legislation which now exists, but as I say, we came perilously close to opposing it. This legislation chooses to cast a pall of uncertainty over all that is good in its intent. It has not been carried out in the expression of the law.

It has been said, Mr. Speaker, that the measure of a society's maturity lies in the services to its children. By that measure this government has in large part forfeited its claim to leadership.

Mr. R. A. Eagleson (Lakeshore): Mr. Speaker, in spite of the comments of the two previous speakers, I must suggest to the hon. members of this House that the legislation presented in this bill is most progressive and that many of the recommendations of the hon. Minister's advisory committee, which reported last year, have been carried into legislation in this Act.

I can recall the comments of some speakers at that time, who indicated that the report having been handed down in 1964, we could anticipate some governmental enactment in legislation by 1984. Needless to say, we are some 21 years ahead of their prognostication.

I have spoken with several representatives of welfare agencies since the first reading of this Act, Mr. Speaker, and I must say that the enthusiasm with which the people to whom I have spoken have received this bill is overwhelming. Obviously, the hon. member for Scarborough West and I do not spend all our time in the same circle, even though we are close friends.

I have perused in a cursory manner welfare legislation in other provinces of the Dominion of Canada and in states neighbouring our province. And I am satisfied, Mr. Speaker, that the bill presented here today will place our province in a very enviable position insofar as child welfare legislation is concerned. There are many important facets to this bill and I would like to comment on some of them.

Of greatest importance in my estimation is the fact that all neglected children who are made permanent wards will now become wards of the province. This will allow the

province, and the Crown in the right of the province, to delegate or assign the child to the appropriate agency without worrying about the individual local jurisdiction. In addition, it will work to the advantage of the child in that there will now be no requirements to make the child a ward of this individual local society and each child will have a clearly designated and responsible guardian. This will, of course, be of great assistance to the child in this stressing and emotional time.

The Act also states that the province will bear the cost of services to the children of unwed mothers. In addition, the legislation provides that the Minister will have the power to enter into agreements with other jurisdictions for reciprocal payments for these services.

Suggestions have been made that there should have been an immediate reduction in the number of children's aid societies in the province. I would suggest to the hon. members that the Minister has the right under this Act to regroup these societies. In addition, I would refer the hon. members to section 86, subsection 3 of the Act, which is a new section in the Act.

This section requires each local children's aid society to submit to the director of The Child Welfare Act a report which would set out the adoption status of each Crown ward in its care, and of applicants or adoptive parents. In this way, the director will have at his fingertips all the necessary information to correlate an adoption area of more-parents-than-children and conversely areas of more-children-than-parents.

It will now be much more simple to transfer a child, say, from the Cochrane area to the Metropolitan Toronto area or vice versa if this should be desired. The fact that the children are wards of the Crown in the province of Ontario will make this transfer much more speedy and much more easy.

The new Act also has regard for the safety and protection of the abused child. I am sorry the previous speakers did not mention this important facet of the legislation.

The phrase "battered baby syndrome" has recently been used to great extent in describing this situation and this Act will require the reporting of such offences. Any information given to the authorities in this regard will be privileged and the informant will be protected unless his information is given maliciously or without reasonable cause. In this way, it is hoped that the general public in our province will see fit to report such offences, since the local agencies and society personnel cannot possibly cope with every situation that arises.

Two major changes have been made in the Act which refer directly to foster parents and foster children. The hon. member for Scarborough West commented upon them, but with respect, Mr. Speaker, I feel I must make some additional comments.

This Act will now allow parents who have been foster parents to apply for the adoption of those same children. Prior to this bill this was not allowed and the foster parents felt that they were discriminated against in that they were not allowed even to apply. This legislation will conceivably increase the number of foster parents available.

The hon. member for Scarborough West felt, in his statements, that more foster parents were needed in our province and I suggest that this will meet part of that problem because now foster parents will come forward to take foster children into their home knowing that ultimately, should they desire to adopt these children, they will not be forbidden to do so.

The second major change concerning foster homes will allow foster children to be placed in foster homes of different religious faith or of no religious faith. The child, of course, in our province has the same religion of his father if the parents are married, and the same religion of his mother if the mother is not married. There will be an attempt within a reasonable time to place the child in a foster home of similar religious faith, but failing that the society can apply to the judge for the waiver of the subsections dealing with religious faith. Thus there need be no denial of a foster home to any child because of the religion or lack of religion of the foster parents.

There are some who have suggested that this legislation is lacking because no similar phraseology in part 4 of the Act, which deals with adoptions, has been made. They have assumed that there is no opportunity for a parent to adopt a child of a different religious faith, and that it is impossible for an atheist or an agnostic to adopt a child.

I would point out that under the Act as presently written there is no such restriction. Speaking as a lawyer, I would suggest that the case to which I have referred on two previous occasions in this House—namely, that of *Re Lamb*—I would suggest again that it is valid law in our province. That particular case stated that with reference to adoptions, the judge has the right to use his discretion and ignore any religious classification insofar as faith is concerned in dealing with adopting children and adopting parents. As long as the judge on that occasion is satisfied that

the parents will give a suitable home to the child, the adoption will be allowed.

The law is then clear that the local society can apply to the judge for such a determination and there can, in fact, be inter-faith adoptions, to use the phrase. This case is binding until overruled by a higher court in our province and as such no change in legislation was necessary.

Perhaps, as has been suggested, it could have been spelled out specifically that the new section dealing with foster homes could have been written into part 4, dealing with adoptions. I am satisfied, however, that the Act, as written, will be construed by the courts along the same lines as the *Re Lamb* decision.

The hon. Minister of Public Welfare requested the advisory committee to make recommendations on child welfare. This report was handed down in June, 1964, and now, in the first session since that report, the hon. Minister has presented this bill to this House. The legislation takes a giant step forward in the child welfare field, and I urge all hon. members to support this legislation.

Mr. J. B. Trotter (Parkdale): Mr. Speaker, I am going to say a few words on this bill. I assure you it will not be very many words because so much has been said and I do not wish to repeat. But there are one or two items I would like to emphasize in the importance of this bill, and one of the great weaknesses of this whole setup was in many ways emphasized by the remarks of the last speaker, the hon. member for Lakeshore.

He had pointed as a principle in this bill to section 86, subsection 3, where every children's aid society had to make a monthly report as to the status of their wards. Now, the one great weakness in trying to enforce the principle of this bill is the utter and complete lack of staff. Can hon. members imagine the children's aid society in Toronto, the problem they are going to be faced with making a monthly report to the Minister when in 1962, according to the report of the advisory committee, they had adoptions completed—5,109; permanent wards—9,715? Can hon. members imagine the paper work, especially when they have such a small staff compared with the amount of work actually required? Bearing in mind the Toronto children's aid society is highly organized heaven knows what the other 54 children's aids are going to do.

The speaker, the hon. member for Ottawa East, pointed out that the case load for a worker at the children's aid society in

Toronto is 404; that is for a field worker, 404 per month. Most experts in this field will tell you that the maximum should be approximately two hundred a month. This is the field worker who does the work in seeing what kind of family allowance should be allowed, what kind of rehabilitation work can be done and so on.

So hon. members can see we in this province do not have nearly the staff that is required, and if you do not have the staff you cannot enforce the principle that this bill is supposed to bring about and make law. The tragedy of it is that very little has been done. I know a course has been set up at the Ryerson polytechnical institute, and I understand it is a good course. But even there, relatively few students are attending and a tremendous expansion is going to be required in this field. There has been relatively little emphasis, little effort by the government to overcome this weakness.

Again, even in the matter of prevention, of trying to help children who may possibly need guidance, there are the children of working mothers. Yet we know from one recent survey in Scarborough, made by the nursery education association of Ontario, that in one industry that employed women who are working mothers, they had 215 pre-school aged children; and only 25 of these children were found to have suitable day care.

So here is, in one small survey, 25 out of 215! So again you can see, Mr. Speaker, that our prevention services are woefully lacking and there is no evidence from the government that anything is going to be done to improve this situation. So that they can bring up fine bills, which are in many ways excellent in principle, but again it is the enforcing of the principle that is so weak. This is one of my main objections to this bill.

We have pointed out before the almost complete lack of psychiatric services for children. So what do you do here in the city for an emotionally disturbed child? It is almost impossible to locate that child. So again, I ask the hon. Minister, how is he going to enforce these great principles of prevention, or even if the child—if it is too late to prevent emotional disturbance—how is he going to take care of the child once the child is on his hands?

Instead of the hon. Minister being Papa Louis, he is more in a position of being a most improvident stepfather. I think it is time they did something in going much farther in improving this whole setup and taking care of children.

Now there are three main things wrong

with this bill, and again I admit they have been emphasized before. I am going to say very briefly, the split of 60-40 between the province and the municipalities is stupid and completely unwarranted. The municipalities today simply do not have the funds to carry out the principles emphasized in this bill. The constitutional and the moral responsibility for welfare belongs with the provincial government and it should be paid for out of the taxes of the province as a whole.

Because if the initiation to carry out the principles of this bill is left up to the municipalities, then you are going to find in most cases that little or nothing will be done. It is not that the municipalities are not interested, it is simply that they do not have the funds. All you have to do is look at the assessment rates, to look at the tax rates, throughout the municipalities of this province to know that it is going to be a most difficult thing for the municipalities to carry out the principles in this bill.

Another reason, Mr. Speaker, is that the care of our children in this province is split among five departments—the Attorney General, Reform Institutions, Education, Public Welfare and Health—so that when you come to the Attorney General, Reform Institutions, Health, Public Welfare and Education you need to co-ordinate your efforts. It is often a mere matter of chance whether a child lands in the care of the children's aid or he lands in a training school. When we were discussing the estimates of Reform Institutions we, on this side of the House, emphasized the importance of The Department of Public Welfare to take over the training schools.

Child welfare should come under this Act, rather than under something that bears more of the stigma of being connected with crime; so much of your problem of prevention has to do with welfare when the child is very young.

Within the department comes the matter of inefficient administration. You have set up a welfare authority. Then you have the child welfare board. Then, in most instances, the child welfare board works through the various municipalities throughout the province and they, in turn, work through the children's aid societies. It has been said before that the trend is toward regional planning; it is far better to have a few good major units that are well staffed and have the many required services than to have a number of small units that cannot do the work properly. I think that at 55, there are too many children's aid societies in the province today. It is the responsibility and the duty of the Minister of Public Welfare

to give the leadership that is required in this field, and not to throw the onus back on the municipality.

I think the hon. member for Lakeshore was wrong in defending this bill and agreeing with the government in regard to the matter of adopting children because of their religious faith. The hon. member for Lakeshore thinks the decision in *Re Lamb* will stand up. I hope it will. But why do you have to wait for it to go again before a judge, or to go through the numerous appeals that might be necessary? Why cannot we say in the Act that a child shall be given a good home regardless of its religious background? We know today that there are many good people, responsible citizens, whose religion is quite nominal, yet they make good parents and can make a good home. There are many people who might call themselves agnostics, yet are certainly responsible and good citizens. Why is not a situation like this covered? I know of many homes and of many citizens who might call themselves agnostics and who, in many ways, are just as religious, if we can use that term, as some of those people who wear their religion on their sleeve.

I think that the section which dealt with the religion of a child is insipid and weak; it should come out bluntly and put in our statutes the law as set forth in the case in *Re Lamb*; then we know what the situation will be. I realize that in section 38 they use the term "if they cannot find a home for a child of its religious faith within a reasonable time." As some of the other hon. members have said, what is "within a reasonable time"? I do not think the government has used common sense. I think it is really using weasel words when it deals with this problem of religion. I regret that it has lacked the courage to meet the problem as it should be met.

In summing up, I say that this bill does not go nearly so far as it should. It is typical Tory legislation pushed by public opinion against its will—it tip-toes and minces up to the problem and gives us the half-baked solution and, in some cases, makes good reading. But if we look behind the reading we know that the personnel is simply not there to carry out even the good principles that are expressed. So it is with many misgivings and regrets that a better job has not been done that we support the motion. Half a loaf is better than none.

Mr. E. A. Dunlop (Forest Hill): Mr. Speaker, I have heard many experts in child welfare say that the child welfare legislation of the province of Ontario, and the child welfare services that flow from it, rank

favourably with the legislation and services in any other jurisdiction in North America. Before my friends on my own side of the House clap too excessively about that I will have to be frank enough to say that I have not heard experts say that it was the best in any jurisdiction in North America. I have heard it said that it is the best in Canada.

Mr. Speaker, although that legislation and its services are good, it is certainly not as good as the government wishes. It was to improve the situation that the government and the hon. Minister chose to appoint advisory committees of experts, and give them free rein to advise and to criticize in every way they saw fit. This is only sound common sense, and if you can find criticism to quote within the advice given, that only indicates that you are getting sound advice from sound advisors.

I will not outline the advantages of the new legislation in any great detail. This is available to anyone who wishes to read either the report of the hon. Minister's advisory committee or, and better still in conjunction with it, the bill now before us.

I do want to comment, however, on some of the remarks made by some of the previous speakers in this debate. In the interesting and thoughtful remarks of the hon. member for Ottawa East, he stated that the costs of prevention services would not be met under this bill; he quoted Mr. Lloyd Richardson, the executive director of the metropolitan children's aid society, as authority for that statement. I did not see Mr. Richardson's remarks to which he referred, but I think from my own conversations with Mr. Richardson, that he does not feel that as a matter of certainty. I will deal with that subject when I am commenting on some of the remarks of the hon. member for Scarborough West.

Both the hon. member for Scarborough West and the hon. member for Ottawa East referred to some apparent lack of authority in this bill to reduce the number of children's aid societies. Indeed, I think in his usual colourful language, the hon. member for Scarborough West referred to it as one of the glaring deficiencies.

Now, Mr. Speaker, I would agree that the number of children's aid societies is too great, 55, I am sure there is no one in this House who does not agree. There is, however, machinery available whereby the hon. Minister can reduce the number of children's aid societies, perhaps in those ways which the hon. member for Downsview likes to grade as permissive and then persuasive and ultimately by mandate.

Hon. A. A. Wishart (Attorney General): That is the police commission.

Mr. Dunlop: The mandate arises from the sanction in the hands of the Minister to, in fact, extinguish a children's aid society. The children's aid societies can, by their own bylaws, as corporations, change their boundaries. If, for instance, this was suggested to them and they would not change their boundaries and other means of persuasion do not work, the Minister has the ultimate sanction to extinguish a society and create new societies on a temporary basis. The power to do this particular task of reducing the number of units is there and will be used, I am sure, with discretion and tact and firmness.

The hon. member for Ottawa East and the hon. member for Parkdale both referred in somewhat different terms to their regret that this Act did not integrate certain of the services for children. It does not provide for the integration of training schools and facilities for the mentally retarded, the emotionally disturbed and several other groups. I do not imagine that a child welfare Act, Mr. Speaker, is the place in which one integrates facilities; even if, indeed, the facilities should be integrated.

Mr. Trotter: Why not?

Mr. Dunlop: May I tell the hon. member? By and large, the object of The Child Welfare Act, other than its adoption provisions, is to provide for people who stand in relation to their wards and other children in their care, in the same relation that good parents stand in relation to their children. It provides people in loco parentis. We cannot, in creating good parents for certain children who by no fault of their own are without such, we cannot, in that process, also logically create all the facilities that parents need. Now those of us here who are natural parents were not created by any Act of this Legislature. But we depend for the services available to our children on the Acts of this Legislature in education, The Training Schools Act, and so forth. Similarly, these parents who are being created by Acts of this Legislature will turn to the Acts of this Legislature in other fields.

The hon. member for Scarborough West enumerated a number of what he referred to as glaring deficiencies. I do not want to try to deal with them and refute them in total, but I think the one that he dwelt on at greatest length was with respect to the formula for sharing the costs or the expenditures of the children's aid societies. He, too, sug-

gested that preventive services were permissive in character. Let me deal with that point first.

Indeed, under section, I believe it is 6-2-G of the Act, it states that services for the guidance, counselling and supervision of parents and families for the prevention of neglect may be provided. And may, of course, is a permissive word. Now, he pointed out that this was in one sense contrary to the recommendations of the advisory committee, and indeed it was. They suggested that it should be mandatory.

It would be difficult, however, Mr. Speaker, to draft legislation at this point in time which could make the provision of these prevention services mandatory upon all children's aid societies on the same basis. Some exist in communities and have had a limited opportunity to develop staffs. This prevents them from immediately carrying out this kind of service in any efficient or worthwhile manner. These particular societies will have to be encouraged, developed and built, as will the resources in their communities.

Thus it is permissive with respect to the societies, but in the process of developing a society's budget, the very first step is that it must be submitted to the director of the child welfare branch. Now one assumes that the director of the child welfare branch is not going to approve a budget that does not include what is sometimes called prevention services of an adequate character and in accordance with the regulations for the children's aid society in any area where this can be done. By administration, I believe that this will be handled in a progressive and, I trust, rapid fashion.

Following from a discussion on this point, my hon. friend from Scarborough West then discussed the 60-40 formula and its dangers as he saw them. He suggested that the formula placed control in the hands of the municipalities. He said they—meaning the municipalities—will determine the expenditures to be made. And he asked the hon. Minister, "Are you trying to cripple the children's aid societies?"

Now I have not interpreted these sections in the same way as the hon. member for Scarborough West has done. I certainly make no case for the maintenance of continued substantial municipal participation in the financing of child welfare services. But as it is drawn in this Act, the determination of the total expenditure side of the budget of a children's aid society in the first instance is a matter between the children's aid society—having regard to the Act and regulations

thereunder—a matter between the children's aid society and the director of the child welfare branch to approve that budget.

It is then submitted to the municipality or municipalities concerned. If the municipality concerned refuses to put up its 60 per cent on those expenses to which the municipality must contribute, which include prevention and protection as well as care and wardship, there is appeal by the children's aid society, as well as the municipality, and by the Minister to the board of review.

The hon. member for Scarborough West said, "It is the children who will suffer." He said, "I view this board with great suspicion." I would think it would be the municipalities that would view the board with more suspicion than those interested in the welfare of children, because three of the five members of the board may be presumed to have a bias in favour of children. The municipalities may suffer, but I am sure the children will not suffer. And whether the municipalities will suffer or not, really depends upon what we see when the budgets for 1966 of the children's aid societies are drawn up on the basis of the regulations to be announced.

Now in reviewing the recommendations of the advisory committee—which the hon. member for Scarborough West said had not been carried out in going through his rather entertaining scoring process—I submit that those which were not carried out and were of any significance were mainly ones which lie in the field of administration such as a recommendation that the child welfare branch should be strengthened and that it should offer services, advice, guidance, to local children's aid societies. Recommendations of a kind which are based on administration can rarely be embraced within the wording of a statute. If by passing good statutes we could ensure good administration, we would have identified a superb new principle of government that would bring about the millennium. The administrative competence of the department and of the child welfare branch will, of course, be subject to review when the estimates of the department are before this House this year and next year and for years to come. The child welfare committee's recommendation could not have suggested we put a section in this Act saying, "and please administer it well."

I think their substantive recommendations with respect to legislation were almost without exception embodied in the Act.

The hon. member for Parkdale, Mr. Speaker, had some concern about, really,

matters of administration again and staffing. He is quite right that a larger staff will be required and a more able staff will be required among the children's aid societies and indeed, a larger staff in the child welfare branch. However, again one cannot put into an Act some pious phrase such as, "Let us have an adequate staff."

The government has put in sufficient to ensure that these agencies will have sufficient money to pay for staff—and to pay for in-service training of staff. It has also done much to promote the professional training of social work staff and is developing training at a technical or technological level of social work staff. One must not sit back and be afrighted by the storage of staff, one must proceed.

Now, Mr. Speaker, I wish warmly to urge support of this measure in the confidence that it is going to be, as my friend, the hon. member for Lakeshore has said, a giant stride in the provision of child welfare services in Ontario.

Hon. L. P. Cecile (Minister of Public Welfare): Mr. Speaker, in the windup of this debate, I wish to say first of all that I am reminded of the old French saying that "*la critique est facile, l'art est difficile.*" I appreciate very much the remarks that were made here this afternoon by the different hon. members who spoke. I think they were all sincere in doing so. They have set out their positions very clearly, and I am quite sure that they were not intending to destroy anything but simply were doing so for the purpose of helping and at the same time advising everyone concerned they were aware of the reaction there would be to this particular bill. I am quite satisfied to think that the reactions have been very good. As a matter of fact, I can assure them that every remark that has been made here this afternoon, either in commendation or in criticism, will be taken into consideration and receive due study.

I can also assure the hon. members of this House that the fact we have chosen to implement, I would say in a very large part, the recommendations as contained in the report of the child welfare advisory committee, does not mean we have now discarded this report. We still have it with us. We still study it and we will still carry out in the best way we see fit the recommendations included therein. This is certainly not the last word.

This is what I take a bit of objection to. Any time a bill is brought before this House, regardless of where it comes from or what it intends to produce, we must always have the last word. Well, I do not think that this is a process, sir, of democracy. Democracy is a

process wherein you have to deal with matters slowly. I am a great believer, like my hon. friend, the hon. member for Sudbury, who once used the words "festina lente—but surely" and this is one of the cases. If we go too fast, sometimes we might stumble and break our legs; and this is what we try not to do.

I hope that the people who have worked to this end will appreciate the fact that we have gone quite a long way in providing for better services for the children who are in the care of this province and for those who will be in the future. At the same time, it must be appreciated there are limitations, in more ways than one, which we have to meet, and we must also find out if we are doing the proper thing.

I can assure you, Mr. Speaker, and hon. members of this House, I did not believe at any time, nor did the persons involved in the preparation of this Act believe at any time, that we had reached the epitome of what we expect to do in the future. But I still believe, and I think that every hon. member in himself sincerely believes, that we have gone a long way on the right road. I trust that every hon. member will appreciate this and vote for this bill with a full unanimity.

Some hon. members: Hear, hear!

Motion agreed to; second reading of the bill.

THE PUBLIC HEALTH ACT

Hon. M. B. Dymond moves second reading of Bill No. 120, An Act to amend The Public Health Act.

Motion agreed to; second reading of the bill.

THE SURROGATE COURTS ACT

Hon. Mr. Wishart moves second reading of Bill No. 121, An Act to amend The Surrogate Courts Act.

Motion agreed to; second reading of the bill.

THE SECURITIES ACT

Hon. Mr. Wishart moves second reading of Bill No. 122, An Act to amend The Securities Act.

Motion agreed to; second reading of the bill.

THE POLICE ACT

Hon. Mr. Wishart moves second reading of Bill No. 123, An Act to amend The Police Act.

Motion agreed to; second reading of the bill.

Clerk of the House: The twenty-ninth order. House in committee of supply; Mr. W. E. Sandercock in the chair.

ESTIMATES, DEPARTMENT OF THE ATTORNEY GENERAL

(continued)

On vote 202:

Mr. J. Renwick (Riverdale): Mr. Chairman, I would ask the hon. Attorney General (Mr. Wishart) if he would answer the questions which I asked yesterday about the incidents of police brutality which had been referred to the Ontario police commission, and which had then been passed on by that commission for investigation by municipal police authorities. Also the number of incidents of police brutality which came to the attention of the commission in any other way.

Hon. A. A. Wishart (Attorney General): Mr. Chairman, I would say generally that I do not have detail on specific instances at my fingertips; I was not expecting to be asked by the House for details on matters of this kind. But I would say this: the police force, as the hon. member for Riverdale knows, is governed by police boards in cities or by boards of police commissioners in towns and other municipalities, or by committees of the council, or by committee of the whole council. The discipline of the police force above the level of the chief, the constables or the officers who are in charge of it is, first of all, conducted at the level of the board of police commissioners or the committee of council which controls the board within the local municipalities. As the police commission report details to us in those instances where matters have been brought to its attention and required its attention at that point, the matter has been given study and consideration and I think the report—if I remember the word—is referred to the proper discipline authority:

Your commission ensures full and proper investigation of complaints of police brutality upon a person confined to police lockups and as referred to the commission by The Department of Reform Institutions through The Department of the Attorney General.

Other cases of police brutality, when drawn to the attention of the commission through press or public reports, are investigated through the channel of the appropriate police governing authorities and the

resulting evidence placed before the proper tribunal or other authority, for remedial or disciplinary action.

There was detailed through the House yesterday, that the main reason for the substance of the investigation of the situation in the city of Sudbury—that is a recent one as the hon. member for Sudbury (Mr. Sopha) pointed out—was a complaint of police brutality. Apparently there was some evidence of a situation there requiring remedial action. The result was that, on request, an investigator—one of the advisers of the police commission—went in, made a report, and has now delivered it to the mayor, who requested it, and who acted, I presume, upon it. There is disciplinary action taken in police forces from time to time for various reasons, for various invasions of public right, for abuses of this sort which, I think I may say, fortunately are not numerous.

Mr. V. M. Singer (Downsview): Mr. Chairman, I am sure that the hon. Attorney General will recall the series of questions I addressed to him concerning bylaws passed by police commissions. Substantially, I asked him if there was any report, or any records maintained by his department, relating to such bylaws; if such reports are received and records kept, how many such bylaws are in existence; the names of municipalities whose commissions have passed such bylaws and a brief summary of them; and do police commissions which have passed such bylaws have the right to keep them secret or deny the public the opportunity to examine them.

The hon. Attorney General advised that there are no such records kept by his department, so he was, naturally, unable to answer the second and third phases of my question, Mr. Chairman.

However, in reply to (d) part of that question:

Do police commissions which have passed such bylaws have the right to keep the bylaws secret or deny the public an opportunity to examine them?

an answer was given. It is the opinion of the hon. Attorney General that all bylaws passed by municipal police commissions or boards which affect public conduct should not be kept secret, and should be open to examination by the public. Then he provides a note:

Under the provisions of The Police Act, Revised Statutes of Ontario, chapter 298, a board may, by bylaw, make regulations not inconsistent with the regulations under section 62 for the government of the police force for preventing neglect or abuse and

for rendering it efficient in the discharge of its duties.

There is no legal requirement for the approval or filing of such bylaws with the provincial authorities and according to section 11 of The Police Act, such bylaws shall be received in evidence by all courts.

I think it is a substantial admission, and a very frank admission by the hon. Attorney General, that where such bylaws affect the public they should be made available to the public. I am certain that the hon. Attorney General is as aware as I am of the incidents which prompted the asking of this question. This was the discovery by one of the newspaper columnists here in Toronto, of a series of bylaws passed by the Metropolitan Toronto police commission which seemed to be a very serious encroachment on the rights of citizens, particularly bylaws about the displays of signs and that sort of thing and parades.

Hon. Mr. Wishart: Yes, but were they complaining, may I ask, Mr. Chairman, was the complaint as to the ignorance of the bylaw, the fact that it was not known; or was it to the nature of the bylaw, that it was transgressing on what those complaining thought was an area it should not? I do not think there was any question, if I recall it, that the bylaw was hidden. The fact that—

Mr. Singer: Yes, sir, it was.

Hon. Mr. Wishart: Its extent, its language was known, was it not?

Mr. Singer: No, sir.

Hon. Mr. Wishart: Well, how could one complain about it if it were not known?

Mr. Singer: Mr. Chairman, both sets of complaints were very audibly voiced through the press. How it came to this particular gentleman who started to write about it I do not know, but he had an understanding that there were certain bylaws in existence, passed by the Metropolitan Toronto board of police commissioners, and he went down—

Hon. Mr. Wishart: Will the hon. member allow me to interrupt once again?

Mr. Singer: Yes.

Hon. Mr. Wishart: What comes to my mind, and it did in the answer of his question, is this. If one complains about the exercise of a power by a police force or by any authority, then the authority by the exertion of that power must be exhibited.

Mr. Singer: If the hon. Attorney General will just bear with me, I will—

Hon. Mr. Wishart: All right, if the hon. member will bear with me. Once it is exhibited, that gets rid of the secrecy; and once it is exposed, then there is no question here but that these bylaws may be tested in the courts.

Mr. Singer: That is right. The hon. Attorney General is perhaps anticipating me, but I would suggest perhaps wrongly anticipating. It is six o'clock so perhaps, as the Chairman suggested, we should continue the discussion after supper.

It being 6 o'clock p.m., the House took recess.

ERRATA
(February 3, 1965)

<i>Page</i>	<i>Column</i>	<i>Line</i>	<i>Correction</i>
244	1	6	Change to read: that such studies that are made—
(April 27, 1965)			
2286	1		Interjections attributed to Mr. R. J. Boyer (Muskoka), were not made by him.
2287	1	21	Change to read: Revisions during the last 12 years—
2287	2	15	Delete: "I quote from that editorial." The following three paragraphs are not to be considered as a quotation.



ONTARIO

Legislature of Ontario

Debates

OFFICIAL REPORT—DAILY EDITION

Third Session of the Twenty-Seventh Legislature

Tuesday, May 11, 1965

Evening Session

Speaker: Honourable Donald H. Morrow

Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, MAY 11, 1965

The House resumed at 8 o'clock, p.m.

ESTIMATES, DEPARTMENT OF THE ATTORNEY GENERAL

(continued)

On vote 202:

Mr. V. M. Singer (Downsview): Mr. Chairman, at the time we adjourned I was discussing a rather important point that I felt should be raised under this vote, and I had just commenced my discussion of it really.

It concerns the question of the powers of police commissions to pass bylaws, the effect and force of those bylaws, and whether or not the public have a right of access to those bylaws. I was pointing out, sir, that amongst the questions I addressed to the hon. Attorney General (Mr. Wishart) was my question 69, when I asked this, and I think it is important enough perhaps, sir, to repeat it.

I asked:

Is there any report made and are there any records maintained in The Department of the Attorney General, or any other branch of government, relating to bylaws passed by municipal police commissions which affect public conduct? If such reports are received and records kept, how many such bylaws are in existence? List the names of municipalities whose police commissions have passed such bylaws and briefly summarize each such bylaw. And finally, do police commissions which have power to pass such bylaws have the right to keep such bylaws secret and/or deny the public opportunity to examine them?

The hon. Attorney General advised me, sir, that no such records are kept and accordingly that parts (b) and (c) to my question were not applicable. That is, how many such bylaws are in existence, he could not advise me; and the names of the municipalities who had passed them, he could not advise me as well. Finally, he stated, sir, that it was his opinion that all bylaws passed by municipal police commissioners or boards which affect public conduct should not be kept secret, and should be open to examination by the public. Then he goes on to quote the provisions of The

Police Act, section 15, Revised Statutes of Ontario 1960, chapter 298, which allow police commissions to pass bylaws.

Then as I began my remarks the hon. Attorney General interrupted me and wondered whether I was addressing my criticism—and I suspect, sir, that this might well be—either to the secrecy or to the power of passing bylaws. I suggested to my hon. friend that it was going to be addressed on both facets; in other words, it is my sincere opinion and the opinion of my hon. colleagues—

Hon. J. R. Simonett (Minister of Energy and Resources Management): Where are they?

Mr. Singer: That is a good question. My only answer to that, sir, is that in quality we make up what there is in quantity on the other side.

Mr. D. C. MacDonald (York South): That is the most energetic effort of the hon. Minister of Energy and Resources Management that I have ever heard.

Hon. Mr. Simonett: Thank you, sir.

An hon. member: He spent all supper hour on that one.

Mr. Singer: In any case, sir, it is the opinion of my hon. colleagues and myself that this whole question should be very seriously examined and the right of unelected bodies to pass bylaws which affect the conduct of the public generally, or the conduct of select groups, should be governed by certain rules and regulations.

We are concerned, in fact we are very concerned, about the idea of secret legislation being passed. We are very concerned that unelected persons can make a part of the law of the province of Ontario, rules and regulations for which they are not accountable. We are concerned that persons who can be appointed by the Lieutenant-Governor in Council—and the Lieutenant-Governor in Council, as you well know, sir, is the group that occupies really the front benches over there—persons who can be appointed by the Lieutenant-Governor in Council and about whose appointment there can be no question, can pass rules and regulations which can

seriously affect the conduct of certain members of the public, and on occasion affect the conduct of all members of the public, and then that these persons can say: What we do is our business and you have no right to call us into question.

As undemocratic as this may be, I suggest, sir, that every hon. member of this House should rise in protest about this sort of procedure, because as often as we feel that the government, all through their 77 members wrongly direct their energies, or wrongly put on the statute books things that we believe are not fair or not reasonable or not logical to the people of Ontario, there comes an opportunity at stated periods when the people of Ontario can express their opinion. But the class of bylaws that I am talking about are passed by and large by nameless and faceless people. They can come to conclusions in secret, that such and such a code of procedure should apply to select groups or to the general public; and in their wisdom, or their lack of it, they can say to the general public: You have no right to see what we have done.

This, sir, is my substantial protest.

When the hon. Attorney General interrupted me in my preliminary remarks before we adjourned at 6 o'clock, he asked me whether I was objecting to the secrecy or to the power of police commissions to pass bylaws. My answer to him then, as it is now, is that I am objecting to both of these facets. It is my sincere opinion, and that of my colleagues, that anybody who has the power and authority to pass bylaws that affect any of our citizens should have some public responsibility. It is my suggestion that these laws be open and available to the public, and the people who pass them subject to public accountability and a sense of responsibility. The hon. Prime Minister (Mr. Robarts) and all of his colleagues have to stand here from time to time and say: "This is what we have done and we believe it is right; if you do not like it then you can defeat us." Or they say at stated times: "We will go to the public and say this is what we have done and if the public does not like us you can defeat us." I think this same sort of role is a cornerstone of our democratic process and should apply to such bodies as police commissions.

I mentioned—the hon. Attorney General with all his problems across the province cannot be as aware of this metropolitan problem as I am—that in both aspects this concerns me. Let me read you a newspaper comment by Ron Haggart; he writes a column in the *Toronto Daily Star*. He started on this inquiry by writing to the board of

commissioners of police for Metropolitan Toronto, asking them for copies of the bylaws that were passed by the metropolitan board of commissioners of police. On January 11 a gentleman named B. J. Schumacker, apparently the executive secretary of the board of commissioners of police, wrote to Mr. Haggart in reply to his letter of January 4. Mr. Schumacker said:

Receipt is acknowledged of your letter of January 4 last, respecting the bylaws passed by the metropolitan board of commissioners of police. In compliance with your first request I am forwarding to you herewith a copy of bylaw No. 2 of the board of commissioners of police. I am also forwarding a copy of bylaw No. 215 passed on July 16, 1938, by the former police commission of the city of Toronto which forms the basis for our bylaws No. 2 and 12. With regard—

I think this is the important point and I am sure my friend, the hon. Attorney General will appreciate this:

With regard to your request to see copies of all bylaws indicated to you in my letter of December 2 last, it is the policy of the board to make available only its bylaws that affect the public. The following bylaws are presently in force:

No. 1. To establish a retiring age for police officers of the metropolitan police force.

No. 7. To establish a Metropolitan Toronto auxiliary police force, to make regulations for its government, for preventing neglect and abuse and for rendering it efficient in the discharge of its duty.

No. 11. To make regulations for the government of the police force of Metropolitan Toronto for preventing neglect or abuse and for rendering it efficient in the discharge of its duties.

No. 12. To regulate parades or processions on the highways for preventing the obstruction thereof during processions or public demonstrations.

Mr. Schumacker goes on to say that:

Bylaw No. 2 was repealed and replaced by bylaw No. 12, and bylaw No. 3, which was the original bylaw to make regulations for the government of the police force of Metropolitan Toronto for preventing neglect or abuse, for rendering it efficient in the discharge of its duties, was amended from time to time by bylaws No. 4, 5, 6, 8, 9 and 10. The said bylaw No. 3 and amendments were consolidated by the passing of bylaw No. 11.

Bylaws No. 1, 7 and 11 do not apply to the public, and in accordance with the policy of the board I am not able to make them available.

Now let us review bylaws No. 1, 7 and 11.

Bylaw No. 1, which the board of commissioners of police of Metropolitan Toronto believe was not to be made available to the public in accordance with their policy is entitled: "A bylaw to establish a retiring age for police officers of the metropolitan force."

It would seem to me, sir, that those persons who might be concerned with all the intricacies of a retiring age for police officers of the metropolitan force, who might consist of the wives, or the families, or the relatives, or even the creditors, of police officers, could and should and would be most interested in what the bylaws establish relating to the retiring age for police officers on the metropolitan police force.

I ask the hon. Attorney General, Mr. Chairman, through you, what possible sense can there be in this sort of an approach, that a bylaw relating to the retiring age for police officers on the metropolitan police force should be denied to a member of the public? My friend, who wrote this letter of inquiry, to whom this letter in reply is addressed, is a member of the public. He is an inquiring member of the public, because he is a columnist in one of our leading daily newspapers.

Bylaw No. 7, which again the board of commissioners of police believe should not be revealed to the public, establishes a Metropolitan Toronto auxiliary police force, makes regulations for its government, and for preventing neglect and abuse, and for rendering it efficient to the discharge of its duties. Now, it may well be, sir, and I am sure it is, important that we have auxiliary police forces for a variety of purposes; for emergencies, for disaster, for all sorts of purposes which my hon. colleagues here in the House can well imagine.

But surely, sir, to instil in the minds of the public the importance and the validity and the purposes of an auxiliary police force, why would one think that the board of commissioners of police in Metropolitan Toronto should keep the rules and regulations governing such a force secret? What is the purpose of it?

Surely, one of the purposes of all law enforcement bodies in this province of ours is to instil in the minds of the public which they serve an idea of responsibility, an idea that they are doing reasonable things; the thought that what they are doing makes sense,

that they are fair, that they are logical, that they are reasonable. Here we have the board of commissioners of police in our largest city saying, "In our opinion, a bylaw which we have passed and which the government of Ontario has given us power to pass, which governs the regulation for the establishment of an auxiliary police force in Metropolitan Toronto—our largest municipality, constituting a third of our population—for preventing neglect and abuse and for rendering it efficient in discharge of its duties, is none of your business."

None of your business, Mr. Columnist; none of your business, Mr. Citizen; how efficient the auxiliary police force is; how efficient and fair and reasonable its conduct is going to be; how logical its resolutions are going to be; and how logical the governing regulations concerning it are going to be.

And then bylaw No. 11—and this perhaps strikes at the real heart of the matter—bylaw No. 11 is a bylaw to make regulations for the government of the police force of Metropolitan Toronto for preventing neglect or abuse or rendering it efficient in the discharge of its duties.

Now, what does that bylaw mean? I am certain, Mr. Chairman, that bylaw must relate to the conduct of police officers in this large metropolis of ours. It must relate to the type of uniforms they wear, the respect in which they hold their senior officers, the sort of discipline to which they are going to be subject. The sort of thing that we in the army used to refer to as the King's rules and regulations which govern army conduct, and they were published and made available to anyone.

Perhaps, sir, the sort of thing that governs the discharge of firearms. Should every policeman in Metropolitan Toronto be prepared or be allowed to use his firearms indiscriminately or should there be strict rules and regulations? In fact, sir, I am advised that the parts of this bylaw that relate to the discharge of firearms by officers in the metropolitan police force here in Toronto are amongst the most sensible and logical of any jurisdiction in the whole North American continent; that they set down very strict rules and regulations; that they indicate very clearly to the police officers who are governed by this bylaw that when they use firearms they must be in real concern about the safety of themselves, the physical safety of themselves. That they are cautioned—not cautioned, but they are told—under severe penalty that they cannot go around indiscriminately firing their revolvers and so on.

Now, this is a good thing. Surely this type of rule and regulation, if made knowledgeable and available to the public would instil in the minds of the 2,000,000 people who live in the metropolitan area a respect and an honour for people who govern our police force.

But what does the Metropolitan Toronto police commission say in regard to this? They say it is none of your business, this is a secret. I ask you, Mr. Chairman, is there any right or reason to proceed in this way?

Finally, bylaw No. 12 regulates parades or processions on highways and for preventing the obstruction thereof during processions and public demonstrations. Now, that is a different one and they advise Mr. Haggart that bylaw No. 12 will be made knowledgeable to him and the various facets concerned in bylaw No. 12 are later a subject of discussion. They do make that available to him. There is a copy of it here and I am going to comment on that just in a few moments.

Well, sir, as a result of all this, there are further requests go forward and there is difficulty. There is very extreme difficulty, and this matter comes in a matter of substantial public discussion. It is discussed at meetings of the board of commissioners of police and His Honour the mayor of the city of Toronto, Mayor Givens; and he is quoted here in a news story in one of the Toronto papers, in this way:

Mayor Givens, who recently promised to remain a thorn in the commission's side until it altered what he described as its Star Chamber image, also hammered away at the commission's attitude to making bylaws public.

Then in quotation marks it says this, and again I surround myself with the caution that I perhaps exhibited last night when I was quoting from another report. If this is correct, this is what His Worship Magistrate Bick said:

Don't waltz me around, he shouted.

No, I am sorry, that is the mayor.

"Don't waltz me around," the mayor shouted at Magistrate Bick, the chairman, after Mr. Bick told the commission that bylaws are available to the public. "I know people who have tried to get copies of our bylaws without success."

Mr. Bick explained that he meant public bylaws are available.

The commission has passed four bylaws since its inception. One deals with parades, the other three deal with retirement age

for police, auxiliary policemen and the rules and regulations governing the department and its personnel.

The discussion went on at substantial length. All three of the Toronto daily newspapers joined in their concern and expressed in strong editorial fashion their real concern about the passing of secret bylaws.

I have outlined, Mr. Chairman, what these bylaws the commission apparently refuses to reveal contain; it is my suggestion to you, sir, that there is no reason in the world why an unelected body should choose to keep this sort of bylaw quiet. That deals with the position of secrecy.

Then we have the question of bylaw No. 12, the one that deals with public parades. I have in front of me tonight editorials from all three of the Toronto dailies. The *Star* heads its editorial, "End Police Censorship." The *Globe and Mail* heads its editorial, "By Appointment Only." The *Telegram* heads its editorial, "Obstinate." They all say substantially the same thing. There is universal condemnation by the Toronto press of the approach that the police commission of the municipality of Metropolitan Toronto takes to the provisions of bylaw No. 12.

Here is what the *Telegram* says:

This is the dodge. The question of giving policemen discretionary power in the banning of signs—

and that is one of the provisions of this bylaw No. 12:

—is one of censorship. It is either right or wrong. Mayor Givens thinks it is wrong to give the police such power. He is right.

The *Globe and Mail* says:

It is reasonable and acceptable that the police commission should make rules governing the operation of the police force, but when the commission assumes responsibility for laws which touch upon basic freedoms it goes too far. It should not have that kind of power. This belongs in the hands of people who are answerable to the electors directly.

And the *Star* says:

But this issue should not depend on the fate of a private member's bill.

Some of the hon. gentlemen here have bills on the order paper touching on this point.

Mr. K. Bryden (Woodbine): The hon. member for Riverdale (Mr. Renwick) has.

Mr. Singer: I give you the same credit as you gave us when you stole some of our

resolutions earlier on. Some of the hon. members have resolutions which have not been called as yet. If they want to get up and identify themselves later, that is up to them.

But the issue should not depend on the fate of a private member's bill. The Robarts government should make sure that police commissions are denied the power to pass any bylaws except those which deal directly with the functioning of the police force. There is no reason why any police body should also take on the job of a censor.

Mr. Chairman, in summary, my points are these. If any unelected body is given the power to pass bylaws, surely it makes abundant and clear common sense that those bylaws should be available to all members of the public. I am not too sure that any unelected body should be given the power to pass bylaws which affect policemen, auxiliary policemen, their wives, their children, and their families, and certainly should not be given the power to pass bylaws that affect the conduct of the public generally. That is point number one.

The second point is that surely no unelected body should be given power to pass bylaws which affect the conduct of the public generally, neither should it be allowed to delegate to policemen on the beat the right to be censors as to what kind of sign could and should be carried in a parade. The hon. Attorney General is undoubtedly going to say, as he started to say earlier this afternoon, that as for the validity of the bylaws in question, let us take them before the courts. I suggest to my hon. friend that this is not the answer. If this government is going to provide leadership, it should lean over backwards to convince the people of the province of Ontario that those who are entrusted with the powers to pass laws are, beyond any doubt, going to be reasonable, fair and equitable; that there should be no secret laws; and, above all, that unelected persons should not be able to pass laws which are going to affect public conduct. Surely there can be no great secret attached to the code of discipline that is going to apply to the policemen in Metropolitan Toronto? The ground rules should be abundantly clear to everybody; in making those rules clear, if they make sense, they are going to instil in the minds of the people in Metropolitan Toronto, and throughout the whole of the province, that the people responsible for controlling police forces are acting in a reasonable and logical manner.

I am not suggesting, sir, that any or every case of discipline be aired in public, but surely it makes good sense to suggest that the rules are there, and are obvious, and available for examination by everyone, as the King's rules and regulations for the government of our armed forces are made available. The trial and disposition of offences under these rules, on occasion, should perhaps be a matter of private hearing, but surely the rules and regulations, and the occasions on which policemen are entitled to use their firearms and when they can commandeer public property, should be well known, and made completely available to all members of the public.

I object, sir, to the secrecy that surrounds this whole procedure which produces no purpose except to stir up distrust in the minds of the public.

The second and equally important phase is this. I do not believe that any unelected body should be allowed to pass bylaws which would give them permission to delegate to policemen the right to be censors. I call as no better witness the unanimous editorial opinion of the three metropolitan dailies. It is not too often they agree, but they agree that this sort of thing should not be entrusted to an unelected body. The wisdom, or lack of it, of the bylaw we could argue about. But if this sort of judgment is to be made, at least let it be made by the elected council who can be called to account at the next municipal election. Let it not be made by a body appointed by the Lieutenant-Governor in Council, remote and completely removed from the people of Ontario.

Hon. A. A. Wishart (Attorney General): Mr. Chairman, perhaps I might be permitted, sir, at the opening of my remarks, since Mr. Speaker is not in the chair, I note that the galleries are filled tonight with persons who are interested enough to come out and observe the debates and proceedings of this Legislature. I have learned that they are, in the main, persons of the riding of Armourdale.

Mr. Singer: Mr. Chairman, on a point of privilege, on this, the riding which I used to represent before 1963.

Hon. Mr. Wishart: A constituency, Mr. Chairman, which I have just learned used to be represented by the hon. member now for Downsview, but now represented by the outstanding hon. member who sits in the far corner to my right across the aisle (Mr. Carton), I should like to take the opportunity,

I am sure on behalf of everyone, of welcoming these persons, and to say that it fortifies me greatly to know that they are not only in front of me, but also behind me tonight.

An hon. member: Behind you is most important.

Interjections by hon. members.

Hon. Mr. Wishart: They are all with me.

Mr. Chairman, I propose to deal in brief, if I may, with the comments of the hon. member for Downsview. He referred to the question he asked, No. 69, in the long list of questions which I received with interest from him. The question read: "Would the Ministry advise if there are any reports made and are there any records maintained by the Attorney General's department or any other branch of government relating to bylaws passed by municipal police commissions which affect public conduct?" The answer we gave him to that, which he has announced, was: "No, there is no record kept of municipal police board bylaws or police commission bylaws." The bylaws which are passed by local police boards and police commissions or committees of council are their own business. They keep the records of them and there is no legislation, no arrangement, for the keeping of records. No record is kept.

The question proceeded: "Do the police commissions which have passed such bylaws have the right to keep such bylaws secret and deny the public the opportunity to examine them?"

We answered that straightforwardly: "It is the opinion of the Attorney General that all bylaws passed by municipal police commissions or boards which affect public conduct should not be kept secret and should be open to examination by the public." And then, as the hon. member was good enough to recount, we cited him the law as the backing for that opinion, that "bylaws which affect public conduct should be not secret, should be open to the public." That is our opinion and by that we stand:

Should any member of the public be affected by such bylaw or by the exercise of it, such member of the public or someone on his behalf, perhaps his municipality, has the right to attack that bylaw, to call it to question, in the courts of this land.

That is where it should be tested and tried. Some time during this session in this House an hon. member posed a question to me before the orders of the day, "Does the Attorney General intend to test the bylaw of the board of police commission of Metropolitan Toronto with respect to the prohibition as

to parades?" something to this effect, and I answered, "No, the government does not intend to get in the position of testing each and every or any bylaw of a municipality or a police board of a municipality of this province." But the right is there, the bylaw should be open, it should not be secret, it is open to testing in a court and I think that is the short or the long answer to this question.

I must say to my hon. friend that I think his criticisms up to this point throughout this debate on the estimates of The Department of the Attorney General have been extremely tangential and have shied off at all angles. They do not impinge directly on the department and I find myself roaming far afield in order to answer them. But I do not mind if that is the approach he tries and intends to take.

There is nothing in The Police Act, at present, which gives this department the right to interfere, if I may call it that, in the police administration of municipalities to the extent of saying, "Produce your bylaws, record them with us, record them with the government or let us pass on them or let us assess them as to their validity."

Mr. Singer: The hon. Attorney General is most astute, he has gotten to the point of my argument. It should be there.

Hon. Mr. Wishart: And I do not think it should be there.

Mr. Singer: I disagree very strongly.

Hon. Mr. Wishart: I do not think it should, not at this point at any rate. Every board of police commissioners in this province is designed and constructed along the same lines, including that of Metro Toronto. The Police Act defines the construction of a board of police commissioners: the head of the municipal council, be it town or city or whatever, a judge of a county or municipal court and one other person—now that is the general rule.

Usually that one other person is the magistrate, so that you have in almost every instance throughout this province, in every municipality, a board of police commissioners, where there is a board, consisting of the mayor or reeve, the county or district judge and one other person, usually the district or local magistrate. In Metropolitan Toronto, by virtue of the fact that it is a large and complicated metropolitan organization, we have the mayor, the head of the council, and an additional representative from the council of Metro Toronto, the chief magistrate of Ontario, Judge Ian Macdonell, and Magistrate Bick.

Now I will admit to you that you have in that organization, an organization which is not representative in the sense that it is elected, in the majority. You have the mayor and an elected member of the council of Metro Toronto and only those two elected—

Mr. Bryden: There is only one elected.

Hon. Mr. Wishart: Well, all right, one elected, but you have a judge, a county court judge, the chief magistrate of this province and Magistrate Bick. I submit to you, that while not an elected body, it is a competent and capable body and it is drawn on the pattern of police boards throughout this province which have, through a good many years, served in a very capable way and with a very good record of experience behind them.

Now it may be—and I am quite prepared to consider the suggestion of my hon. friend—that perhaps in the Act of this province, since we make the appointment—the Lieutenant-Governor in Council makes two of the three appointments, or three of the five appointments in Metro—that perhaps we should take onto ourselves some power, some additional power and control. But I think that by and large you are prepared perhaps to admit with me that there has been pretty good governance of police bodies, in their disciplines and in their conduct and in their procedures, in this province of Ontario.

Mr. Singer: Probably there has, but let us boast about it, let us make it all public.

Hon. Mr. Wishart: Well, as I say, I am prepared to take into account the suggestion that perhaps we might find the reason to place in our hands, as the Legislature, the overall governing body of this province, some additional powers to exercise certain controls, if you feel that they are so badly necessary as you would make out in your submissions here in this House. I have not come to that conclusion at this moment. And the Act which I have introduced this year does not contain such provisions.

Mr. Bryden: Mr. Chairman—

Mr. E. W. Sopha (Sudbury): Mr. Chairman—

Mr. Bryden: We do not get a chance over here.

Mr. Sopha: I want to say that the last remarks of the hon. Attorney General further aggravated a very distressing day, which started with that dreadful piece of legislation

introduced by the hon Minister of Health (Mr. Dymond).

I am saddened, I am truly saddened and depressed when I hear the hon. Attorney General enunciate the things that he has just taken the occasion to do. And I say to you, you Tories, you are always talking about tradition, calling on this tradition and that, introducing Red Ensigns and preserving the grave of Sir John Graves Simcoe.

An hon. member: Tell us about your traditions!

Mr. Sopha: I will. I wish you would remember some of the traditions of freedom and liberty that we have in this country. Those are the traditions that count.

Now let us read this bylaw, the appropriate part of this bylaw, into the record passed by this metropolitan board of police commissioners:

No parade or procession shall be held or allowed upon a highway unless or until:

(a) a written application for permission to hold same is filed with the board at least seven days prior to the day on which it is proposed to hold such parade or procession;

(b) the application states the place of assembly, hour of starting therefrom, the proposed route, the destination, the approximate number of persons forming the procession, designating in detail the number on foot, the number mounted—

the number mounted — I must interpolate there; everybody has a horse I suppose these days:

—the number of bands of music and the number of vehicles;

(c) a permit has been issued on the prescribed form.

Now, if that silly metropolitan board of police commissioners were the board of police commissioners in my community, I would be very restless to be under the governance of that board because I say to the Attorney General through you, Mr. Chairman, that my right to demonstrate against organized power, the government—whatever level that government be, let it be municipal or provincial or federal—that right cannot be interfered with by a bunch of fools like these people who passed this bylaw. May the day never come when the environs of this Legislature are barred to people to come and protest proposed or enacted legislation of this House; and when they can only come at the sufferance of the board of police commissioners of Metropolitan Toronto.

I would hesitate to think that those several hundred pulchritudinous nurses that came here—

An hon. member: What does that mean?

Mr. Sopha: To you that means they are pretty girls. Pretty girls to you, pretty young ladies that came here as a result of the lethargy of the hon. Minister of Health or perhaps the hon. Minister of Labour (Mr. Rowntree.)

May the day never come that those young ladies could not come and assemble outside here and harass the hon. Minister of Labour and the hon. Minister of Health about their failure to enact legislation that they want.

An hon. member: It is not the case.

Mr. Sopha: I was always under the impression that boards of police commissioners existed to regulate and administer police forces. That is what I thought they were for.

I must interject and say that the hon. Attorney General stands and he talks about the assurance that we may draw from the fact that a judge is on the board of police commissioners. Well, for his information, before he came to this House the hon. Minister of Lands and Forests (Mr. Roberts), when he occupied the chair, took the judge out. He took the judge out against our protests.

First, he took the magistrate out; then he took the judge out as being mandatory members of the board. The only person we left in who is a mandatory and automatic member of the board is the elected representative, the head of the council. So that is the faith your predecessor but one had in the judge.

At that time we had a long and bitter argument—I recall it up in committee room three—we had a very acrimonious argument with him. That year, I can say with assurance, he had a thing for judges. He was taking judges out of positions all over the place that year. We protested that it was necessary to have a senior judicial official on the board who did not have daily contact with the police forces.

My friend from Essex North (Mr. Reaume) in the six years I have been here, I can recall—all I have to do is close my eyes and think—and I can recall the eloquence with which he spoke against the disgraceful situation that existed in the county of Essex. They had the head of the council, they had a magistrate and they had the Crown attorney on the police commission and that was unique in the province.

An hon. member: And an old woman!

Mr. Sopha: Well, I will not say that, you can say that yourself. I will not say that.

That was the decision of this government, but I say this: My rights, which I share with every citizen in this province, to demonstrate my protest against government or otherwise, comes from custom and usage. I reminded this House that your political ancestors on April 25, 1849, demonstrated their displeasure over the rebellion losses bill by burning down the Parliament buildings in Montreal. They did not have a permit from the board of police commissioners to do it! Now, in order to burn these down, they would, presumably, have to go and get a permit.

Hon. W. A. Stewart (Minister of Agriculture): How did they all get out?

Mr. Sopha: Throughout the whole of British history which we cherish so greatly, and the difference between you and I is that I do not pick and choose traditions—

Mr. R. A. Eagleson (Lakeshore): Between you and me!

Mr. Sopha: I do not pick and choose traditions all over the place that suit me; symbols, graves, the dust of the dead. I pick the living ones, those of liberty and freedom; those are the ones that I adhere to. One of the greatest traditions is the right to protest.

Hon. C. S. MacNaughton (Minister of Highways): You spoke differently a few weeks ago about that.

Mr. Sopha: You can go through the history books and you can find innumerable examples of protest by people marching; they have changed the course of government by their marches and by their protests. Then let it be added, so the record will be complete, that in respect of this one—

Hon. Mr. MacNaughton: Are you marching now?

Mr. Sopha: In respect of this one, and I do not think the hon. member for Downsview mentioned it, but in respect of this one a group challenged them. They challenged them on it and they informed the police that they would have a demonstration—I think it was on Wellington Street, if I am not mistaken. They said, we will not show the police what is going to be on our placards before.

Mr. MacDonald: What was the group?

Mr. Sopha: You can tell what the group is, that is your department. Maybe on the placards they had such things as: "We love

Ringo Starr"; or something like that, I do not know.

Mr. Singer: "We love Donald MacDonald!"

An hon. member: And Ringo Starr!

Mr. Sopha: Yes, "We love Donald MacDonald." That is almost impossible to conjure up; but they might have had that.

Interjections by hon. members.

Mr. Sopha: The police did not interfere with them; the police did not accept the gauntlet that had been thrown. That brings the law into disrespect, that shows how foolish this board of police commissioners is.

Then I want to give that personal example that I have referred to before. When we were subject to the autocracy of Osgoode Hall—several years ago now, in 1950—we marched from the law school over here down to Osgoode Hall. We demonstrated outside it against the inequities in legal education. We had no permit from the board of police commissioners! I hope I never live long enough in this country that nonsense like this will be enacted by any responsible body to interfere with the citizen's democratic right to make his protest against government.

Some hon. members: Hear, hear!

Hon. Mr. Wishart: Mr. Chairman, I really must say to you that while I always enjoy listening to the hon. member for Sudbury—whose riding is almost contiguous to mine except for the intervention of the hon. member for Algoma-Manitoulin (Mr. Farquhar)—I love to hear him talk, but here again we are wasting time.

Hon. Mr. MacNaughton: But he never says anything.

Hon. Mr. Wishart: We are wasting time—

Mr. Singer: Are we?

Hon. Mr. Wishart: Yes. We are talking about a bylaw of the board of police commissioners of Metropolitan Toronto, which I said could be tested in the courts, which I said should be published, which has been tested, which the public can prove has validity or has no validity; this has been done.

An hon. member: Hear, hear!

Hon. Mr. Wishart: I think we are wasting time. I did not in my remarks mention the word tradition, but since my hon. friend has brought it up, I believe there are certain

virtues in tradition on which to build and then go forward into the modern day.

Some hon. members: Hear, hear!

Mr. Bryden: Mr. Chairman, I think it is regrettable that it is so difficult to convey to the hon. Attorney General some of the most elementary principles of democratic constitutional government. His constant evasion of this issue is unfortunate. By taking a technical, legalistic interpretation of his duty, I suppose he can evade the issue.

He has successfully evaded it up to now, just as his predecessors evaded it in previous years when some of us in this House, including myself and the hon. member for St. George (Mr. A. F. Lawrence), as I recall, were raising a similar issue with regard to the licensing commission of the city of Toronto. But surely it is a basic principle of democratic government that laws should not be made except by people who are accountable to the people; that is a basic principle.

Now the hon. Attorney General says that the board of police commissioners in Toronto has made certain laws. There is no harm in that, he says, those laws can be tested in the courts. The laws, I would suggest to him—he is a lawyer and I am not—but I would suggest to him that the laws that they have made can be tested in the courts only to the extent of determining whether or not they have the power to make them.

That is the only extent to which they can be tested. If they have the power under the law to make those laws, then the courts cannot intervene. That surely is elementary. I am suggesting to the hon. Attorney General that they should not have the power to make those laws; they should not have the power to make any laws. If you want to look at The Municipal Act of this province, you will find about a dozen pages of powers that unelected bodies have with regard to the making of laws. It is interesting to note that such powers, in the cases of towns, villages and townships, are entrusted to the local elected councils, but in some cases, in cities of 100,000 and more the powers are not given to local councils but to non-elected bodies, namely, boards of police commissioners. In the smaller municipalities, the elected people make the laws, but apparently the elected bodies in the larger municipalities are not competent to make laws. Thus these powers are given to people who are accountable to nobody—absolutely nobody.

In the municipality of Metropolitan Toronto; we are particularly afflicted because we have not one, but two—

Hon. Mr. Wishart: Would the hon. member permit me to say that the persons appointed to boards of police commissioners by the Lieutenant-Governor in Council which is the government, an elected body, are removable by the Lieutenant-Governor in Council? So there is an accountability to the public—

Mr. Bryden: You told us a few minutes ago that you do nothing whatever to review what they are doing; that you do not consider it your business. Now you cannot—

Hon. Mr. Wishart: I never said I did not consider it my business—

Mr. Bryden: You said that you did not review, that you did not know what they are doing. How can they be accountable to you when you do not even know what they are doing?

Hon. Mr. Wishart: They are accountable; they are appointed by the Lieutenant-Governor in Council and may be removed by him.

Mr. Singer: Have you ever removed anyone?

Hon. Mr. Wishart: Yes.

Mr. Bryden: Mr. Chairman, who has the floor at the present time?

Hon. Mr. Wishart: The hon. member for Downsview asked if there were several police boards in this province from which members have been removed or asked to resign. This happened recently to appointments of the Lieutenant-Governor in Council.

Mr. Bryden: Mr. Chairman, I am dealing with the specific matter of the powers of these non-elected bodies to make laws. I believe it is a sound principle that a body of this character should be in charge of the administration of the police force—a body that, to a certain degree, is removed from politics. I believe that is sound, but this is not the principle that I am objecting to, nor is it the principle to which I have objected on previous occasions. The principle that is objectionable is that these people should have the power to make laws and that the laws they make are not subject to review by anybody, provided that they are operating within the powers delegated to them by the laws that we passed in this House. They are reviewable by the courts only to the extent of determining whether or not they acted with proper jurisdiction.

Interjections by hon. members.

Mr. Bryden: I know that my hon. friends over to the left do not give a hoot about democratic principles; they will carry on indefinitely here with their constant barracking and yakking—

Mr. A. V. Walker (Oshawa): Nobody gives a hoot for anything except you.

Mr. Bryden: Last year, when this question arose in a somewhat different context, the hon. member for St. George showed a considerable interest it. But I was saying, before the last interruption, in the municipality of Metropolitan Toronto—

Interjections by hon. members.

Mr. Bryden: These gentlemen do not even care about the rules of this House; that is how little they care about the rule of law.

Mr. Walker: You sound like a duplicating machine.

An hon. member: You butt in on everybody else, but you do not like anybody butting in on you.

Mr. Chairman: Order.

Mr. Bryden: I trust that the level of the comments coming from here are being well noted—

Mr. G. H. Peck (Scarborough Centre): Getting down to your level for a change.

Mr. Chairman: Order.

Mr. Bryden: The brilliant witticisms, Mr. Chairman, must no doubt be savoured by everyone.

Mr. J. R. Knox (Lambton West): Go ahead; say what the other two speakers have just said ahead of you.

Mr. Bryden: In the municipality of Metropolitan Toronto—as I started to say about five minutes ago; I have had difficulty saying anything since—in this municipality we are doubly afflicted in that we have two of these irresponsible bodies. When I use the word irresponsible, I use it in the sense that they are not accountable to anyone. Two of these bodies inflicted upon us; one is the licensing commission which exercises some of the powers set forth in The Municipal Act; the other is the board of police commissioners. Mr. Chairman, I would say from my observation of them, and it has been fairly substantial especially with regard to the licensing commission, that in the exercise of the

legislative powers which we have delegated to them, they are arbitrary, autocratic and bureaucratic. They thumb their noses at the public; they do not care a hoot about the public. The board of police commissioners passed a bylaw which, in effect, purported, among other things, to give the police the power to censor placards that citizens may wish to display. The council of the municipality of Metropolitan Toronto expressed its disapproval of that bylaw, or that particular phase of it, and the board of police commissioners, in effect, told them to mind their own business.

The elected people, the people who should have the power to make laws, have no effect at all on this body that holds itself accountable to nobody. I will not deal with the licensing commission, but I will say that it is even more arbitrary and autocratic. It has passed laws that quite intimately affect the welfare and livelihood of citizens. I was present at some of its hearings when it deigned to listen to the protests of these citizens and it paid no attention to them at all.

No elected body would ever act in the way those people do, because elected members know the day of reckoning comes when they have to account to the electorate. That has a restraining influence on them; it is a desirable and necessary restraint in a democracy, but these bodies hold themselves accountable to nobody. What is even worse is that there are members of the judiciary who are members of boards that make laws. In some cases, a citizen can be hailed before the same member of the judiciary charged with a breach of the law in the making of which that member participated. How an Attorney General can justify such a principle—that a person can be involved in the making of a law and then can try a person who is charged with a breach of that law—I cannot understand. Yet this is the situation that exists in the municipality of Metro Toronto and can presumably exist in any city of the province of Ontario; the principle is the same in all the cities. The boards of police commissioners have these licensing and other regulatory powers to make laws. It is not sufficient to say that their bylaws can be reviewed in the courts; it is not the function of the courts ever to pass on the policy content of legislation. That is the job of elected representatives. I have proposed to the hon. Attorney General, to the hon. Minister of Municipal Affairs (Mr. Spooner) and the government generally on a number of occasions that if it is considered desirable to give some of these powers to make regula-

tions to unelected bodies, at least the regulations should be subject to the approval of the elected councils. But we cannot get that principle accepted either.

I am suggesting, Mr. Chairman, that the whole question of delegated legislation is becoming a serious and difficult problem in democratic society, in the amount of legislative power that is exercised by people who really are not accountable to the elected representatives. It is too big a problem to be appropriately discussed here, but I would say that the most virulent and dangerous form of delegation is that of authority to bodies like the boards of police commissioners in the various cities of the province and in the municipality of Metropolitan Toronto, and to the licensing commission in the municipality of Metropolitan Toronto, which not only are not elected but which include judicial personnel who can try people and convict them on charges of breaching the very bylaws they enacted. I could hardly believe that the hon. Attorney General would support that principle, and yet that is exactly what happens regularly in the city of Toronto.

I can tell from the reaction of the hon. Attorney General, that it is going to take a long time to correct this serious abuse which has been permitted to arise because of legislation enacted by this Legislature in past years. I can warn him, however, that as far as I am concerned, I will not miss an opportunity to bring the matter to his attention, and to urge that he should reconsider the whole principle involved. I feel encouraged to do that and to continue to do it and to make a pest of myself in doing it, if necessary, because there is no doubt at all that what is involved is one of the basic principles of democratic liberty, a principle that I enunciated at the beginning of my remarks.

I would suggest to the hon. Attorney General that he should not content himself with narrow legalistic evasions such as the claim that the bylaw, if objected to, can be appealed to the courts. In other words, somebody has to place himself in jeopardy. That is what the hon. Attorney General is saying. Somebody has to violate the bylaw and run the risk of having a penalty imposed upon him, in order to have it tested even to the point of determining whether or not the board of police commissioners has the power to make it. If the board has the power to make it, whether it is just or unjust, it will stand. There is no doubt about that.

That sort of an answer is not good enough when we are dealing with basic democratic rights. I would recommend to the hon. Attorney General that he should consider the

matter in terms of its broad implications for democratic government by free people.

Mr. Chairman: Is the vote carried?

Mr. Sopha: Mr. Chairman, this is a serious matter. A democratic right is at stake here. May we hear from the hon. Attorney General how many boards of police commissioners there are in this province?

Hon. Mr. Wishart: How many?

Mr. Sopha: How many are operating?

Hon. Mr. Wishart: I cannot tell the hon. member, Mr. Chairman, off-hand, but wherever there is not a committee of council or a whole council acting, in every city there is a board and in those other municipalities outside the cities, wherever there is not a committee of council, or the council itself conducting the police governing, then there is a board of police commissioners.

Mr. Sopha: Well, probably somewhere in the neighbourhood of 100?

Hon. Mr. Wishart: Possibly.

Mr. Sopha: Because in the case of most townships, they do not have a board of police commissioners. The police body comes directly under the council.

Now, in the case of the hon. Minister of Highways, in respect to many bylaws, the bylaw does not come into effect until it is approved by him. Similarly in the case of the hon. Minister of Municipal Affairs: Many bylaws have to be submitted to his department for approval before they become validated.

What is wrong with the concept that all bylaws passed by boards of police commissioners be submitted to the hon. Attorney General before they become valid? Now, I ask this question. I want to go on and I want to add this, so I will make my position very, very clear. I have the assurance in my own mind, and I am sure that it is widely shared in this province, that the people in this Legislature who are concerned about freedom and liberty, are the people that sit in the Opposition benches here, including our friends in the New Democratic Party. I feel so strongly about this, that I would go this far. If the police commissioners in my community passed a bylaw like this—the kind of foolish thing that has been read into the record—and I, in an effort to obey the law went to that police commission and asked for a permit to hold a parade and I was refused, then I say in the interests of my

democratic rights that come to me through custom and usage, I would hold the parade anyway, in disobedience of the law. I would do it.

Hon. Mr. Wishart: And so would I.

Mr. Sopha: I am glad to hear the hon. Attorney General say that. That makes our case complete. I said that I would defy the law and hold a march in protest and the hon. Attorney General said: "So would I." All right, then if we are in common agreement, let us amend that Police Act, to require bylaws to be validated by the consent of the Attorney General. And let us go one step further, let us quash this bylaw. Let us quash this bylaw that is singular in this province. It is the only example of which we know. Then let us do a third thing. No bylaws may be passed by boards of police commissioners in secret, but all bylaws passed, shall on the payment, let us say, of a minimum fee—that is fair—be open to public inspection.

Some hon. members: Is the vote carried?

Mr. Singer: No, Mr. Chairman, I think that the t's should be crossed and the i's dotted. I think it is most significant that when the first law officer of the province says, in agreement with my colleague from Sudbury: "And so would I," and when he says to me in answer to my question that there should not be secret bylaws about matters of public concern, for goodness sake what are the people on the government benches doing when they make these public admissions yet cannot enact them into provincial statutes?

Mr. Bryden: Mr. Chairman, there is another matter that I wish to raise under vote 202. During the past year, a number of rather disturbing cases have come to public notice of people being arrested and jailed, who apparently were drunk, but were found afterwards, and sometimes in tragic circumstances, to have been perhaps suffering from—what shall I say—a more serious disturbance. There was a well publicized case of a lady in Toronto. I believe she hardly ever touched liquor in her life. She died, as we know, and it was found she had suffered a stroke, I believe.

There was a case in Lindsay a few months ago of a man who was taken and put in confinement in a police cell because it was thought that he was drunk. He had been found unconscious but it was later discovered that actually he had suffered from a collapsed lung and he had died without medical attention.

There have been one or two other cases like this. I believe that the board of police commissioners in the city of Toronto—I do not have the precise information in front of me—but I believe that they have issued an instruction to police officers in Metro Toronto that a person who is apparently ill or unconscious should be taken to hospital rather than to a police cell, I think that is the best place to take such a person. Even if the cause of the person's disability is acute alcohol poisoning, I would suggest that a person who is unconscious or acutely ill belongs in hospital and not in a jail cell.

Sometimes, as we have noted, mistakes are made and the person has not even touched liquor. But even if he has, let us say he is what we call "dead drunk," a person who is dead drunk is in a dangerous condition. His condition could readily be fatal. I think that such a person should automatically be taken to hospital. As I say, I am not entirely familiar with the regulation in Toronto, but I believe it is if the import that people who appear to be very ill or are unconscious should automatically go to hospital, not to jails. I am wondering if there is any thought on the part of the police commission for Ontario, or of the hon. Attorney General to make that sort of policy generally applicable throughout the province.

Let us take sick people, whether the cause of the sickness is alcohol or anything else, to hospital and not to jail—in the first instance at any rate, until the extent of their disability has been diagnosed.

Has this matter been under consideration? Has any action been taken, or is it contemplated that any action may be taken?

Hon. Mr. Wishart: Mr. Chairman, I am aware that there have been throughout the province or across the province in the past year a very few cases—I have noted them in the press, reports of them—where some person dead drunk, as the hon. member says, or suffering really from alcoholic poisoning or an excess of alcohol, and in one or two cases persons who are ill from some other form of disease have unfortunately been taken to the lock-up, the jail, and succumbed through ignorance of their condition or through the lack of perception on the part of the police that they were ill and the watching of them through the hours of the night.

This is something that has come to our attention. I think it is a situation that is not entirely new and has existed; perhaps it is more prevalent today with the increased use of alcohol which seems to be a fact. We have not contemplated the passage of any

regulations or laws or rules with respect to this, but I think we are entitled to rely on the local governing bodies of police which I think exercise care and conscientious consideration of these matters, and on the good sense of police officers generally in all our police forces. I think that anything you might do in the way of legislation—perhaps one could meet the situation by passing a law saying that any person picked up unconscious should be taken to a hospital. Now, whether this is sensible or not would certainly be open, I think, to debate, because I am sure the hon. members are aware that any person who, of their own free will indulged to tremendous excess in alcohol and makes themselves unconscious and passes out, are we to then say that those persons must be taken by the policemen when he picks them up to a hospital where—let me say, knowing some little bit about hospitals—it is very difficult even if you are really ill, really suffering, to gain entry. Does the hon. member suggest that we pass a law of this nature? I say I think we may rely upon the common sense of our police governing body and on the good sense of the police officers who give us the service of policemen throughout this province.

Mr. Bryden: Well, Mr. Chairman, I have the most complete confidence in the good sense of police officers, but as to their capacity as medical diagnosticians I have no confidence at all.

I am suggesting to the hon. Attorney General that a person who is unconscious is sick and quite possibly dangerously sick. Even if the cause is alcohol poisoning, he is still sick and he may be dangerously ill, and of course there have been cases where a person found unconscious had not had any alcohol at all, the cause of his illness being something entirely different, as in the case of the man in Lindsay who had a collapsed lung.

Now the reason this tragedy arose—at any rate, the reason the man died in the police cell with no medical attention at all, perhaps he would have died anyway—was that the case had been left to the good sense of the police officer concerned. I am sure he used his good judgment to the best of his ability but he had no capacity as a medical diagnostician at all.

I do not think police officers should be put in the position where they have to try to diagnose the cause of unconsciousness when they find a person unconscious. It is far better to take the person to the hospital. If the hospital considers the man's condition is

not dangerous and that he could, shall we say, sleep it off in a police cell; fine! But let that be determined by a medical practitioner in the first instance. I do not think it is a matter of passing a law, although I suppose this is a quibble, I think it could be a matter of policy, of regulation, a policy directive to police officers relating to the conduct of their duties.

As I understand it, this is now what has become the policy in the city of Toronto, that such people are to be taken to hospital. I think we have the most acute shortage of hospitals of any major municipality in the province, but apparently here the board of police commissioners considers that it is feasible to require that anybody who is unconscious must first of all go to the hospital. I think the policy used to be that he would be taken first to the police station. Then if the police really got worried they took him to the hospital, and sometimes it was too late. When they found it was a real cause of worry it was too late—the person was beyond help.

Now, as I understand it, the opposite policy has been adopted. It seems to me a sensible policy. True, our hospitals are all overcrowded. That will be an occasion for a debate on some other time. But they still will handle emergencies. If an emergency case comes in they will look at the person, and if he needs treatment, they will give him whatever they think is necessary.

I think the hon. Attorney General might consider the same sort of policy that has apparently been adopted in Toronto.

Hon. Mr. Wishart: I am willing, Mr. Chairman, to take the matter under study and consideration.

Mr. J. B. Trotter (Parkdale): While we are on this subject, Mr. Chairman, the former Attorney General of this province, now the hon. Minister of Lands and Forests, once told us that he felt that drunks should not be treated as criminals but they should be out on a farm, that this was the proper way to handle drunks, that we should consider those who drink too much as sick people. I know we get speeches to this effect every once in a while, but I wonder if there is any possibility of the hon. Attorney General having any definite policy in this regard.

First of all, where someone is sick they would not end up in jail if they did have such a policy. There are many instances where drunks should be sent home in a taxi, if the police would show some common sense instead of putting them in a cell, because let us bear in mind that 60 per cent of the

people who go into the Don jail usually have something to do with liquor. A large proportion of them are drunks, and it is my contention that the vast majority of them should not be there.

I realize that part of this is the criminal code and may in many ways affect the federal government, but certainly there is a responsibility upon you as the Attorney General of the province to bring about the change in a federal law and it certainly affects the administration of justice in Ontario. I think it is long overdue, that the whole approach to intoxication should be changed, that it is ridiculous to call it a crime.

In the vast majority of cases people are sick, and when I use that term "sick" I mean from drinking too much. I was wondering if there was any possibility of the hon. Attorney General setting up a commission or a committee to go into this problem to see if a reform could be made in the law. We talk about it year in and year out, but nothing is ever done. It is long overdue for a change. I would like to know the views of the hon. Attorney General on this matter.

Hon. Mr. Wishart: Mr. Chairman, it is not, if I may say with some respect to the hon. member for Parkdale, it is not a matter of federal law. We have in our Liquor Control Act now—I cannot recite the number of the section—there is a power in the Act for a judge or a magistrate; a magistrate particularly assessing a penalty in case of drunkenness, if in his opinion, he decides a sentence may be imposed of a sufficient length to afford the time and opportunity for a cure, he may impose such a sentence. Now, whether he does or not, I think—I see the hon. Minister of Reform Institutions (Mr. Grossman) is not here, but I am sure he would support me in this if he were—whether the magistrate imposes such a sentence or not, if he imposes a term of 30 days, 60 days or 90 days or something of this nature, the person who receives such a sentence I think almost invariably is examined, and he is assessed from two points of view or two evaluation points.

One is whether he is desirous—he must have the desire, the attitude that he wishes to have treatment—and secondly, and this is also just as important, whether in the assessment of those competent persons treatment is likely to be effective. If this is so, to the extent of the facilities that we have—and I must confess they are not, in my view at least, adequate for treatment of alcoholics and persons who are habitual alcoholics—then such person is given the opportunity and the treatment is applied to him. I must tell you

that in many cases it is found that even with that assessment and that evaluation of his attitude and of the possibility of treatment being beneficial, it is found after a short time that the attitude is not conducive to the treatment being any good, and the prisoner is returned and he serves his sentence, less the reduction he gets for good behaviour or on an application for clemency.

It is a tremendous problem, the alcoholic problem. I do not know the answer standing here. I just do not know what the answer is—perhaps some special type of institution, whether it is treatment or whether it is containment or whether it is some sort of activity, something of this nature. But as it is today, we are day after day sending the habitual drunkard to jail for 30 days or 60 days or 90 days and he is on the country during that time. Attempts are made to treat him in many cases and in a great majority of cases treatment has no effect whatsoever.

It is not a matter of changing the federal law, it is a matter perhaps of finding a new system, a new method of treatment, and copying the best, the most effective methods which have been found elsewhere in providing facilities which will afford us the opportunity of dealing with this tremendous problem in the best way.

Mr. Bryden: Mr. Chairman, does the hon. Attorney General take the view that this matter comes under vote 202? I have some points I would like to raise with regard to it but I was under the impression that it probably would come under vote 206.

Hon. Mr. Wishart: It really comes under The Department of Health and The Department of Reform Institutions, quite frankly.

Mr. Bryden: No, the hon. Attorney General's department is involved.

Hon. Mr. Wishart: Yes, and I am very interested in it and I think it is a matter for study; it is a matter for study certainly with my colleagues, the hon. Minister of Reform Institutions and with the hon. Minister of Health. Only in this way, by a study of this nature, and a very deep study, can this problem be solved. That is my view.

Mr. Bryden: Mr. Chairman, now that the matter has been raised we might as well deal with whatever we have to deal with. I would suggest to the hon. Attorney General that the government opposite has been saying that it is a matter that has been under study for as long as I can remember. I can remember when the hon. gentleman who now

holds the portfolio of Lands and Forests was Attorney General, he presented to this House quite an ambitious-sounding and promising-sounding plan of special treatment centres for chronic alcoholics. Unfortunately, the press, through a curious lapse, contrived to label the treatment centres that the then Attorney General had in mind as "drunk farms." This became a short form for headlines; I think a most unfortunate expression.

Hon. A. K. Roberts (Minister of Lands and Forests): I did not say that.

Mr. Bryden: No, I know you did not, it was the press in its headlines that kept referring to "drunk farms" that the then Attorney General was going to set up. It was a most unfortunate use of words.

By and large, such treatment centres never did get off the ground. I think perhaps one that has a very limited capacity got into operation. I think there is a treatment centre in the mental hospital at Mimico, but as the hon. Attorney General has indicated—

Hon. Mr. Roberts: It is not a mental hospital.

Mr. A. H. Cowling (High Park): Mr. Chairman, on a point of order. What in the world has this got to do with the Ontario police commission? We have really caroused all over for the last three or four hours, but drunk farms do not seem to fit into the Ontario police commission. That is my point of order. How about it?

Mr. Bryden: Mr. Chairman, I am quite prepared to leave this until vote 206. That is where I had intended to raise it, but the hon. Attorney General and the hon. member for Parkdale had already started discussing it, so I suggested to you, and heard no objection from you, that perhaps we might as well clean it off now. That was while the hon. member for High Park was asleep.

Mr. Cowling: Mr. Chairman, on a point of privilege, this member has been sitting here right along and I have listened to all the debate on the police commission and this is away out, this is away off. That is why I raised the point and I think the point was well taken because he admitted it was on 206.

Mr. Bryden: I ask the Chairman for his instruction.

Mr. Chairman: I thought we were going to have it passed, that is why I let the member go ahead. I thought it was just about passed.

Mr. Bryden: Mr. Chairman, just a minute. The point I raised here under this vote relating to people being picked up in an unconscious condition had nothing to do with the treatment of alcoholics. It was perfectly in order under 202. I certainly am not finished with the matters I want to raise with regard to the treatment of alcoholics but I am quite prepared to accept whatever ruling you want to make, either to clean it up now or wait until 206.

Mr. Chairman: We will do it on 206.

Mr. Bryden: Okay, fine.

Vote 202 agreed to.

On vote 203:

Mr. Singer: Mr. Chairman, on vote 203, it has been very difficult for me to prepare a reasonable criticism in view of the lack of answers I have had to two of my questions on the order paper—questions numbers 7 and 37. Question 7 asked for a detailed list of the legal work done by persons outside the government for various government departments and boards and commissions. Question 37 asked for a listing of those legal persons who are employed by all boards and commissions and departments of government.

Had this information been available in advance of these estimates then it would have been a very simple matter to discover quickly and authoritatively just how many outside lawyers had been hired to draft statutes, to prepare regulations and to do the sort of things that I would have contemplated the legislative counsel's branch of government should be doing. I have the greatest respect for the abilities of Mr. McTavish and Mr. Alcombrack and Mr. Stone in that branch. There may be others there whom I am not familiar with, but I have come into contact, substantial contact, with these three gentlemen, and I think they are very able. However, it is completely impossible to discover from the government just the extent to which outside help is required to do the work that I think properly lies within the legislative counsel's branch.

I recall, for instance, just a year or two ago that either my colleague, the hon. member for Sudbury, or I asked the question and discovered that a former civil servant who had gone into private practice had been retained to draft an Act and had been paid the sum of some \$20,000. He was a very fine man, and a very able man, but he had seen fit for reasons of his own to leave the government service and he had gone into private practice. The government had him for a

while at a sum considerably less than \$20,000 a year, but he had gone into private practice and then had drafted a statute for the government and sent it a bill for \$20,000, which it paid. I would like to know how many dollars the government paid in this way in the year 1964, but we have not got that sort of information available.

There may be a half dozen or a dozen persons of this type who have had to be called upon because the time of people such as McTavish, Alcombrack or Stone just has not been available. If this is so, I would think it would be of substantial importance to determine how many dollars this has cost the province of Ontario. If it has cost above the average going price for a senior lawyer, I ask the hon. Attorney General, and I can only guess because we have not the facts and figures here, I ask the hon. Attorney General why he has not hired several senior lawyers and put them in to the legislative counsel's branch.

The other thing that concerns me very much is the necessity apparently that exists in government to hire outside counsel to act as counsel for commissions. I do not know what these outside counsels would ask per day. I know there is a very able young man who acted as counsel for the select committee on The Municipal Act and related Acts. I would be very surprised if his bill to the government was less than \$100 a day.

There is a very prominent counsel, one of the leading counsel in the province of Ontario, who has acted as counsel to the committee on youth. I would be very surprised if his bill was less than five times the amount of the counsel on the committee on The Municipal Act and related Acts has been.

Can the hon. Attorney General tell us why there is not available within government service, within this branch, within the legislative counsel division, sufficient strength and sufficient ability in counsel to assign personnel employed by government to these committees? The legislative counsel's division is a non-political group, they are here as advisors to the whole House, to all the members of the Legislature. I, as most of the members of the Legislature, undoubtedly have had occasions to call on them for their services and their services have been of inestimable value. They are confidential, they carry on in the true traditions of their services. Now why should not the legislative counsel's division have available within its strength, personnel to assign to the select committee on aging, the select committee on youth, the select committee on company law

that is about to be set up, or any one of the other select committees?

Should it be necessary or should it be that important that the government must spend thousands of dollars—and I say thousands of dollars designedly—to hire outside counsel? It may be that the duties of the select committee on youth and the select committee on The Municipal Act and so on, are that important that the leading counsel in the province of Ontario should be brought in and be paid a per diem rate commensurate with their services. But it would seem to me that this has become the rule rather than the exception. It would seem to me that the retaining of outside counsel of the highest calibre available should be the exception. There may well be occasions, Mr. Chairman, when the best available counsel in the province should be assigned and should be paid for his work—and you are not going to get him unless you pay him for his work—should be assigned on a particular task that only he can do.

But going back to the select committee on municipal affairs—when this committee started off, as the hon. member for High Park knows, the first lawyer who was assigned to it was a very junior young man who had just been retained by The Department of Municipal Affairs, just fresh out of law school. And the first job that was given to him was to be counsel to the select committee on The Municipal Act and related Acts. This was the first legal job he had. And he did such a fine job and he gained so much experience in a year's time that one day he picked up the *Weekly Notes* and he saw an ad that in the town of Fort William they wanted a municipal solicitor. He applied, he went to Fort William, and doubled or earned two and a half times the salary that he was being paid here.

It would seem to me, Mr. Chairman, that if in the branch of the legislative counsel we were prepared to pay good enough salaries to attract lawyers of seniority and ability to surround Messrs. McTavish, Alcombrack and Stone and others with colleagues of equal ability, that we would be performing a very great service to the people of the province of Ontario. We would be performing a very great service to all the hon. members of the Legislature. We would have available to all departments, competent counsel to advise insofar as statutes are concerned, to advise about the drafting of regulations, to advise committees, to advise the standing committees.

I would think that every standing committee should have a permanent secretariat and we could get into a great sort of discus-

sion on the rules: the standing committee on legal bills, the standing committee on private bills, and so on. Each could and should perhaps have a permanent secretariat consisting of a representative of the legislative counsel division. It seems to me, Mr. Chairman, that in this very important branch the government has fallen far short of providing the service to the people of Ontario that it should. The detail, the extent to which this is true, unfortunately I cannot provide, because the answers to questions 7 and 37 have not been provided.

Hon. Mr. Wishart: Mr. Chairman, this is a comparatively small vote. I note that the increase over previous estimates is \$11,000, resulting from the annual increments of salaries, salary revisions and reclassifications.

I must agree with the hon. member who has just spoken that it is proper and good policy, a policy to which I subscribe, that where possible, in every case where it can be done with justification we have our own counsel in the department to look after matters on the legal side for government. I think I may say to him that it is a rule that only in the exceptional case where some matter of special import, or where there is outstanding counsel specializing in such field of law available, do we seek and obtain such counsel.

This is a policy followed by business and to do otherwise, to retain on staff in the government counsel of that nature, a specialist, to retain him all the time on staff would be a mistake and would cost far more than it would be worth to do so. Not in a single case where we have been dealing with legislation in The Department of the Attorney General—I cannot speak for all other departments of government—have we seen fit or have we found it necessary to consult outside counsel to advise on legislation presented to this House in any branch of the law being handled by The Department of the Attorney General. I am not sure that pertains to or obtains with other departments of the government, but I think this is pretty much general. We advise counsel—and I give the legislative counsel credit—we advise all departments of government; some of them have certain legal counsel at their call and on their staff. I am not sure whether Mr. McTavish is present, but I know that I may say this, because I am aware of his attitude, that he has on his staff, sufficient and capable counsel to do the work properly and competently which is assigned to the branch of the legislative counsel of this government.

When you come to the vote, which I think

is perhaps 205, on the civil law division, I shall be able to enlighten this House with something of the type of work done by the legal staff which are in my department, as distinct from the legislative counsel. But I think that here we have a situation which is very satisfactory—very competent counsel. They tell us, and I think I may accept their word, that they are sufficient unto the task and my own observation is that the task is very well done.

Mr. Singer: Well, Mr. Chairman, I do not want to—

Hon. Mr. Wishart: May I say this, I regret that my hon. friend has not in his hands the answers to questions 7 and 37. I may say that there has been a great deal of work—

Mr. Singer: Yes, I appreciate that.

Hon. Mr. Wishart: There has been a great deal of work and I am at the moment handling certain of the material, which is not yet complete, with respect to question 7, and which runs into several pages and which still requires, since it is a matter of payment, checking by Treasury and the officials there. This entails a great deal of work. I do not have 37 in front of me, but I would ask—

Mr. Singer: Thirty-seven is simply a request, a listing of all the—

Hon. Mr. Wishart: Yes. Well, I would ask my hon. friend not to lose hope. I think I may yet get them in his hands very shortly.

Mr. Singer: Mr. Chairman, on the same theme, unless you want to get on, I just want to finish very briefly. Mr. Chairman, I can appreciate what the hon. Attorney General says and I share with him his very high esteem of the three gentlemen I have named. This, I think, is an efficient branch, but how many times have you had to go outside, as of a couple of years ago? There is no point in naming who did what Act for \$20,000. It is there and the facts are available. How many times that had to happen! The thing that concerns me very much is that we have to call in outside counsel for select committees.

This decision does not appear to have been made by the hon. Attorney General's department. It appears to have been made—well, on the committee on The Municipal Act and related Acts, it appears to have been made substantially by the chairman of that committee. There does not seem to have been any consultation with the hon. Attorney General's department, and back to a theme that

my colleague from Sudbury and I have enunciated over the six years we have both been here, we believe that the hon. Attorney General should be all of the law to all of the departments, and I do not think he is today.

Mr. J. Renwick (Riverdale): Mr. Chairman, I would like to isolate the problem as I see it, under this particular vote. The hon. Attorney General has indicated that the legislative counsel feels that he has adequate staff to carry out the functions as he sees it of the legislative's counsel's division of The Department of The Attorney General, but this, to my mind, indicates the failure of the hon. Attorney General to assume the responsibility in terms of the function of the legislative counsel's division to make certain that this House gets at the proper time the detailed regulations which are provided for in practically every statute of importance which comes before this House. Now, this matter has been dealt with on a number of occasions. The questions are almost rhetorical because the government is not prepared, apparently, to do anything at all about providing a method by which this assembly, either assembled as a whole in committee or by one of the committees of this assembly, can scrutinize carefully the regulations which are an integral part of each statute of importance passed by this legislative assembly.

The only way in which this can be done is if the legislative's counsel's division is enlarged so that when each bill is presented to this assembly or presented following second reading to committee for detailed examination, the regulations will be available at the same time. Now, let no one underestimate the importance of the area covered by regulations. I am certain every hon. member of this House could pick out one statute where the actual power contained in the statute for the government to pass regulations, far exceeds the powers actually contained in the body of the statute itself.

One of the latest that has come before this assembly is the provision in The Training Schools Act of 1965, where elaborate provisions are set forth for the committal of juveniles to the training schools by appearances before the judge, with all sorts of criteria established under which that committal may take place, but on the other hand, we find in section 28 of that bill, that the Lieutenant-Governor in Council may make regulations prescribing the conditions under which children may leave training schools.

Now, in my opinion and the opinion of our party, it is equally important to provide, either in the statute or by specified regula-

tions which are scrutinized by this assembly, the rules under which a person who has lost his liberty and is incarcerated or under detention in a training school can, in fact, be released. It is no answer to this party to say that, "Well, of course they can have final resort to the prerogative writ of habeas corpus"; that is a ridiculous and extreme example of the way in which such writs should be used.

But at the present time, as we sit here in this Legislature with The Training Schools Act having been passed and I believe now in force in the province of Ontario, we have not seen the regulations which prescribe the methods under which any child may be released from a training school. There is no recourse as I see it today, sitting here, no recourse available except by writ of habeas corpus, which is completely out of keeping with the provisions of The Training Schools Act and with the way in which it should function.

Now, as I say, there are many other examples. I would ask the hon. Attorney General to answer us tonight in this Legislature, whether any thought is given to the possibility of making provision for these regulations to be made available in the House as and when bills are introduced for consideration by the House. The hon. member for Woodbine has on other occasions in this House suggested that there be a committee of this Legislature sitting year round, if necessary, so that if it is not possible to draft the regulations and have them available for discussion in this House, at least there be a committee of this Legislature which would sit on a year-round basis to scrutinize regulations before they are published and before they are filed with the registrar of regulations. This, to my mind, is the sum and substance of the vote of the legislative counsel's division and I would like to have the answer of the hon. Attorney General about what he is going to do about this important question.

Hon. Mr. Wishart: Mr. Chairman, I think the commentaries of the hon. member for Riverdale are very pertinent and very much to the point and certainly worthy of the utmost consideration. I think the difficulty has been this: This is the problem which is still there; perhaps it can be met. When one is drafting a law, when one is drafting an Act, a piece of legislation, there are principles, rules of conduct or procedure which must be followed. These can be, with some fair success and with the help of the hon. members of the House in committee of the whole House or in the various committees, shaped

into form and serve reasonably well. When one comes to the matter of regulations, which accompany an Act, they should be and I think they are generally designed to be the rules which are the practical—not the principles—but the practical rules which are to be applied in the administration of the Act, in the carrying out of certain acts, functions, things which should not properly be written in as principles of legislation, in a bill.

Therefore, in order to arrive at new regulations, to devise them, to frame them, to fit the picture, it is almost necessary in many cases almost to have some practical experience in the working of the Act. For instance, I can think of—at least, no instance comes to mind quicker at the moment than the recent piece of legislation passed at the last session and through the intervening months of last summer brought into form with appendant regulations, The Used Car Dealers Act. In order to try out and assess a set of regulations which we felt would work, as to the actual detail of the working of the Act to fit the principles laid down in legislation it took some weeks—yes, I would say some months—to find regulations which we felt would be practical, which would work in practice.

Now this may not be the case in every Act and not every Act is a completely new start such as The Used Car Dealers Act. I can think of an Act in my own department, amended slightly this year, The Registry Act. I am not sure whether that amendment at this moment requires one or two regulations to match the principle of legislation which I am asking the House to enact.

But it is not always possible to bring in with the Act, the provisions of the sections, the regulations which fit it. I am prepared to say to the hon. member that I think it is a problem that should be capable of being met. I like the idea, because I think the more complete we can make our legislation while we sit here together and discuss it, while this is our business, the more help we can get from all sides of the House the better. If there is something I can do, and I think perhaps there is, in meeting this problem, I certainly shall be glad—and I have made a note of it—to take it under consideration and see if it can be worked out.

Mr. Renwick: Mr. Chairman, two matters of information more than anything else: What is the item of \$30,000 for law revision and other committees' expenses?

Hon. Mr. Wishart: I have a note in my estimates, Mr. Chairman, that this item of \$30,000 applies as estimates for law revision

and other committees' expenses which are included in this division. This vote, this year, and this appropriation is required to provide for service and expense of committees to consider and recommend law revisions in the administration of justice.

The actual expenditure during the current fiscal year for the 10-month period ended January 31, 1965 amounted to \$17,753.05. Some of the typical payments which were made in that expenditure during that year were as follows: The joint committee on legal aid expenses, advertising in various Ontario papers, public hearings, was an item of \$943.61. The cost of reporting and transcripts of meetings—that is in the legal aid committee—\$4,310.88. There were travelling expenses of the committee to various locations, \$4,357.26. There were travelling expenses of the committee re medical evidence, which report I tabled a few days ago, for \$819.94. Payments to Queen's University re the seminar on the persistent offender, which was a study, \$2,136.20. And there were miscellaneous and unanalyzed items which I have in my notes here of \$4,783.83.

Mr. Renwick: Thank you.

Mr. Singer: Mr. Chairman, item 5 of this vote is conference on the uniformity of law. There is a small sum there, some \$5,000, set aside for this. I would presume that this portion of this vote is directed to conferences designed to bring uniformity of law as amongst the provinces.

I am sure the hon. Attorney General is as familiar as most lawyers are with bulletins such as the Canada Trust bulletin that come out from month to month, by and large, I suppose, to the legal profession and to trust officers and that sort of thing. But bulletin No. 178 of Canada Trust dated February, 1965, I thought, was most pertinent to this particular vote in this item.

Just quoting two paragraphs or three paragraphs from that bulletin, it says this:

Our attention is naturally directed towards laws governing estates and trusts. The law of intestate succession is another example of the diversity between provinces in dealing with the same set of circumstances. In Quebec a widow with children receives one-third of her husband's estate if he dies without a will. In Ontario and Alberta she would receive the first \$20,000 plus a portion of the remainder. While in other provinces she would receive the first \$10,000, plus a portion.

This kind of disparity—

and this is in italics, Mr. Chairman:

—among provinces extends over a wide range of statutes.

The bulletin goes on to say:

The rapid communication systems which allow business generally to be conducted at national as well as local levels and the mobility of the Canadian working force along with the economic affluence have caused a tremendous change in our way of life.

Thus the need for the uniformity of law is more pressing than at any previous time in our history.

And the hon. Attorney General nods in agreement as I thought he would.

Differences in the provincial statutes should be eliminated so that Canadians can be sure in the knowledge that wherever they reside in Canada, the law will be the same.

Well, perhaps that is the real ideal, but could be as similar as possible.

A major step in this direction was taken a few years ago when all provinces except Quebec introduced uniform legislation governing life insurance.

Then the moral of this bulletin is in this paragraph:

Is it expecting too much from provincial legislators to organize an effective representative committee for provinces to review existing legislation and develop uniformity of the law? As Canadians we should all receive the same advantages under the statutes of any province in which we might choose to reside.

To this sentiment I say, "amen," and I am sure the hon. Attorney General does, too. I wonder how far the \$5,000 that he has in this vote will go along towards that end.

Hon. Mr. Wishart: Well, it goes a long way, Mr. Chairman.

This is a continuing committee, a continuing study of the legislative counsel. Our department is very active in it and the expenditures last year, I think, actually, according to my memorandum here, ran something over \$7,000. The conference this year is, I believe, at Niagara Falls. Much has been accomplished and as I say, this continues and each year some progress is made. My hon. friend has mentioned one area in which legislation was achieved. I think there is room for this in the securities field.

Mr. Singer: Succession duties!

Hon. Mr. Wishart: Succession duties and the reciprocal field of legislation is an approach to it. This is a work which I think is very important. Perhaps I should have asked for more funds, but I am glad to have this generous attitude expressed and indicated. That is all I would say.

Vote 203 agreed to.

On vote 204:

Mr. Singer: Mr. Chairman, on vote 204, again I run into the same difficulty because I have not the answers to questions 7 and 37. It is very difficult to criticize or even to know too much about the personnel branch if we do not know how many lawyers there are employed by government.

This is sort of an inside administrative body of the hon. Attorney General's department and as such I would imagine—certainly I have not come into very great contact with it—I would be surprised if too many hon. members of the Legislature other than the hon. Attorney General himself have come into contact with it.

One of the indicators as to whether or not we have enough personnel in the hon. Attorney General's department, I suppose, would be in the statistics which would be shown in the answers.

I suppose, in asking the hon. Attorney General what this administration and finance branch does, we are going to just get sort of a general answer that they administer and look after the finances. But to give us some sort of insight into the internal functioning of the hon. Attorney General's department I think it would be well worthwhile if the hon. Attorney General could elaborate perhaps to some extent on what this branch under its executive director actually does.

Mr. Sopha: Furthermore, Mr. Chairman, it is a new vote; I take it. I looked in the public accounts for the fiscal year 1964 and I could not find any vote under this heading. Perhaps that is a reflection of the reorganization of the department.

Hon. Mr. Wishart: I am sorry.

Mr. Sopha: I say I looked in the public accounts for the fiscal year 1964 and I could not find any vote that was comparable to vote 204.

Hon. Mr. Wishart: I think probably the answer is—and that is what I was looking for—the reorganization which I mentioned in my remarks in the introduction of the estimates to the House. There has been a very substantial reorganization to bring de-

partments together which are performing the same or similar services, and to organize them so we can effect economies and efficiency in the organization of the department.

So this is quite possible—this may not be found for comparison purposes in any single department of a previous year's estimates. But I think the detail which is shown here is before hon. members in the estimates for the department.

There are the salaries which do not need too much explanation, and travelling expenses, which are pretty much standard items; you may question me on the amount.

And then we come to "maintenance" and then we observe items: "Exhibition expenses," we make a display at the Canadian national exhibition on behalf of this department to try to—it is rather an educational effort to show what services The Department of the Attorney General renders on the public protection side and in the administration of justice and the enforcement of law, emergency measures and so on—fire included, police and so on. That is an item of \$25,000, the same as the previous year.

"Workmen's compensation board," a very small item which I think needs no explanation, for our employees; "unemployment insurance," an item of \$3,000; "fidelity bonds" for employees of the department; then "compassionate allowances"—if any one would like details of that I can give them; they are actually reduced by reason of the fact that certain persons who were entitled to them have passed on; "training and development"—I may have to look at that; it has a relation to probation services and to provide bursaries in that field; then we have an item of \$5,000 for "conferences and conventions," and then the "Attorney General's law library," an item of \$5,000.

I think, unless there is some specific question of detail which I would be glad to answer, that is all I would offer at the moment.

Mr. Singer: Mr. Chairman, I wonder if this is the present extent contemplated of reorganization. The hon. Attorney General did comment in his opening remarks on the speech I made in the Budget debate on February 9, where I put forward several suggestions as to a very substantial and perhaps different type of reorganization of the administration of law in the province of Ontario. Is what is contained in this vote 204 the extent to which the hon. Attorney General at present projects the organization of this department, or are there any new plans for organization?

The hon. Attorney General commented in his opening remarks, as I recall, that he listened with interest to what I had to say on February 9, but I think that is about as far as we got. Does he think that there is merit in what I said? Is he going to adopt any of the ideas, or is he satisfied that the present setup for administration of finance under these 12 votes and these 12 branches is really all that is needed for the moment in his department?

Hon. Mr. Wishart: Mr. Chairman, I will give some credit to the hon. member. I think I said in my remarks that I had accepted and adopted certain suggestions made from all sides of this House, not the least, I said, from my hon. friends in the Opposition and I quite frankly say that I appreciate those suggestions. I think that it is the duty and function of Opposition to offer them constructively and critically and I am glad to have them. But I think I have anticipated my hon. friend in many areas, and I outlined the reorganization which has taken place in this department. Again much credit is due to my predecessor, the hon. member for Grenville-Dundas (Mr. Cass) who instituted this, and which I have simply carried on.

I think we have associated together—and surely I do not have to repeat; by now it is in *Hansard*, in any event—the seven major divisions of The Department of the Attorney General resulting from this reorganization, which have brought together those functions and those areas of the department that have to do with certain features of the administration of justice, the enforcement of law, the protection of the public, and so on. I have set them all out. Some of the ideas of my hon. friend will be found there; he will find them incorporated and I give him full credit.

This division is the one that ties them all together and sees that—if I may say so—they are properly run in an administrative sense, and sees to the funds that are necessary for that purpose.

Mr. Singer: To be a little more specific then, has the hon. Attorney General any plans to become all of the law for the province of Ontario? Has he plans to take on to himself responsibility for the legal branch of my good friend, the hon. Minister of Highways? He has some six lawyers in there. Has he some intention of taking on to himself the responsibility for the legal branch of the hon. Minister of Municipal Affairs? All the other lawyers who are tucked away in various departments or cubby holes—does the hon. Attorney General agree with me that they should be his responsibility?

Hon. Mr. Wishart: I do not know, Mr. Chairman, that I am quite prepared to give my hon. friend a categorical answer. I think it is a very interesting thought. Perhaps if I were a personally ambitious man, I might like to say that I would like to be all the law, but not that I know of, and I am only being perhaps a little facetious in saying it.

I think I can tell my hon. friend this, that insofar as the legislation which comes to this House is concerned, every single, solitary bit of it comes through the department of the legislative counsel, which I like to regard as in the aegis of my department.

My colleague, the hon. Minister of Highways, has some legal gentlemen—

Mr. Singer: Six.

Hon. Mr. Wishart:—and I was talking with the hon. Provincial Treasurer (Mr. Allan) today. We were chatting in a rather jovial way about some question of law and I understood that he has at least one adviser over there. I do not know—

Mr. Singer: Municipal affairs, three or four.

Hon. Mr. Wishart: I would say this—

Interjections by hon. members.

Hon. Mr. Wishart: Mr. Chairman, if I may make myself heard, I would say this: I am not sure it is the wisest or most efficient thing to do, to have all the lawyers, all the law, entirely under the control, the thumb, of the Attorney General. I think there is a field for lawyers to advise departments, but when legislation comes forward I think in order that it may have the same approach, the same view and be correlated, then it is good that it come through the department of the legislative counsel and this is being accomplished at this time. I am still quite open to think about and consider the suggestion of the hon. member for Downsview but at the moment I am not quite all the law in the sense that he likes to think about it.

Hon. Mr. MacNaughton: Mr. Chairman, I am going to rise here and if the order of the evening is to ask questions, although probably this is more appropriately the role of the official Opposition, I think I will ask the hon. member for Downsview a question that might have something to do with the point he raised.

I ask the hon. member to consider this, if he would be fair enough to do it. He has made reference to the fact that the branch of The Department of Highways comprises

a director of legal services and—probably he is quite right—a staff of six—it is no less than that, it is probably more. Would he not think that it is sensible and appropriate to locate legal people in a department that has certain specific legal functions to perform, in close association with the very functions of the department involving legal services—to place them there under the direct jurisdiction, shall we say, of the department and the administrative control of the Deputy Minister, rather than assign them all to one department, as he says, to make the Attorney General all the law?

I think this is so probably in terms of legislation, Mr. Chairman, when, as it has been stated by the hon. Attorney General, the legislation advanced in terms of any department for consideration by the House is considered by legislative counsel, and probably written in terms of all its requirements by legislative counsel. I am not knowledgeable in the legal field. I ask the hon. member, in terms of practical common sense, if this is not good business and if it is good business in The Department of Highways, if he is prepared to admit that, is it not good business in terms of any department where the specific functions of a department have certain connotations and overtones with the legal requirements of the department, not only legislative, but all the legal performance, and all the legal pursuances, if you like, of a department? Is it not sensible, that the legislation be examined carefully before it is submitted to the House for approval by officers of the Crown under the jurisdiction of the hon. Attorney General? I ask him to examine that and think sensibly about it before he proposes to the hon. Attorney General that he should be all the law.

Mr. Trotter: He did not say that.

Hon. Mr. MacNaughton: Oh yes, he did say that. Those are the very words he used. Just think about it a little bit. I simply propose that in terms of a question, because I think it is worth some sensible examination, Mr. Chairman.

Mr. Singer: Well, Mr. Chairman, I am delighted that my friend, the hon. Minister of Highways has asked that question and other than his last phrase, I will not even dwell on that. He just sort of added a little icing to the cake.

I would think that if the hon. Minister of Highways thought about this problem for a moment he would recognize that the theory, and it is not a new theory, that we have

been advancing—my hon. colleague from Sudbury and I have been saying this for the six years that we have been here. We are not suggesting that there should not be legal advice available to the hon. Minister of Highways. Maybe you need six lawyers or maybe you need ten lawyers or maybe you need 25 lawyers to do your job properly, but what we do suggest is that those people should be the hon. Attorney General's lawyers and not your lawyers, not the lawyers of the hon. Provincial Treasurer, or the hon. Minister of Education (Mr. Davis), or the hon. Minister of Municipal Affairs.

This does not mean that you have to put your hat and coat on and go over to his office any time you want legal advice, but it means that the end responsibility for getting legal advice is the responsibility of people assigned to you by the hon. Attorney General, who is their boss. Now, what we have today is an entirely different thing. You and your deputy are the boss of those six men and—oh yes, you are, and you can shake your head from today till tomorrow—those people are hired by you, they are hired by your civil service, they are responsible to you and from time to time they get into serious disagreements with other departments, and I will not mention them. I have got one specific example in mind and I have no intention of bringing this up.

I know that there is one solicitor on your staff who feels very bitter about advice that another department gave him in a legal matter. Now I do not think this should be so. I am not concerned about the issue, whether he is right or somebody else is right. That is not the point. The point is that there should be one source of legal authority and legal responsibility advising government, and if this year you want another lawyer, then you tell the hon. Attorney General that you want another lawyer and he will assign him. He may take a lawyer that has been in The Department of Highways and next year put him in The Department of Health, so that eventually you build up a broad civil service of legal advisors who know the field of government and know it well. But they are the hon. Attorney General's lawyers. They are able to bring independent minds to their tasks when they advise your deputy or yourself. They are able to say, "We are sorry, Mr. Minister, even though we know you want to do that, we are forced to tell you that legally you cannot do it."

Now, it takes a pretty brave lawyer who is hired by you to put himself in that position, whereas if he was the hon. Attorney General's

lawyer, he could do that and he would do that. That is the point, Mr. Chairman.

Hon. Mr. MacNaughton: That is your point.

Mr. Sopha: Then in addition, it ought to be pointed out that the hon. Minister of Highways is not content with the six he has on full staff; six are not enough for the legal work that he must do in his department. He spends hundreds of thousands of dollars of public moneys in hiring lawyers downtown.

Hon. Mr. MacNaughton: Indeed?

Mr. Sopha: Yes, and up until recently we hear the rumours bouncing off the walls, he had a special favourite of one law firm downtown and the largesse bestowed by him and his predecessor, the dairyman from Dunnville and others in the department, on this particular firm is magnificent to behold. I really hesitate to conjure up the total sum that that one law firm has been paid.

Now, the point made by my hon. friend from Downsview and which has been reiterated every year by us, is that we consider it to be a distressing thing when the government of this province is represented in the courts or before public tribunals by lawyers who are carrying on private practices. When the government is in the courts, when the rights of the Sovereign are being tested, when the public interest is involved in litigation, the person who should be there is the representative of the Attorney General. I say again, you profess mightily to look to Great Britain for inspiration, but you choose very carefully. In Great Britain, the Attorney General is all the law.

Mr. L. M. Reilly (Eglinton): How about Ottawa?

Mr. Singer: And in Ottawa too, my hon. friend.

Hon. Mr. MacNaughton: Take a look at the estimates of the House of Commons—

Mr. Sopha: In Great Britain the Attorney General is all of the law.

Interjections by hon. members.

Mr. Sopha: All right, I am not going to repeat that statement.

Hon. Mr. MacNaughton: —and where it is spread around, and how it is spread and to whom. Take a look at that.

Mr. Sopha: Well, I myself—could I get a word in?

Hon. Mr. MacNaughton: And the hon. leader of the Opposition (Mr. Thompson), knows all about it, too.

Mr. Sopha: Mr. Chairman, I have the floor, could I get a word in? I was hired by the Diefenbaker government at one time, to show you how fair he was.

Interjection by an hon. member.

Mr. Sopha: Mr. Chairman, the hon. Minister of Highways should not be in danger of busting a gasket. I will send him a tranquilizer, perhaps.

In Great Britain the Attorney General's lawyers are called Treasury counsel and he has a large band of them. Whenever a matter goes to court, the government is represented by one of the Treasury counsel. They do not come under the Treasurer or the Chancellor of the Exchequer, that is an historic term applied to them. On the contrary, they come under the Attorney General. Now a great Attorney General, the Rt. Hon. Sir Douglas Hogg, had this to say at one time:

Whenever, therefore, the rights of the Sovereign as the guardian of the interests of the public are affected, they must find their protection in the presence of the Attorney General.

Another person said that it has been said of the office of Attorney General "what is everybody's business" in the sense that the whole of the body politic is affected, "What is everybody's business is nobody's business, it is the business of the Attorney General."

Now, I think it is a distressing thing that when the government is in the courts and perhaps we are spilling over into another vote, when a prosecution is launched on behalf of the government, I think it is a distressing thing that a lawyer in private practice is hired to carry on that prosecution. There ought to be, it seems to me in ordinary common sense, there ought to be a band of lawyers in The Department of the Attorney General, who go into the courts as his direct representative. They are there as counsel for the Attorney General.

Again, in Great Britain in all the major cases of litigation, in all the big ones, who is in the court on behalf of the government? The Attorney General himself. The Attorney General goes to court. We have only one instance in modern history of the Attorney General appearing in court in this province and I referred to it the other day, and I am not going to reiterate it. I do not expect that the practice will be resumed but what the

hon. member for Downsview and I do plead for is that when the Sovereign is in the court the Sovereign ought to be represented directly by a person from the department. And what I would do had I the responsibility, I would have—which I may never have—but I would do, and I put it forward as a constructive suggestion—I would have a band of lawyers under the direction of an experienced counsel, a senior man, under their direction, and have him directly responsible to the Attorney General. And so far as the litigation was concerned, affecting the government and therefore affecting the people, I would have that man hold a daily meeting of the lawyers, the counsel, appearing in the court, to thresh over the cases, to discuss them, to get together and collect the ideas of all of the counsel in order that the conception would be scattered abroad that government counsel, the counsel of the Attorney General, in the courts were to be feared and respected. After all, those counsel appear on behalf of the people.

I have referred in respect of the hon. Provincial Treasurer. I do not think he ever understood the criticism. What a terrible thing I thought it was that the prerogatives of the Crown, those historic rights that attach to the Crown, should be bundled up and sent down to the offices of the lawyers for insurance companies, as we see happen. The Crown in suit now can be sued more readily under The Proceedings Against the Crown Act. The Crown insures itself. When a suit is launched, counsel for the Attorney General does not appear. No, it is a counsel for an insurance company.

Mr. Bryden: The insurance companies are taking over—

Mr. Sopha: Yes, indeed. And the insurance company appears in the name of the Crown, the insurance company appears in the name of the hon. Minister of Highways, for example. Or may appear in the name of the hon. Minister of Public Works (Mr. Connell). Now, the hon. Attorney General, as the chief law officer of the province, does not even know who these lawyers are, he is not acquainted with them, he is not acquainted with their ability, they could be strangers to him.

I merely make this plea: Let us make a fresh start, let us make a fresh start now, and let us hire within your department a sufficient number of lawyers at an attractive enough salary to keep them, so that when the people, when the sovereign body, the people, are involved in litigation, they are represented there by a counsel who truly is the agent of the Attorney General.

Hon. Mr. Wishart: Mr. Chairman, I must briefly say to my hon. friend that surely he is aware that the title, particularly the function, of the Attorney General in Great Britain is vastly different from that of the Attorney General in Canada. And particularly in this province of Ontario. I am sure the hon. member is aware of this. He did mention that the law side or one of the chief officers of the Attorney General in Britain, is the Treasury counsel. I do not think he would find the namesake of this Attorney General standing up in the Houses of Parliament at Westminster and carrying on the type of debate that it devolves upon this Attorney General to carry on in this Legislature.

This is not his function at all. His functions are entirely different, are vastly different. Part of the functions are carried on by the Home Secretary. He has the Treasury counsel, he has—as I mentioned, I believe—the Solicitor General. And in Scotland, where I like to look occasionally for good examples, there is the Advocate General.

When the hon. member talks about the persons who prosecute down through all the courts of this province or up through all the courts of this province, there are the officers responsible to the Attorney General, the Crown attorneys, some 71 or 72 of them. When we come into civil matters and when we come to the vote on the civil law division, I will be able to tell you something of what is done by those lawyers on the civil side who are in my department and who assist in the competent and capable way that they do and something of the extent of the work that they carry on.

I have already expressed some views and my colleague, the hon. Minister of Highways, has also expressed some reasons why perhaps there is good justification for, in our system here at least, for the present, having close to the department and familiar with the specialized work of the departments of this province, which is no small dominion, solicitors who are familiar with the work of the Minister and who know his aims and objects and can advise him. When it comes to the legislative deal only, then they come through legislative counsel.

Mr. Sopha: Well, I will name three cases. Will you tell me why Mr. William Bowman, director of public prosecutions, or Mr. John Austin or Mr. Rod Cormack could not have appeared on behalf of you in the courts in the three cases?

We had two scoundrels who were stealing from the Minister of Highways in Haileybury.

That is one case. The second case was the prosecution of Ralph Farris. The third case was the one conducted by Mr. Milligan, who is presently chairman of the Ontario police commission—I forget the nature of that case.

Now, will you tell me why the three people that I have mentioned could not have been in the courts? Why should it be that you pay a \$7,000 legal fee, for example—that is the only case that I know the fee that was paid—in respect of those two people at Haileybury?

Mr. Bryden: That is not the full fee.

Mr. Sopha: No. The hon. member for Woodbine says that is not the full fee, but we found out the information, and to date you have paid \$7,000 in respect of that prosecution. I said at the public accounts committee that the offence was so serious—stealing public money as they were doing, perhaps I spoke loosely—I said the person who should have been there prosecuting them was the Attorney General himself. And in Britain, of course, that is precisely the person who would have been there. But the hon. Attorney General quite properly pointed out the difference in the characteristics of the office. The Attorney General in Britain is a very junior member of the Cabinet. He is almost purely administrative and his advice is not sought on matters of high policy. He does not sit in the inner Cabinet as the Attorney General does here. But our system has reflected this: In periods when we have had strong Attorneys General like this one that we have now—

Some hon. members: Hear, hear!

Mr. Sopha: —the advice and counsel of the Attorney General has been sought by his colleagues and that is properly so. The other members of the Treasury benches ought to approach the Attorney General for his advice and counsel. So it was that we had a strong Attorney General when the present chief justice—I was not here in the House but he was a very able lawyer; he was Provincial Treasurer at one time—

Mr. Singer: Minister of Education!

Mr. Sopha: —Minister of Education—and he occupied the post of Attorney General and he sat on the right hand of the Prime Minister and he was a very strong political personality. I just throw that out; I ask you to tell me why any one of the three lawyers in your department—very able men, all three of them—why do you have to shop downtown with Tory lawyers—

Mr. E. Sargent (Grey North): To pass the money around!

Mr. Sopha: Yes, because you never hire a Liberal; I know that. You never hire a Liberal lawyer, and I will go this far—

Interjections by hon. members.

Mr. Sopha: I was hired by the Diefenbaker government, so I do not complain. I will go this far, that I know from my personal experience that it is a very disgraceful business how these Tory lawyers fight over the patronage; how they fight each other. There is almost a cannibalistic characteristic to it. They are jealous of each other over the work from the public trustees' office, from the official guardian's office, from The Department of Highways, and they even go so far as to come down here to see the hon. Attorney General and complain that Joe Blow down the street, who is three millimetres less an ardent Tory, is getting more work than they are and they want an adjustment—

Hon. Mr. Wishart: Mr. Chairman, I must rise here because nobody comes down, I must tell the hon. member, to see the Attorney General to get work for political or any other reason, and if they come for that reason, they get very short shrift. I do not know the politics of lawyers who are hired or engaged or retained, or whatever the word may be, for legal work, and I can tell the hon. member that insofar as The Department of the Attorney General is concerned, not one outside lawyer or member of the legal profession has been retained for a case in the time that I have been Attorney General. The only exception to that would be counsel to a commission and I have had some part in securing counsel to Royal commissions.

Some of the cases that the hon. member referred to, I have no knowledge of. I think he must be referring to something before my time. I do not say that as an excuse, but I think there were good reasons why eminent counsel were obtained for the specialized cases which they were asked to conduct. In the prosecutions which come to my mind in The Department of the Attorney General, we used one of our eminent Crown attorneys, Mr. Milligan, in the Larocque case, Mr. McCullough in the Farris case, Mr. Bowman and Mr. Austin.

You ask about Mr. Bowman. He does not take, and it is not expected of him that he go into, the trial court. He is an appeal counsel; Mr. Austin likewise. Mr. Bowman's duties further extend, as director of public

prosecutions, to the supervision, guidance and advice to the Crown attorneys throughout this province, the 71 or 72 of them, and I do not expect nor ask him to go into court in the trial area. There are other cases I could recite where quite eminent and important persons have been prosecuted, but they were prosecuted by the Crown attorneys of my department and we did not seek outside help, so that in that sense we were complete with the lawyers which we required and the counsel, eminent and capable in the law, to conduct those prosecutions.

Mr. Sopha: What we want you to do is get eminent and capable counsel in your department.

Hon. Mr. Wishart: I think I have them.

Mr. Sopha: You have some—

Hon. Mr. Wishart: I was just telling you that on the criminal side I have not sought outside my department, and when you come to the civil law vote, I will tell you something of what we have done there.

Mr. Singer: Mr. Chairman, with great respect to my friend the hon. Attorney General, we are back into the difficulty that maybe what he undoubtedly says that he does within the confines of the four walls of his department is correct. Here is what The Department of Highways does.

Hon. Mr. Wishart: Again we are getting a little bit tangential, if I may use the word.

Mr. Singer: That is a good word. Unfortunately, since the beginning of the previous vote, it is difficult—and I repeat it this time—it is difficult to analyze properly the extent of this because we have not got the answer to question number 7. If we had the answer to question number 7, we could give you facts and figures.

There was \$50,000 in outside legal work given out by The Department of Highways in the fiscal year ending March 31, 1964—\$50,000 in one department.

Hon. Mr. Wishart: That is not a lot, you know.

Mr. Singer: Oh, come. With the department you have six lawyers there already. By the time you add it up, mark my words, you will be well over \$500,000 and close to \$1 million.

If there is a different answer from that, let us hear it, but in the two or three years that my hon. colleague from Sudbury and I have put this question, the figure has come

well up to \$500,000. This is not the way to run this business, unless you are doing it for patronage purposes and it is obvious that that is the way it is being done.

Vote 204 agreed to.

On vote 205:

Mr. Singer: On vote 205; I understood the hon. Attorney General wanted to make a broad statement on the civil law division. I would like to hear it, but as we get into 205, 206 and 207, in order that we do not get too “tangential,” I would like to have some ground rules established, Mr. Chairman, as to what comes into these specific votes, because there are a number of headings that theoretically could go into any one of them. If the hon. Attorney General would lay down the ground rules within these three votes, we could abide by them.

What do you consider is in votes 205, 206 and 207? The civil law division could cover a multitude of sins, or practically nothing.

Hon. Mr. Wishart: I must say that I think the words “civil law division,” which is 205, as opposed to 206 which is “criminal law,” are pretty much self-explanatory, surely.

Mr. Singer: Do you want to talk about court organization under 205, or do you want to save that for 207?

Hon. Mr. Wishart: We go to 207.

Mr. Singer: Do you want to talk about court reporters under that?

Hon. Mr. Wishart: That will be under 207.

Mr. Singer: Do you want to talk about the law of family relations under 205 or under 207?

Hon. Mr. Wishart: That would be 207.

Mr. Singer: What do you want to talk about under 205, just so that we will know what it covers?

Interjections by hon. members.

Hon. Mr. Wishart: This, Mr. Chairman, in fairness to the hon. member, I should say is my main office—civil law, the conduct of civil law in the office of the Attorney General. It is the whole body of civil law, as we conduct it there. I can expatiate on that; I have quite a few notes here. May I tell you something about it? It will only take me a moment.

Mr. Singer: Okay; go ahead.

Hon. Mr. Wishart: Perhaps I might read the notes I have made. Mr. Chairman, the

functions of this division—that is, the civil law division—fall into two general areas.

The first covers representation of the government of Ontario in all civil and constitutional matters—and this is what we were talking about a moment ago—the representation or the representing of the government of Ontario in all civil and constitutional matters before the supreme, the county and the division courts of the province, and the Supreme Court of Canada. In addition, counsel from this division represents the government where requested before federal administrative boards, such as the national energy board, and the board of transport commissioners for Canada. This division also supplies counsel to provincial boards and agencies, such as the Ontario police commission, the Ontario securities commission, the Ontario energy board, the Ontario pension commission, and so on. That is one division—the representation as counsel from out of my office, my personnel, on the civil side before courts of all grades, boards and commissions, and so on.

The second general area of activity is the providing of legal advisory services for the government. The activities in this area can best be illustrated by the fact that in 1964, 105 formal legal opinions were given by this branch to other government departments and agencies. This is where we are asked for opinions on generally quite important matters of law. These opinions are furnished in a formal manner and delivered to the departments which request them, and on them the departments base their judgments and go forward with their policies and into litigation matters too. So this is a field where we serve departments of my hon. colleagues, in areas where they may be involved in litigious matters.

In addition to these opinions, solicitors from this branch advised and consulted with the solicitors and other senior personnel of other departments on innumerable occasions. They also dealt with 432 inquiries made from the public at large to The Department of the Attorney General. In matters of litigation, five Supreme Court of Canada matters were dealt with and disposed of, and I may say to you, very satisfactorily. Twenty-four Supreme Court of Ontario matters were completed. These were by people within the department, not people downtown. Forty-three county court and 346 division court claims were finalized. There are presently pending two Supreme Court of Canada matters and 42 Supreme Court of Ontario matters, in addition to 46 county court and 104 division court claims.

Mr. Sopha: What in the world would they be in the division court for?

Hon. Mr. Wishart: For small, generally small property damage claims.

The solicitors from this branch also represented the Queen's Proctor on 52 motions in the supreme court for judgment absolute. The division provided counsel to represent the Attorney General of Ontario before the national energy board, counsel to the Ontario securities commission, the Ontario police commission, the Ontario human rights commission, in matters before those agencies. The division will also be providing counsel to represent the government of Ontario in the Bell Telephone application before the board of transport commissioners of Canada, which is being heard now, as a matter of fact. And I may say to the House that we have a watching brief securing information from all sides and being prepared to be knowledgeable in case it is necessary to make a submission.

Counsel of the department of the civil division undertook four prosecutions at the request of The Department of Labour for violation of The Industrial Safety Act.

With reference to the supreme court matters handled by this division it should be pointed out that in most instances they are cases of complexity requiring a great deal of research and involving a lengthy trial.

I have a number of cases which I could cite. I will cite one, the case of Clark and Creba, Miller and the Attorney General for Ontario, was 21 days at trial.

Three constitutional matters were disposed of in the Supreme Court of Canada, each of which required a great deal of research and the implications of which were very broad. Judgment in two of these cases has been reserved by the court, one for a period of six months. In many of the Supreme Court of Ontario matters, interlocutory proceedings are necessary and additional attendances in court required.

This, Mr. Chairman, is a brief summary, or a brief outline at least, to give some idea of the work of the civil law division of The Department of the Attorney General.

Vote 205 agreed to.

On vote 206:

Mr. F. Young (Yorkview): Vote 206, Mr. Chairman, and it may be time that a new voice was introduced into this debate tonight. The hon. member for Downsview has certainly demonstrated that he is doing his homework very effectively, and the hon.

Minister is also showing that he is doing his homework just as well.

At the present time, there is being held in this city a trial of the alleged murderer of one, Jack Blanc, who was shot in Bathurst Manor some time ago when he was assisting in the apprehension of a bank robber. The man now on trial was apprehended later on.

Mr. Sopha: The case is at the bar, is it not?

Mr. Young: I am not commenting on the case. What I am asking the Attorney General is: In a case like this, many of us have felt for a long time that there is a necessity for compensation for people like this, and for the dependants of people like this, who assist the law enforcement officers in the apprehension of criminals. Now, in a case such as this one I have mentioned, and I am not prejudging the case in any way, I simply say that there is a wife and family left in this situation, without too many resources. The public has responded to raise some funds to help out.

In other cases we have read where people stand on the sidelines while the police action is taking place and where the police are having a difficult time. Or perhaps some crime has been committed, as we often read about, and yet people hesitate to interfere because of the danger which is there, and the fear that if something happens to them, their dependants may be left destitute. So for a long time there has been thinking regarding some compensation in this regard. Some jurisdictions have already set up funds of this nature, where compensation of varying amounts is paid under certain circumstances. I would ask the hon. Attorney General if any serious thought is being given by this government for this sort of action, where a compensation fund of this kind will be set up so that people who do assist in law enforcement activities, people who may not be in the police force itself, may expect to have some protection in case their dependants may be left destitute or if some serious accident may occur to maim or wound, or incapacitate, these people-taking part.

Hon. Mr. Wishart: Mr. Chairman, I am aware of the recent interest in this matter and I think it would suffice for me to say that we were turning it over in mind and wondering what might be done to apparently focus some of the interest which is in this field when the matter was referred to the commission on civil rights, headed by Mr. McRuer, and I have no doubt he will come forward with a recommendation from that commission very shortly.

Mr. Bryden: Well, it will be a long time, Mr. Chairman, before the commission headed by Mr. McRuer will be reporting. Surely this is not a matter on which the government needs to wait for advice from that commission. In fact, I would say it is only marginally within the terms of reference of the commission. Chief Justice McRuer, as he was, certainly is well qualified to investigate the matter but he has many other matters under consideration. It seems to me this is a matter that merits a policy by the government long before one could reasonably expect that the McRuer commission would be reporting.

Hon. Mr. Wishart: I would just say this, Mr. Chairman. I do not think it is a matter that needs to take a long time and for that reason, I would expect, I cannot require or urge the commission on human rights to give the government a report in haste, but I should not think this is a matter that is going to require a long time.

Mr. MacDonald: Are you expecting interim reports?

Hon. Mr. Wishart: This is not my commission. The law reform commission does report to the Attorney General and I have referred a number of things to it and I am aware of the body of its work, but I am aware that the commission on civil rights has this matter in hand and I should not think it would be long, and I think it is a matter of courtesy that we might wait for the recommendation of that commission.

Mr. Young: So we wait for legislation next year!

Mr. Wishart: At the same time, I am quite prepared to say that the government would be capable of making up its own policy, of making up its own mind, and taking some action.

Mr. Singer: Mr. Chairman, we get into a very serious point of principle at this stage. There is a resolution on the order paper—I think standing in the name of one of the hon. members from Hamilton—about compensation for the victims of crime. This is why I suggested quite seriously just before we embarked on this vote, that perhaps we should have some ground rules.

Now, if my friend from Yorkview is right and the question of the compensation of the victims of crime properly comes under this vote, I have some rather extensive remarks that I want to make, either in these estimates or when the resolution is called. I am not

satisfied, merely because the matter has been discussed before Mr. Justice McRuer, that we have to sit in anticipation of his report. He may or may not choose to deal with any of a hundred different subjects that deal with civil rights, but in order to avoid writing out the proceedings of this House at undue length, if the government would tell us, do they propose to call these resolutions—the one on compensation for victims of crime; the one on divorce and the one on administrative procedures, and so on—all these things—and the bill standing in my name on ombudsman?

If these are going to be called and they will be called in reasonable time to allow proper debate, then perhaps they do not come up here, but if they are not going to be called, then they should be discussed somewhere and perhaps my hon. friend from Yorkview is right—let us have a full-fledged discussion right now on the whole problem of compensation for victims of crime. Let us hear from the government what the policy is; are you going to call these resolutions and these bills; or do you want them debated on these estimates? Now, I have my material here and I am prepared to go on to these things right now and I am sure there are other people in the House that are, too.

Hon. J. P. Robarts (Prime Minister): Mr. Chairman, may I speak to this matter? It is my intent that these various bills be called. There are quite a few of them there that have been discussed at one point or another during the course of the business of the House to date, but I can assure you that we will get to them.

All I would ask—and I think it is not an unreasonable request—is that we not discuss them all twice.

Mr. Singer: I quite agree. It is up to the hon. Attorney General; and the hon. Prime Minister's statement that he will call these and I will put—

Interjections by hon. members.

Mr. Singer: But let us not miss it, that is the only point!

Mr. R. G. Hodgson (Victoria): Mr. Chairman, might I bring to the attention of the hon. members of the House that we dealt with the matter of compensation to those who assist peace officers under Bill No. 31, An Act to amend The Workmen's Compensation Act, just recently. Section 7 of that bill reads:

For the purpose of this Act every person who under clause (c) of sections 1, 3 and

10 of The Criminal Code of Canada is required to assist in arresting any person for disturbing the peace shall be deemed to be an employee of the Crown in the right of Ontario and his average earnings shall be deemed to be the same in amount as his average earnings at his regular employment but in any case not less than \$30 per week and not more than \$6,000 per annum.

Mr. Singer: Mr. Chairman, if the hon. member for Victoria believes that this is the whole issue, then let us have the debate as quickly as possible, particularly for his edification; there is so much more involved in this that he does not even understand that the quicker we get on with the debate on compensation for victims of crime, the better.

Mr. Renwick: Mr. Chairman, on vote 206 there are four or five matters on which I would like some information from the hon. Attorney General. I would prefer to deal with them one at a time which might be the most expeditious way of handling them.

Would the hon. Attorney General, first of all, tell us what the number of—

Hon. Mr. Robarts: May I interrupt the hon. member and point out that it is now 11 o'clock and he has several matters to raise.

Hon. Mr. Robarts moves that the House rise and report certain resolutions and ask for leave to sit again.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of supply begs to report certain resolutions and asks for leave to sit again.

Report agreed to.

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, before moving adjournment of the House, with respect to the bill dealing with the milk industry, I would like to call second reading of that bill on Thursday so that we can have a debate on it, then it can go to the agricultural committee on Tuesday next and the various bodies that are interested will be informed. Tomorrow we will resume these estimates.

Hon. Mr. Robarts moves the adjournment of the House.

Motion agreed to.

The House adjourned at 11:00 o'clock, p.m.

No. 93



ONTARIO

Legislature of Ontario

Debates

OFFICIAL REPORT—DAILY EDITION

Third Session of the Twenty-Seventh Legislature

Wednesday, May 12, 1965

Speaker: Honourable Donald H. Morrow
Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

WEDNESDAY, MAY 12, 1965

The House met at 3 o'clock, p.m.

Prayers.

Mr. Speaker: We are pleased to welcome as guests to the Legislature today, in the west gallery, students from Crestwood secondary school, Peterborough and Deer Park senior school, Toronto.

Presenting petitions.

Presenting reports by committees.

Motions.

Introduction of bills.

THE MEAT INSPECTION ACT (ONTARIO), 1962-1963

Hon. W. A. Stewart (Minister of Agriculture) moves first reading of bill intituled, An Act to amend The Meat Inspection Act (Ontario), 1962-1963.

Motion agreed to; first reading of the bill.

Hon. W. A. Stewart (Minister of Agriculture): Mr. Speaker, the amendment to The Meat Inspection Act provides for humane slaughter in The Ontario Meat Inspection Act. It is necessary to add this to our Act because in drawing up the previous Act, we felt that the meat inspection would be carried out by the federal government under The Canada Meat Inspection Act, which provides for humane slaughter. Now that Ontario is carrying it out on its own, it is provided in this amendment.

THE SEED POTATOES ACT

Hon. Mr. Stewart moves first reading of bill intituled, An Act to amend The Seed Potatoes Act.

Motion agreed to; first reading of the bill.

Hon. Mr. Stewart: The fact, Mr. Speaker, that this bill is being introduced today is no indication of the time of year. It simply means that The Seed Potatoes Act is transferred from the crops branch to the inspection branch of our department.

THE FARM PRODUCTS MARKETING ACT

Hon. Mr. Stewart moves first reading of bill intituled, An Act to amend The Farm Products Marketing Act.

Motion agreed to; first reading of the bill.

Hon. Mr. Stewart: Mr. Speaker, by word of explanation here, I would say that these amendments to The Farm Products Marketing Act simply put into practice procedures that are now presently being performed without being spelled out in legislation. They also provide for the protection of members of a local commodity marketing board and the farm producers marketing board, from personal suit being launched against them when they are carrying out the intents of the Act in good faith.

Mr. R. F. Nixon (Brant): Mr. Speaker, may I ask the hon. Minister if the protection against personal suit would have a retro-active clause?

Hon. Mr. Stewart: Well, I have not really given thought to that particular aspect, Mr. Speaker, but I would assume that it would have.

Mr. Nixon: That it would have?

Hon. Mr. Stewart: I would assume so.

THE JUDICATURE ACT

Mr. J. Renwick (Riverdale) moves first reading of bill intituled, An Act to amend The Judicature Act.

Motion agreed to; first reading of the bill.

REGIONAL DETENTION CENTRES

Hon. A. Grossman (Minister of Reform Institutions) moves first reading of bill intituled, An Act to provide for the establishment of regional detention centres.

Motion agreed to; first reading of the bill.

Hon. A. Grossman (Minister of Reform Institutions): Mr. Speaker, this bill provides the authority necessary for two or more counties

to co-operate in establishing and operating a joint jail or regional detention centre board.

Mr. Speaker: Orders of the day.

Clerk of the House: The twenty-third order, House in committee of supply; Mr. W. E. Sandercock in the chair.

ESTIMATES, DEPARTMENT OF THE ATTORNEY GENERAL

(continued)

On vote 206:

Mr. J. Renwick (Riverdale): Mr. Chairman, when the committee rose last evening on this vote, I had four or more matters on which I would like to obtain information from the hon. Attorney General (Mr. Wishart). I would prefer, if it is agreeable to him, that we deal with one item at a time in order to deal with them as expeditiously as possible.

The first item of information that I would like to have is the number of persons who were charged during the past year as habitual criminals and the number of persons who were convicted of that charge.

Hon. A. A. Wishart (Attorney General): Mr. Chairman, this is the type of question, where specific answers are required in numbers, on which I might reasonably expect some notice.

However, I can say to the hon. member that I am not aware of any person convicted in Ontario in the last year as an habitual criminal.

Mr. Renwick: Mr. Chairman, the second item, on which I will comment very briefly, is the question of fingerprinting. Is there any provision made so that if a person, having been apprehended and fingerprinted, is subsequently acquitted of any charge that has been made against him, is there any provision for an order of a magistrate or the judge acquitting him to direct that the fingerprints of that person be destroyed? Or do his fingerprints remain as a matter of permanent record with the police authorities throughout the province?

Hon. Mr. Wishart: Mr. Chairman, I am not aware of any legislative authority for destroying such records. I think, although I cannot be certain of this, that they are sometimes returned on request where it is established that they have no significance in any proceedings.

Mr. Renwick: Mr. Chairman, I would like to ask the hon. Attorney General if he

would consider whatever amendment is necessary to grant to magistrate and judges the authority to order the destruction of the fingerprints of persons who are acquitted of criminal offences in the provincial courts.

The next item, Mr. Chairman, is the question about the length of time people are detained in jails in the province awaiting appeal from their original conviction. Undoubtedly the hon. Attorney General has seen the article which appeared in the *Ontario Magistrates' Quarterly* in January of this year, "Imprisonment Without Trial," in which the suggestion is made, and certainly one which we hear endorsed, that a court of criminal appeal be set up for the summer months so that at no time is there a protracted period during which a person, who has been convicted and who is appealing his sentence, will be delayed or held unduly long in a jail without having recourse to a court in which his appeal can be heard, and be heard promptly.

Hon. Mr. Wishart: Mr. Chairman, with respect to the matter of bail pending appeal, there is no delay inherent in the facilities which are available in that any judge of the high court can hear, throughout the year, applications for bail from persons in jail on conviction and making application for appeal. I do not know whether the hon. member is referring to the actual hearing of the appeal or not.

Mr. Renwick: Yes, the actual hearing of the appeal.

Hon. Mr. Wishart: On that I can only say that application has been made to the department that our high courts sit now throughout the year and I have referred the matter to the chief justice of the high court, to the chief justice of Ontario and to the law society of Upper Canada—this was in the last three weeks—for study. I have had response that the matter is now receiving study from the law society and from the chief judge of the district and county courts, and I am awaiting word from the others. The whole matter is under study.

Mr. Renwick: Mr. Chairman, on the question of persons who are held in jail, every now and then we are exercised, and certainly a lot of people are concerned, about the report that persons are held unduly long in jail without having been brought to trial. I would ask the hon. Attorney General if he would not give consideration to some method of a daily, twice weekly or weekly, return of the persons who are held in the city and

county jails throughout the province—a return to be made either directly to the Attorney General or to the Crown attorney in each of the jurisdictions throughout the province so that it would no longer be possible that a person would be held for any lengthy period of time without the law officers of the Crown being specifically aware of the length of time for which a person has been held and the related question of whether or not bail has been set or application been made for bail.

Hon. Mr. Wishart: Mr. Chairman, I am glad to have the matter raised at this time. I do not really believe it is as serious as the occasional report would appear to make it be. I think the fact is that justices of the peace visit the jails and the lockups frequently—certainly in all parts of Metropolitan Toronto—and do make themselves available there. The governors of our jails have instructions to make certain that Crown attorneys are notified promptly of all persons who are there awaiting trial. I just cannot believe that—for those reasons at least—anyone is held in jail for any length of time. However, I am glad to have the matter brought to my attention and I will give it further study.

If the hon. member has instances where this is factual, I would like to have them.

Hon. A. Grossman (Minister of Reform Institutions): Mr. Chairman, I might add, for the edification of the hon. member, that since the problem arose regarding the “hold” orders by The Department of Immigration in Ottawa, we have introduced into the department a daily record of all inmates of all of the institutions across this province. They provide a daily record of every person who is there and the purpose for which he is there; whether he is on remand or whether he is serving a sentence and for what purpose. If there is any undue delay at all we ask for an explanation. To date, as far as I recall, there has been no instance in which there did not appear to be a good and reasonable reason for a person being held for any particular period of time.

Mr. Renwick: Thank you, Mr. Chairman.

The final matter on which I would ask the hon. Attorney General's views is whether or not his department considers that they have any responsibility for the investigation of matters within the jurisdiction of bankruptcy legislation, but which may very well have a criminal law connotation such as conspiracy to defraud or actual fraud. We are all aware of the large number of bankruptcies and the

large number of dollars involved in the bankruptcies which have occurred throughout the country in the last several months, and we are also all aware of the investigations which have been undertaken in the province of Quebec in matters relating to bankruptcies. We here have the impression that the hon. Attorney General's department does not accept any direct responsibility for investigating bankruptcy matters, even though it is part of the law of the province of Ontario.

Hon. Mr. Wishart: Mr. Chairman, that is not correct as the hon. member states it. The matter of bankruptcy is, of course, a federal matter and The Bankruptcy Act is a federal Act, and I think everyone is aware—certainly hon. members of this House are aware—that there are what appear to be grave loopholes in The Bankruptcy Act and rackets, if I may use that expression, being carried on within the confines of The Bankruptcy Act which do not seem to be very confining.

We are interested. We have had conferences with the hon. Minister of Justice at Ottawa about the matter. Representations have been made that The Bankruptcy Act does need revision and steps must be taken to tighten the provisions of it with respect to the area or phase of bankruptcy where it reaches into what appears to be a racket where people are taking advantage of what is a federal Act to bring about situations where they fail, but fail with money hidden and money that has been obtained through a period of business, ostensibly honest and proper.

We are investigating; the Ontario provincial police have instructions. The attention of the racket squad is directed to all of these instances where we have any suspicion and considerable work is being done in this area and prosecutions have taken place.

Under The Bankruptcy Act, a trustee or a creditor has the right to refer suspected fraud to the bankruptcy judge and that judge may, if he is satisfied, direct the Crown attorney to investigate and prosecute. This has not been done, I am told, in any of the five Metro areas in recent years. But the power is there and on our own initiative we are investigating.

Mr. K. Bryden (Woodbine): Mr. Chairman, I would say this to the hon. Attorney General, that another phase of this matter that he might look into is one that he could take up with his colleague, the hon. Provincial Secretary (Mr. Allan). I think part of the difficulty arises because of our very lax companies

laws. It is unduly easy to get an incorporation, and this is the way in which these people can conceal their assets. They have a dozen, two dozen, three dozen companies, none of which are really truly limited liability companies. The directors are dummy directors. A man can carry on business in the name of one company but get all the profits into another company and get his assets so completely lost in his network of companies that it facilitates this type of abuse as well as many others. I would suggest that this is a matter that the government could look into as well as the other matters that the hon. Attorney General has just mentioned.

Mr. Chairman: Is the vote carried?

Mr. Bryden: Mr. Chairman, if that particular topic is now disposed of, there is one other matter to which we referred briefly last night under another vote—and as you pointed out properly, under the wrong vote—to which I would like to make a brief reference at this time; and that is the question of the treatment of alcoholics under our present laws.

I notice that at the introductory stages of these estimates—I think it was last Thursday evening, May 6—the hon. Attorney General made a number of comments as to the difficulties that he personally, as Attorney General, encounters with regard to the administration of the law dealing with chronic alcoholics. I am reading from page 2668 of *Hansard*, the words of the hon. Attorney General:

There come across my desk quite frequently, applications for clemency, many of them for persons who have been convicted for drunkenness, and repeating and repeating and repeating—foolscap sheets full of convictions over a period of a few months or a year. These things cause me great concern. They are convicted and given \$10 or 20 days, \$10 or 30 days, or \$20 or 60 days, and then the magistrate sees the list lengthening out, repeated and repeated and repeated. And the ten days are up and on the eleventh day there is another conviction, \$10 or 30 days, and the 30 days are up and the conviction follows, \$10 or 90 days, which is the limit. Then they appeal, "Let me out, I have got a job to go to." And I investigate them; it is a great effort to refuse an appeal for clemency. But the magistrates' courts and the police, the Crown attorneys, when I investigate, say to me, "If you let him out our experience is that he will be back. The police will just be dragging him in tomorrow night." And I know that in

many cases—in many, many cases—this is so.

Those were the words of the hon. Attorney General and I can certainly appreciate the emotional stress that he must feel in dealing with cases of this kind.

But it seems to me, Mr. Chairman, that this experience which apparently is not uncommon with him, should lead him to see the futility of the whole process. What happens, in effect, as the hon. Attorney General so graphically put it, is that a man is up on a drunk charge and gets \$10 or 20 days. He probably has not got \$10 so he goes to jail for 20 days. And so he works up the scale. Finally he graduates, cum laude, \$10 or 90 days. That is as far as the procedure can go. So the man does 90 days and then he is out again; and the next thing you know, he is back in court charged with being drunk and disorderly. So I do not know what the magistrate does then. Maybe he starts down at the bottom of the scale again, down in grade one, \$10 or ten days, and works up again to \$10 or 90 days. But what is being accomplished by all this—outside of our jails being overcrowded with people who, in my opinion, do not properly belong in them at all?

If a man suffers from diphtheria, we may find it necessary to isolate him from the community for a certain period of time, but we certainly do not put him in jail. And if a man suffers a mental illness we may, unfortunately, in some cases, put him in jail, but not because of his mental illness. It will be for some other reason. But if a man is sick because of chronic alcoholism, one of the most terrible of all the diseases that afflict men, he goes to jail and he goes repeatedly because the jail does not cure his sickness; it has very little effect on it. This is what we do. We put sick men in jail, and I venture to suggest that half of the people in the Don jail at this moment are sick men suffering from chronic alcoholism.

I realize, as the hon. Attorney General and many others have said, that there is no easy answer to this problem. It is not easy to treat alcoholism, and I understand from the authorities that it is totally impossible to treat it if the victim of the disease does not himself want to be cured. This is one of the great problems, to produce the proper motivation. I realize all that and I know that even if we provided treatment to all these people we would have a tremendous record of failure, although I would hope it would be a declining rate of failure.

I still say that these people should go to

some other kind of institution for treatment, if they can benefit from treatment, or for custodial care if that is all that we can give them. I understand from articles I have read in *Addictions*, that a great many of the older alcoholics are really people who are, shall we say, totally inadequate personalities; they have long ago given up trying to cope with society. Really, all they need and all they want is custodial care.

In a sense, I suppose a term in the Don is not really severe treatment for them. They are probably happier in the Don than they are out on the street, where they just do not know what to do and where their only recourse is to try to cadge enough money to buy a bottle of wine. But even if it is just a matter of custodial care, surely there is a better place to give it than at the Don jail. Moreover, there should be places where such care could be provided more economically than in the Don jail.

I mentioned the other night that the former Attorney General—two removed—now the hon. Minister of Lands and Forests (Mr. Roberts), had a plan a few years ago for what I understood to be a quite substantial number of treatment centres and perhaps custodial centres for chronic alcoholics. That plan, unfortunately, never really did get off the ground, and I think it is now time that the government gave serious—well, I was going to say “serious consideration.” I have no doubt they have been giving serious consideration to the problem, but I think it is time they started to do something about it.

I think our laws should be changed entirely. It is ridiculous to put a magistrate in the position where about the only option he has is to sentence a man for 10 days, 30 days or 90 days. He may, I believe, direct that the sentence be served in a treatment centre, if there is a treatment centre to which the man can be sent, which is rarely the case. But even in that happy situation, the magistrate has really limited discretion, he must give a specific term. He has no discretion to direct that the man should be committed, shall we say, for a period and then subjected to re-examination, and possibly committed for a further period.

That is what we do in regard to mental hospitals. We commit a person for a period and the period can be extended until it is felt that the person is capable of returning to society. I am not suggesting that we should put alcoholics permanently in institutions, but I think that the magistrates should have far greater discretion than they have now in committing a person to an institution for, shall

we say, a rather elastic period of time in the hope that treatment may be of some benefit to him. They are almost entirely lacking in discretion now. Alcoholism is treated as an offence, which is wrong; and what is even worse, it is treated as an offence with respect to which the magistrate has very little discretion. I think the magistrates should be allowed to exercise much more discretion than they do now; they should have much greater access to the advice of people expert in the field, in dealing with individual cases. And, above all, they should have centres to which they can send people who are convicted of this crime, as it is called, of being sick.

As I say, I was very heartened a few years ago by the fine announcement made by the Attorney General of that day, and I have since been gravely disappointed by the government's failure to take any really aggressive, constructive action in implementing the plan that the then Attorney General announced.

Mr. V. M. Singer (Downsview): Mr. Chairman, the other evening we were discussing the use of electronic devices by police officers in relation to certain activities that they carry on.

I received certain information this afternoon by telephone, concerning the case we discussed in the House at that time. It being unconfirmed information and of a very serious nature, I took the occasion just immediately before the House convened this afternoon, of communicating my information to the hon. Attorney General.

Before I address any remarks in regard to it, I want to be sure, and I am sure the hon. Attorney General does, that the record is the same as the information I have received. I asked the hon. Attorney General if he could obtain for me and for himself a copy of the transcript of evidence taken at the preliminary hearing of this particular trial. He undertook that he would. The only reason I mention it at this point is that the hon. Attorney General has suggested that this matter be brought up under the OPP vote, which is the twelfth vote in these estimates. This will be fine; I am quite prepared to discuss it then but I am somewhat concerned that we might reach the twelfth vote before the transcript is available. In the event that happens, I would ask the permission of the House—I suppose this is the only way to do it—to reserve discussion on this particular aspect until we have what may prove to be a very important piece of additional information before us. This is a matter of very serious import, Mr. Chairman, and certainly I have no intention of

discussing the information I received unless I am satisfied that the information is, in fact, correct.

The hon. Attorney General and I discussed it in this way and he agreed that he would try to obtain the transcript as quickly as possible, and if this is agreeable, I am quite content to leave this issue at this point.

Hon. Mr. Wishart: Mr. Chairman, I confirm, of course, what the hon. member has said, and I will institute the necessary steps to get the transcript. I want it for my own purposes in any event and I shall have it soon, I expect. I doubt if we can get it before we have disposed of the estimates of this department unless those files in front of my hon. friend—

Mr. Singer: No, I do not have it. If I had it here, I would go ahead.

Hon. Mr. Wishart: However, Mr. Chairman, I would like to say this, that immediately at the end of the sittings, on May 10 in this House, when this matter was first raised, I at once, when the session rose that day, spoke to the commissioner of the Ontario provincial police and on May 11 I obtained from him such information as was immediately available through his office and from his inspectors there. I had that material; there was no opportunity to present it as we went on in the estimates yesterday and I felt I should therefore retain it until we reach the OPP vote.

Mr. Singer: That would be fine. There is no point in taking bits of this story—

Hon. Mr. Wishart: I just wanted to make it clear, that I had stepped into the matter already.

Mr. Singer: Mr. Chairman, the point that I wanted to discuss at somewhat greater length under this vote is the whole question of bail. The hon. member for Riverdale touched very briefly on one aspect of it. But I think this whole subject deserves a much more serious and lengthy discussion than it has received here as yet.

I was very pleased to see that Mr. Common's committee, set up to investigate legal aid, did stray from its terms of reference and examined at some length and commented at some length on bail, arrest and summons procedures. While, as I say, I could not find that this particular subject was in their terms of reference, I think their study and their report on this important aspect of the administration of justice, is well worthwhile. It is contained on pages 197 to 209

of the second volume of that very comprehensive report of the joint committee on legal aid.

The fact that Mr. Common and his colleagues on the committee came to the conclusion that this subject was of sufficient importance to warrant their departing from their specific terms of reference speaks for itself, I think. Mr. Common, as a very experienced lawyer and as a very recent senior law officer of the Crown, certainly would be aware of and concerned about our procedure insofar as granting bail is concerned.

A number of studies are going on. I understand that Professor Friedland who, I think, is associated with the University of Toronto law school, is completing or has just about completed a book on the subject, which is about to be published. While I have no idea what it contains, I am sure that a most exhaustive study of systems in this jurisdiction and other jurisdictions has been undertaken and I would hope that Professor Friedland will be able to make available certain concrete recommendations which could very substantially improve our system, which is so badly in need of improvement.

In the meantime, I think too that I recall the hon. Attorney General saying that this whole question had been generally referred to the committee on law reform—am I correct in that? I think that one day, just in a passing reference, there was that sort of a suggestion. In any event, there is now—

Hon. Mr. Wishart: I think probably I was under the impression it was being studied by the Royal commission on civil rights, but I did not refer to the law reform committee. I have some comments that I could make after the hon. member is finished.

Mr. Singer: Well, we have several sorts of catch-all depositories, if I can call them that. I hate to call Mr. Justice McRuer a catch-all depository, but it seems to me that when we get into so many of the fields concerned with the administration of the law, there is the comment made that Mr. Justice McRuer is studying this. And we all know Mr. Justice McRuer and his abilities and we are all satisfied that he is going to make a very serious and important study in regard to a great number of matters. But I just wonder how any one human being is going to come down with a report within days or weeks or months or even within a year, that is going to solve our problems insofar as bail is concerned, together with bills of rights and ombudsmen and codes for administrative tribunals and appeals for administrative

tribunals, and all the other myriad things that have been presented to him, and which he is considering.

I have no means of guessing how complete or how lengthy his report is going to be, but this whole bail question is an obvious point on which immediate attention should be turned by the government, and as I say, it was of sufficient importance to indicate to Mr. Common and those associated with him in this study, that they should depart from their terms of reference.

It is well known that if a minor offender is arrested—and notwithstanding the remarks of my hon. friend, the Attorney General, in reply to the hon. member for Riverdale, I say it is still well known—that when a minor offender is arrested by the metropolitan police late at night, the chances are that he will have to spend the rest of it in the “pokey.” It is almost impossible to locate a justice of the peace quickly or in a reasonable time. And what can be more denigrating to a person who has, let us suppose, been out on an evening’s party, has had too much to drink and is hauled off to the cells? He is not a criminal, but he has committed an offence and he is going to be punished, and must spend the whole night in some miserable cell—and we have a lot of miserable cells here in our jails throughout the province of Ontario—be denied the ability to communicate with his friends or his family; be unable to advise his employer. Perhaps, in many cases he is so embarrassed that the last thing in the world he wants to do is tell his employer what has happened to him. He goes through the mill and then about 10 o’clock in the morning he appears in one of these drunk courts, dishevelled, hung-over, dirty, unshaven, embarrassed, to plead guilty to an offence which he has undoubtedly committed. What ends of justice are being served in this? The man has committed an offence; surely to goodness there should be a method of bringing him into court without going through all this unnecessary proceeding.

Mr. E. Letherby (Simcoe East): Take him home to bed and tuck him in.

Mr. Singer: My hon. friend here makes a suggestion that I think has a lot of merit; maybe he should get home to bed.

But our system just is not geared to this thing, and anyone who practises law in a city like this one comes across these cases frequently.

The offence is drunk, or occasionally, ability impaired. There is no question of a man who is a family man, who has a stake

in the community, who has a job, who owns his house; there is no question of him running away, he will be there. He will be there when he is tried; he is not happy about it.

But why does the process of the law drag out this whole procedure and force him to appear in court in this condition; force the family heartache that undoubtedly results and pose very serious danger to his method of earning a livelihood?

It is my suggestion—it is my very serious suggestion—that immediately we have to start looking at our system of bail and at our arrest procedure in regard to this type of man. The same sort of thing happens on a weekend. He is in real difficulty if he gets picked up on a Friday or a Saturday. He can spend a whole weekend in jail.

There were comments I notice, from Chief Mackey of the metropolitan police made to Justice McRuer, that within six hours it would be reasonable to expect that a justice of the peace would appear.

It may be reasonable to expect, but I know no cases where this does happen.

Justice McRuer, when some of these comments were before him, remarked that arrested drunks on sobering up, and others held on charges that are not grave, should be released even without the formality of having bail. This comment from a man of his stature and experience should give the hon. Attorney General cause to modify the system and the practice of police and peace officers.

There is the additional case of people being kept in jail because they cannot afford bail. If a man can raise money for bail but cannot get a justice of the peace to release them immediately, that is bad enough; but if he cannot raise the bond, or cash, and has to spend a couple of days or weeks in jail; as sometimes happens, until his case is disposed of; in addition to all his other problems he is placed at a very substantial disadvantage. In fact, I think we could say with some real logic that bail, in many cases, means jail for poor people.

The purpose of bail, I would think, is to try to ensure that an arrested person turns up for his trial. The hon. Attorney General must be aware that most persons who are arrested are not professional criminals and do not need the threat of \$200 or \$500 bail money to force them to appear. The studies that have been done in England and in New York, and even to some extent in Metro, indicate that this is abundantly true. In New York, the Vera foundation conducted a long-term project of interviewing arrested persons

and immediately reporting their backgrounds to a peace officer and recommending the release, without bail, of those considered unlikely to flee and menace the public. The interesting conclusion to which this commission in New York came was that of those released on their own recognizance, only one per cent failed to show up for trial. Three per cent of those released on bail by these formal procedures, in fact skipped out, so that apparently the man who was released on his own recognizance—as I am suggesting should and could be done almost immediately if he is arrested—is a far better risk than the ones who put up the substantial bail bond.

Dropping bail requirements for minor offenders will not in itself prevent citizens from being kept in jail needlessly overnight or for a weekend. A justice of the peace still has to be found and I am suggesting that we will deal with justices of the peace—I think I am correct, Mr. Attorney General, in saying that we will deal with justices of the peace under vote 207, or do you want them here?

Hon. Mr. Wishart: It really comes under 207.

Mr. Singer: OK, we will save the comments on justices of the peace for vote 207.

But finding a justice of the peace—and I am going to have a substantial criticism about the system of justices of the peace and the way in which they operate—a justice of the peace still has to be found to authorize the release. Improvement may require—and I am going to come to some substantial suggestions on that—more justices of the peace or better trained ones; or working on shifts and being available 24 hours a day; or devising a satisfactory method of bypassing the jurisdiction of the justices of the peace entirely in this sort of thing.

The simplest means of dealing humanely with many minor cases is not to make a formal arrest. My hon. friend from Simcoe East says that they could be sent home and the summons could follow the next day, or make sure that he gets home. It seems to me that the OPP does this in many cases, Mr. Chairman.

They do it far more frequently than some of our municipal police forces, and this is something that I think has to be looked at very carefully.

Our bail system as it is today works very grave hardship in many cases. I do not think that it is being properly administered and I do not think our whole approach to dealing with people who are charged with offences, the time they might spend in jail,

the use of summons procedure and so on, has been properly investigated and brought up to date. I think this is something that needs far more immediate attention than just our waiting anxiously for Mr. Justice McRuer to rewrite all the laws of Ontario.

Hon. Mr. Wishart: Mr. Chairman, I would like to make it clear that we are not just waiting for Mr. Justice McRuer, either from the law reform commission side or the commission on civil rights. We are moving without waiting for suggestions or recommendations.

In the matter of bail, I am not going to indulge in a discussion with the hon. member for Downsview as to whether being put in jail is a good experience and whether this has a cathartic effect or whether it is a purging experience or not, but I would make a few comments.

There are some alternatives to putting a man in jail. One is, if he is a drunk, to send him home drunk. I am not always sure that is the right thing to do. He may not want to appear before his wife and children drunk. He may not be the type of person who should be turned over to the care of the little woman in a drunken state. And perhaps he would rather not go home in that state, before his family.

I do not believe that the delays which arise from bail are quite, in general, so bad as some of those cases which have been picked out have made it appear. I had the transcript of the Herrell case which the hon. member mentioned the other day. He was arrested at night, he was before the magistrate in the morning.

Let me say this, however. I know that there has been a change in thinking. But what you mention of our system, of the New York system, which follows down the British tradition and what we have learned from the motherland from whence our system came, is that they have taken a new look at bail. Our committee on legal aid went, as you say, perhaps a little wide of its terms of reference.

Mr. Singer: I am glad to hear that.

Hon. Mr. Wishart: We have looked at this point and I think that we have realized that today, with so many more people, comparatively, in court for very minor crimes than used to be the case in the old days, that bail in the sense in which it was originally devised, the purpose for which it was devised, has outlived that usefulness for the small, the petty crime of the respectable citizen who

gets himself in trouble. We have moved to try to correct that.

I must say to you that the procedure again is a federal law and it is the criminal code. The code says, under section 451, referring to a justice of the peace or a magistrate:

A justice acting under this part may order that an accused, at any time before he has been committed for trial, be admitted to bail . . . upon the accused entering into his own recognizance in form 28 before him or any other justice in such amount as he or that justice directs without any deposit.

Here, the justice, the magistrate, has complete discretion. He has had it all these years. All he has to do is exercise it.

What we are trying to do and what we have been moving toward is to educate—if I may use that term—to encourage our magistrates who sit in our courts to get away from this old shackle, which seems to have shackled them all down through the years, and I think we are getting a different approach. We are doing this in our conferences on uniformity of sentencing, in our conferences on procedures, and in our general conferences, where we get our Crown attorneys together—particularly those involved in the cases where persons are convicted before magistrates—and instruct them to say to the magistrates, “This person could very well go on his own recognizance.” To the magistrates in their own experiences, we have brought to their attention the result of the findings of the New York committee, which studied the system there, the British system and what has come from our legal aid study. I think we are getting our magistrates and our magistrates’ courts to the point where they are adopting an attitude which is in line with what the hon. member has put forward and with whose comments I generally agree on this subject.

I could refer, just as a matter of interest, to the procedure which obtains after conviction. I read section 451, when the person comes before the magistrate before trial and before conviction. The other section is 463 and the provision is exactly the same.

The judge or magistrate may, upon production of any material that he considers necessary, order that the accused be admitted to bail on entering into his own recognizance before a justice, in such amount as the magistrate or judge directs without any deposit. That means simply an undertaking, “I will be back.” There must be an amount in the penal sum of \$1,000 or \$500 or \$200 or whatever, but he signs that recognizance

and goes free to return for the next appearance before the court.

We are reaching this. We are moving to it and we are not waiting for a push. We are aware of it and I agree with the hon. member.

Mr. Singer: Mr. Chairman, just one brief word in summary. I appreciate—and we will get into this more thoroughly under vote 207, I guess—the process of education of—

Hon. Mr. Wishart: I was going to say, let us not get into this again.

Mr. Singer: No. But in some of the information I was gathering in preparation for these estimates, I noticed that within the last year or two, I think it was Mr. Wilson of your department, was given the task by one of your predecessors to “educate”—we will put quotation marks around the word—justices of the peace. He held a couple of meetings around the province and I would presume, knowing Mr. Wilson as I do, he prepared a very competent and able presentation for them. But it seemed that he was unable to attract even 50 per cent of the strength of justices of the peace in the areas into which he went.

I do not know if the educational system has been picked up again for justices of the peace and/or magistrates. I think that since these people are the Attorney General’s appointees, and if it is felt as I believe—and I think the hon. Attorney General believes that it is—necessary to educate, then there should be some method of making sure that the people who are to be educated come and get their lessons. As I say, we will go into that phase of it a little more fully on vote 207. But I did notice some comments about this school for JP’s that Mr. Wilson had set up, which was something less than well attended.

Mr. D. C. MacDonald (York South): Mr. Chairman, I wonder if I might ask the hon. Attorney General how many part-time or assistant Crown attorneys there are in the province, and are a part-time and an assistant Crown attorney the same thing? Are they synonymous?

Hon. Mr. Wishart: While I am getting the answer, could I ask for the last part of the question again? Is part time synonymous with what?

Mr. MacDonald: Are part-time Crown attorneys described as assistant Crown attorneys, or are there assistant Crown attorneys who are full time?

Mr. W. E. Sopha (Sudbury): The answer to the second part is yes, of course. Is it not, Mr. Attorney General?

Mr. MacDonald: There are assistant Crown attorneys who are full-time?

Mr. Sopha: Yes.

Mr. MacDonald: Are there assistant Crown attorneys who then can carry on private practice?

Mr. Sopha: Yes.

Hon. Mr. Wishart: Mr. Chairman, the answer to that question is, there are 26 full-time assistant Crown attorneys on salary. They are assistants—that is, the work in the area is sufficient to demand the help of an assistant Crown attorney, but he is full time, devotes all his time to it, is paid on salary and assists the Crown attorney of the county or district.

There are 35 full-time Crown attorneys and 26 assistants. There are ten Crown attorneys who do work on fees, not on salary. I believe they are full-time Crown attorneys, but paid on a fee basis. I may say to the House we have been seeking for a time to get to the salary-only basis and we are approaching that.

There are certain Crown attorneys, and I do not know that I have the number exactly, who are part time and paid on a per diem basis when they assist. They are lawyers in the community who assist the Crown attorney when he needs them. In our view at least, the work is not such that an assistant Crown attorney should be appointed to be on the job and be paid in that way, but from time to time, a Crown attorney, a lawyer in the community may be asked to take a case and he is paid on a basis of, I think it is \$35 a day. I could get that figure. There are a number of these in various areas of the province.

Mr. MacDonald: Is the assistant Crown attorney, whether paid on a fee basis or on a salary basis, full time to the extent that he is precluded from private practice?

Hon. Mr. Wishart: The assistant Crown attorney is on a salary; he is a full-time assistant Crown attorney. That is his job. He is just the same as a Crown attorney except that the other is the senior man and he is an assistant. The two of them carry on the job. There are some assistant Crown attorneys who are on fee and in those cases some of them are entitled to carry on some practice along with their work.

Mr. MacDonald: Is it considered ethical to advertise to the extent of indicating on your letterhead that you are an assistant Crown attorney, for example, when you are engaging in private practice as well?

Hon. Mr. Wishart: I would say immediately, Mr. Chairman, that I would not think it so. I would not think it ethical. A lawyer or an assistant Crown attorney doing that type of work on a fee basis or on any other basis, where he is still allowed to carry on some practice, I should think would be very much out of order in putting on his letterhead the fact that he was an assistant Crown attorney. I should make it clear that there is nothing illegal about that, but I think that if the law society were to learn of it, it would quickly tell him to get that off his letterhead or quit practising.

Mr. MacDonald: Perhaps the society should send a letter to Bruce Payne of Guelph—

Hon. Mr. Wishart: And so would I if I knew who he was.

Mr. MacDonald: I give you the name of Bruce E. Payne of Guelph forthwith.

I raise the whole thing, Mr. Chairman, because almost every year I run into another case such as this—Bruce E. Payne, BA, barrister and solicitor of Guelph, assistant Crown attorney in the county of Wellington.

I raise it for this reason, that every year I run into a case of people who write in feeling—and maybe their sense of grievance is imagined—that they have not got justice in the courts; and they have not got justice because they have to contend with a man who is at one time acting in his capacity as a lawyer, and on another occasion he is acting as a Crown attorney.

I remember a case a number of years ago where there was a part-time or an assistant Crown attorney up in northwestern Ontario and part of his regular work in a professional and individual capacity was as solicitor for one of the pulp and paper companies. When the union struck, or got into some difficulty, some of the members were charged. The man they had to contend with in court was the man who normally was on a full-time retainer with the company which was charging them. Now, I repeat, maybe this was an imagined sense of grievance in what they thought was an injustice in the courts, but it seems to me that such a lawyer has a conflict of interest; to the person charged there does not appear to be justice, even though there may be.

And the same thing—without going into

the detail of it because the man involved admits the case was decided in court, there is not enough money involved now for him to pursue it through appeal—but he has this sense of grievance that on a letterhead that he gets from the lawyer he had to contend with is the designation that he is an assistant Crown attorney. This should be clarified for all those who are in this position by either the hon. Attorney General or the law society.

Mr. Renwick: Mr. Chairman, I have one brief comment on bail. I found the figures of a project which was carried on in New York city interesting in regard to bail and the releasing of persons on their recognizances. The Manhattan project, which has been in operation for some three years on the study that was conducted, shows that there were 3,505 people released on their own recognizances and 98.6 per cent appeared to stand their trial, which means that some low number of 75 persons failed to appear. I think this is a very good indication of the kind of study which could well be made here if it is intended to institute a programme of reducing the number of cases on which bail is set.

Mr. Sopha: I wanted to add a few comments on this subject of bail, a subject which has always interested me very much for it is well known when you get into the realm of bail it is the area which is most susceptible to comment that there is a law for the rich and a law for the poor.

Now, I would suggest these ground rules in respect of bail in this process of education of magistrates that the hon. Attorney General is happily embarking upon. I would think that in the case of quasi-criminal offences under provincial statutes, that only in the most exceptional circumstances should there be an arrest, that in all provincial offences it ought to proceed by way of summons only and the question of bail in that case would simply never arise.

In respect of indictable offences and offences under the criminal code and other federal statutes of a criminal nature, I would think that the magistrate ought to approach the problem before him of granting bail from the point of view of the personality and history of the offender who is before him. It would be difficult to conjure up any tears for the refusal of bail or the setting of a substantial bail for the person charged who has a criminal record.

Hon. Mr. Wishart: I wonder if while the hon. member for Sudbury is discussing this matter, Mr. Chairman, he would be good

enough to reflect. He said that no provincial offence should be a matter of custody or arrest. There has been considerable discussion recently, with a little urgency towards The Department of the Attorney General, that even offences such as speeding on our highways, which can create considerable danger, be arrestable. I would like to have his thought while he is discussing this matter, and perhaps on the offence when it verges into what is known as dangerous driving.

Mr. Sopha: Of course, dangerous driving is an indictable offence under the criminal code, section 225 or 224 of the code.

The question of speeding: We do not want to get like the jurisdictions of Georgia and Alabama and some of those southern states that one hears about, that when the state highway patrol apprehends the Canadian who is speeding he is immediately taken to the local bastille and locked up, sometimes for several hours or a day until the judicial officer comes around to try him for the offence.

It would not at all distress me that perhaps a few Americans or residents of some other provinces of Canada did not answer the summons and left for their native habitat. We could not get at the American perhaps, but we could certainly, under the compact between the provinces, we could get at our fellow Canadian citizens in other provinces. But I just set that out as a general ground rule, that in quasi-criminal offences I think the summons is certainly sufficient.

Now I have passed over into the offences under the criminal code, and I had said that the person with a record ought to be required to put up substantial bail if the offence with which he is now charged before the court is a serious one. If he cannot put up the substantial bail, well my own view is that it is just a pity that he has to wait in jail until his trial comes. That individual that I posit, my hypothetical individual, is the one who has demonstrated that he has been content to live by anti-social behaviour.

However, they are the great minority of people who pass through our courts charged with offences under the criminal code. When we bear in mind that there are several hundred offences under that statute, I say with some assurance that the great majority of those charged with breaking one of the sections of the criminal code are probably first offenders, and it is only the minority of the hardened criminal type that are tried in the courts.

Then I say in respect of the citizen who is first time in the courts, that the terms of the

bail should be very reasonable. The way I like to see a magistrate approach the problem is this: That on the first appearance he will ask the Crown what bail that he thinks is appropriate for the offence; and the Crown fixes a figure, he says, \$5,000 cash, \$10,000 property. All right!

The person and his counsel and his relatives try for two or three days and are unable to get sureties to come forward and put up that amount. Then after two or three days of bona fide effort, the counsel comes before the magistrate again and he says: Your Worship, we just cannot raise that amount of bail. Fine! It is reduced to \$3,000.

Then they try again, they repeat the process for two or three more days and the counsel then appears and by this time, of course, with the aid of an onion, he's weeping a bit into a large handkerchief, and he informs the magistrate that they cannot raise that amount; so the magistrate now reduces it to \$500.

Most people are now within the realm that they can get a surety that is worth \$500. Even in some cases the individual cannot raise the \$500; then I would be content, bearing in mind the very few number of Lucien Rivards that we have in our society, if the magistrate then said: Fine, I will let you go on your own recognizance.

It is better that we risk two or three out of one hundred who do not appear at all in answer to the charge when they come on for trial, it is better that we risk those two or three than that 97 be kept in jail unreasonably. I think I am correct, and I hope I am correct when I say, and I am relying upon memory, that the Canadian Bill of Rights has a statement about bail:

That bail shall not be denied unreasonably.

I think that is in the statute, and unfortunately—in the jurisprudence that has now surrounded it—the statute has not come to mean a great deal. It has not conferred many rights because the judges have approached the statute from the point of view that the rights existed before Mr. Diefenbaker got the idea of passing a statute and making it a part of the body of the law of the land. Of course we have no bill of rights in the province at all, although a good many people would like to see one passed and become even part of our Constitution.

But I hope we have set out clearly the approach that ought to be made to bail, and I want to record that I am happy that in my

community the way I have recited it is the way it works. That is the approach made by the magistrates and I think in all fairness it ought to be said that this new approach comes from meetings the magistrates have had under the sponsorship of the hon. Attorney General and where they have discussed this problem.

Hon. Mr. Wishart: Very glad to hear that.

Mr. Sopha: Yes, I hope it becomes uniform across the province.

But the great danger we are in is that we go through periods of public consternation and anxiety reflected in the attitudes of magistrates. Rivard escapes, somebody else fails to turn up at his trial, and the judges and the magistrates get all upset as if that is an epidemic. They tell me that down in the court of appeal, after Rivard took off, it was a virtual impossibility to get bail pending appeal.

The hon. Attorney General, of course, always opposed it—well, Attorneys General always appear to anyway, and I venture to say that in most cases they oppose it pending appeal. I hope you will correct me if I am wrong. I was under the impression that the Attorney General's attitude is that it is opposed pending appeal, because the burden of proof has shifted. The accused is now guilty and he must prove his innocence.

Perhaps I should not have got into that question at all because my own experience is that in some cases the Attorney General does not oppose it, but I thought that in the overwhelming number—is that so, sir?—bail pending appeal is opposed?

Hon. Mr. Wishart: All I can say to the hon. member is that I have never laid down such a policy.

Mr. Singer: Mr. Chairman, I have a post-script to this bail question. There has been the suggestion—and I have heard it often enough to wonder whether or not it might not be with some basis of fact—that there exists in this municipality a system of professional bondsmen. On the odd occasion when someone has skipped—we have not had Lucien Rivard here—but when someone has skipped, it happens occasionally—

Mr. G. A. Kerr (Halton): He was not on bail.

Mr. Bryden: He was not on bail.

Mr. Singer: All right, when someone has skipped, it does not really matter.

Interjections by hon. members.

Mr. Singer: It seems to me that the person whose bail is about to be estreated has had a very remote connection—almost untraceable connection, as I have read the newspaper reports—with the accused. As I say, I have heard rumblings often enough to wonder whether there may or not be in the municipality of Metropolitan Toronto, quite improperly a system of professional bondsmen being set up. I would think as the hon. Attorney General gets into it, he should pay very close attention to this suggestion, which is gossiped about, and to find out whether or not it is going on. If some of the steps are taken that my hon. colleague and I have suggested to you, the use of the professional bondsman by and large is going to disappear in any event. But it has been rumoured about, and if it is in fact true, it is a most disturbing suggestion.

Hon. Mr. Wishart: I might just say, Mr. Chairman, to the hon. member that where we have had suspicion of this, and we have had occasion, we have immediately investigated. I think right now we hope to make that profession so uninteresting and so unprofitable, it will disappear.

Mr. Singer: That is right, that is right; if you clean up the system there will not be any need for that.

Vote 206 agreed to.

On vote 207:

Mr. Bryden: Mr. Chairman—

Mr. Chairman: The member for Halton.

Mr. Kerr: Mr. Chairman, I would like to make a few comments and observations regarding vote 207. Before I do, I would like to refer to the hon. member for Downsview's reference to lack of courtroom facilities and a backlog of cases on various dockets in the province.

It is my understanding that one of the main reasons for the delay in hearing cases is because of lawyers not being prepared to go on with their cases and continuously asking for remands and adjournments. One county court judge, for example, has said that it takes nearly a week of actual sittings to dispose of approximately one day's case-load, over a three-month period because of this situation.

In many municipalities the backlog and delay taxes our courtroom facilities. There is also the critical shortage of judges in the province, which we have heard something about, and the fact that too many of them are active in other duties off the bench.

Most of the introductory remarks of the hon. member for Downsview were concerned with the conduct of one or two magistrates. Certainly, the transcript revealed some rather shocking facts which should be brought to the attention of this House. However, the lack of any new or real criticism in the hon. Attorney General's department after such a prolonged pre-estimates fanfare indicates the ability, and the co-operation, sincerity and hard work of the present Attorney General. As members of this House know, Mr. Chairman, the mortality rate of this post is rather high. However, I predict that the attitude of the present Attorney General will assure him of a long tenure.

More than any other department, this department, must to use a rather loose phrase, be above politics. The respect and dignity of our courts and the administration of justice in this province must remain at a high level. A great deal of responsibility for this rests with our hon. Minister and the department. Surely the situation in Ottawa places a greater onus on this government to this end. Our hon. Attorney General is aware of and accepts this responsibility. I think, for example, Mr. Chairman, where we have a police commission report tabled and the same week a bill implementing many of its recommendations, that that is evidence of the department's new look.

The hon. members of the Opposition dwelt at some length on the reference in the report regarding amalgamation of police forces. The report refers to a general survey and it seems that the survey has not as yet been completed. The hon. members of the Opposition called for mandatory legislation to force amalgamation now. However, the report does not necessarily recommend such a step at this time. It recommends permissive and persuasive legislation.

Surely, Mr. Chairman, as the hon. Attorney General has pointed out, a major step such as the amalgamation of forces requires certain preparation, such as the extension of our intercommunications network, training facilities and courses, a more uniform standard of training personnel, trained personnel in our municipal forces, the establishment of more boards of police commissions; the extension of OPP jurisdiction in small villages and towns, and so on.

It is easy, I think, Mr. Chairman, for those who sit in the Opposition to demand mandatory legislation. The hon. members in the Opposition naturally have the duty to criticize and to offer constructive suggestions. However, it seems that whenever we introduce

good legislation, usually after a great deal of study—such as The Training Schools Act, The Child Welfare Act, amendments to The Workmen's Compensation Act and The Police Act—there is always the same comment, the same frantic criticism: "It is too late; it is too little; it does not go far enough."

When we realize that not one of the hon. gentlemen who sit in the Opposition, except the hon. member for Grey South (Mr. Oliver), have ever had the privilege to govern the affairs of this province, it is perhaps understandable why their suggestions and remarks are not always based on logic.

However, it is important that legislation is acceptable and that it will work. The government has its responsibilities. In the meantime, do not be too critical of a police force because it is small. I predict, Mr. Chairman, that if no voluntary amalgamation takes place in the next 12 months in many of these forces, particularly in areas where they are most needed, we shall see a more persuasive type of legislation enacted.

A moment ago I mentioned Ottawa. Right now I can think of three spheres where the federal statutes closely affect the course of justice in this province. The most noticeable, of course, is The Matrimonial Causes Act. This ancient statute, with its ancient, limited and almost sadistic provisions, prevents this House from introducing reform in the divorce field. There is, of course, a constitutional problem which complicates and restricts us here.

Then there is the criminal code, with its archaic provisions regarding lotteries and petty games of chance. I am tired of being asked to salvage the Monday night bingo at the local church.

Bail has also been mentioned. I agree with many of the criticisms regarding bail and I welcome the hon. Attorney General's remarks in this field.

But more important, Mr. Chairman, is the matter of convicting first offenders. The criminal code should be amended, and should have been amended years ago, so that the record of young, first offenders upon conviction of a minor offence under the code could be suspended or expunged after a period of time.

In dealing with vote 207 and probation services, I may be ahead of things here a bit, but I would like to discuss possible amendments to The Probation Act at this time. I would like, Mr. Chairman, to have the hon. Minister's views on whether or not he thinks it could be amended so that a

young or first offender could be under the provisions of the Act prior to conviction.

We have a situation in many counties whereby the magistrate refuses to convict these young, first offenders on some minor charge under the code and he will not accept a plea of guilty because he feels that this boy or girl will have a record and will carry a stigma for life. The obvious solution, of course, is to amend the code. The amendment could provide that after such a person is convicted, if for a period of three or five years no further offence is committed and the offender has a satisfactory report from a probation officer, the record could be expunged.

Under such provisions, conviction is not such a serious matter. However, I think frankly that our lakes will overflow before the federal jurisdiction will again get around to making substantial amendments which are long overdue in the criminal code.

In most cases, magistrates request a pre-sentence report, particularly in respect to a young offender. However, under our present Probation Act, the magistrate must first convict the accused. Many of them are reluctant to do so, but at the same time would like to have the advantage of such a pre-sentence report. This is the case, for example, in Halton county, because our magistrate is not registering convictions he does not, therefore, as of a few weeks ago, have the facilities of provincial probation officers to get the information he wishes about the accused. The good magistrate at the present time is using local clergymen to fill this role.

I was wondering, Mr. Chairman, if it would be possible to amend section 3 of The Probation Act to make it possible for a magistrate to request a pre-sentence report prior to either registering a conviction or otherwise dealing with the charge. There is no question that this provision could be used in extraordinary circumstances, such as I have mentioned. It would be in a situation where the magistrate is satisfied in his own mind that the young accused is guilty, but prior to registering a conviction he wants to know more about this young boy or girl.

The section of the Act to which I refer could be amended so that the facility, assistance and direction of the probation officer could be used to the advantage of the young accused who may find himself in deep trouble because of nothing more than a prank.

I admit that this method may be second best, Mr. Chairman, but it would help eliminate the ludicrous situation where we have magistrates in this province who, because they

do not agree with the law as it exists, are in fact frequently flouting the law in their personal effort to reform and rehabilitate the offender.

Mr. Bryden: Vote 207 covers a great many important matters. There is one that I am particularly interested in that I would like to call to the attention of the hon. Attorney General. That is the question of the maintenance of deserted wives and mothers.

My experience in trying to help women who have been left in this unfortunate situation leads me to the conclusion that this must be one of the most unsatisfactory fields of the law of the province.

I noticed an item in one of the Toronto newspapers not long ago, reporting that a special investigation unit operated jointly by the city and the province in the past three years, has caught up with more than 2,600 husbands who had deserted their wives and children. That appears to be quite a record of achievement, but then the same news account goes on to say, and I will quote a paragraph from it:

In a report to the city's committee on public welfare, fire and legislation, the commissioner showed that while the 239 husbands were directed to pay—

this refers to 239 husbands who were directed to pay maintenance:

—that while the 239 husbands were directed to pay a total of \$249,000, the collections made by the Metropolitan Toronto juvenile and family court totalled only \$55,733.

Here, I think, in cold statistics is a terrible story of tragedy. We all know that the orders that family court makes certainly would not allow for any luxurious living on the part of the beneficiaries, the deserted wife and the children. And yet, of the total amount of the orders referred to here, less than one-quarter was actually paid.

It was found that a quarter of a million dollars collectively was required and was properly payable to these women to feed and clothe their children, and the women were able to obtain collectively, \$55,000 to \$56,000 out of a quarter of a million dollars. What this means, of course, is that there were children who did not have food on the table or inadequate amounts of food, not to speak of the emotional strain to which the mothers must have been subjected. I think the whole system is wrong. I made a suggestion last year to the hon. Minister of Public Welfare (Mr. Cecile) as to a way of improving it. I do not think it really caught fire in The Department of Public Welfare, so I am going to

try it again today on The Department of The Attorney General. Perhaps it may be considered more favourably there.

Before I get on to the specific suggestion, I would like to refer to some individual cases. In our office, and I have no doubt in the offices of all politicians, many letters are received, as well as telephone interviews and personal interviews from women who have been deserted by their husbands with one or more children to maintain. I am certainly not going to read all the letters we have received because this session would last for a long time if I did. But I am going to read some extracts from some of them, which I take as representative. I have the actual letters here, Mr. Chairman, and would be perfectly happy to let the hon. Attorney General, or anyone else, inspect them, if anyone wishes to satisfy himself that they exist and that I have quoted fairly from them. I am not going to table them, however, because I see no reason why the names of these women should be made public and I am not going to read the letters in their entirety because some of them are quite long.

I have, however, selected a number of passages which I consider representative. They are passages which, I think, point up the sort of problem that arises. Here is an extract from one of these letters:

We got a separation at a lawyer and he promised—

that is the husband, not the lawyer:

—to pay support for the three children. He did so for about six weeks and then nothing. I had him to court and as you are well aware, that is just a farce. He left March 7 and I received payments until May 14. Then the courts ordered him to pay me \$25 a week through the courts. I received \$25 in August, and then three months without any money at all from him. I then moved to Toronto. I worked for six weeks, evenings, about \$50 a week, which just isn't enough to support three children. So, after losing my job, I decided to go on welfare so that I would be home where I figured I belonged until the children were older. But before receiving any assistance at all—

and here is really a cruel provision in the law:

—before receiving any assistance at all I had to press charges against my husband. Well I did this and then the court business started over again. Finally he was told he had to pay me \$200 back payments or two months in jail. That was quite a laugh.

This happened in November and as of mid-January—

that is mid-January of this year:

—he is still walking around having a ball. I still receive no support and have to live on approximately \$37 a week.

Here is another letter:

I have three children—the oldest is nine—and in four and a half years have received the grand total of \$20 from their father. I have been dealing through the family court all this time but they seem unable to do anything to get this money through. It is unbelievable that a man could get away with things like this.

Here is still another:

In January, 1962, I was deserted with one child and another due that April. After experiencing much difficulty in getting the father into court I was awarded maintenance of \$15 a week for my one child. As you may well imagine, payments were collected only with great difficulty and with what I felt was a very minimum amount of effort expended by court officials. I moved to Toronto and found it necessary to begin the entire process again. To sum up, he is presently over \$400 in arrears of his payments, still only \$15 per week, but now for the two children, and apparently he sends money only after I telephone the court again, from whom I feel I receive only token assistance, and they have contacted him.

In the entire year 1963, I received only \$140 and in 1964, only \$507. He operates a business and is well able to afford the grand sum of \$15 per week. I cannot understand how anyone can ignore a court order with apparent impunity, and why the courts do not make more substantial efforts to see that their orders are carried out. I have at various stages in my dealings with the courts found an almost hostile attitude in some of the officials to whom I have spoken. I might also mention that letters to The Department of the Attorney General, and other representations made on my behalf, produced if anything, negative results.

Here is an extract from a fourth letter:

My husband left me with three children, five years ago. He is supposed to pay us \$25 a week. If he misses a week I cannot get any action until at least three weeks have gone by without receiving any money from him. I thought it would be better if I applied for relief to help out while waiting for the family court to round up

my husband. That takes another two or three weeks. They have to find out if he is working or not. If they find out he is not working, well bully for me! We get relief all in good time.

And still another:

I am having quite a struggle trying to raise my children properly on my own income and what little I receive through family court. In three years the payments have dropped to over \$1,000 in arrears. I shudder to think what would happen if I was unable to work.

Still another one:

In the last four years that I have been separated from my husband I have received about \$100 support and this only with constant trips to, and long delays at, the family court. This amount does not go far over four years when trying to feed and clothe a child especially when she has cerebral palsy and must have constant medical attention. I realize that there are many women in our predicament and the courts are trying to help, but are they trying their best? It seems that the onus is completely upon the wife—

and I think that is a valid point:

—and the husband is left comparatively free to do as he wishes including ignoring the letters from court.

And here is the final letter from which I would like to quote a portion:

My husband deserted me when my girl was only four months old. After a hearing in family court he was ordered to pay for her support \$32 a month. He paid until she was about two years old. This was eight years ago; then he vanished. I went back to the court over and over again and asked for help. All the answer I got was find him and we will make him pay. Meanwhile go to the welfare. I never did. I never could hire anybody to find him because I did not have the money.

Now, Mr. Chairman, those are extracts from seven letters. I am sure that the hon. Attorney General and every hon. member in this House will agree that they are entirely representative of the situations in which many women in this province find themselves at the present time, and have found themselves for many years.

The problem is that if the wife is deserted, the law, quite properly, takes the position that the husband, the father of the children, should pay towards the maintenance of the children. I have no objection to that. I think that is a sound principle. But what I do

object to is the further provision of the law that it is the responsibility of the wife to take the initiative in finding him and bringing him into court, and then getting an order against him, and then getting the order enforced. The court officials give minor assistance in that regard, but it is of a very minor nature indeed. The onus falls mainly on the wife.

Now, a woman with two or three small children to bring up, without a father in the home, has more than enough worry and strain, without having to make constant trips down to family court to see if they can locate her husband and, after locating him, if they can squeeze a few dollars out of him. I do not think that she should be placed in that situation. She is in a difficult enough situation as it is. Those of us who have read Michael Harrington's book, *The Other America*, will recall that Harrington noted that one of the main groups of people suffering from poverty, are women and their families who have been deserted. They are in a condition of poverty to begin with. To struggle along and to try to bring up a family under those unfavourable circumstances is surely enough for any human being without having to carry on this largely futile and most frustrating procedure of going down to court time after time. Maybe the woman will get \$20 if she goes down a few times. So she gets that and then she has to go down again because it is that \$20 and nothing more.

Now it seems to me that there is a fairly simple solution to this problem—at least it is the beginning of a solution—a solution to the specific aspect that I am dealing with. I proposed it to the hon. Minister of Public Welfare last year. I think perhaps it is a matter that more properly should be considered by the hon. Attorney General. I say that a woman who has been deserted by her husband or the father of her children should have the option of assigning her claim against the father to the Crown. Perhaps the hon. Attorney General is the person to whom she should assign it; he probably is the proper officer of the Crown to receive such assignments.

Now, I do not say that she should be compelled to do this. There are many cases where settlements have been effected either voluntarily or through the family court where the father honours his obligations and the family is much better off than they would be if they were on welfare or on mother's allowance. Those situations, of course, should remain undisturbed. But where the woman simply cannot get the money or cannot collect

it in adequate amounts, I think she should be entitled to assign her claim to the Crown. Then if she does that, she should be eligible for mother's allowance.

All of us know that mother's allowance is not a very generous allowance. People live in dire poverty on mother's allowance, but it is better than nothing and at least it is a secure income. The woman can know that it is going to come in every month and she can therefore plan her programme for the maintenance and upbringing of her children accordingly. She should be able to collect the mother's allowance regularly and without interruption. She should not be in the position where, if she can get \$20 out of her husband, she is taken off welfare. She cannot get back on welfare until he has missed two or three payments and she has made several trips to the family court.

Let her be guaranteed the income, such as it is, that is provided for mothers of dependent children who have no husbands to support them; let her receive these payments regularly; let the Crown receive an assignment of her claim against her husband—or it may be that it is not her husband, but at any rate the father of her children; and let the officers of the Crown go after him. And I say: Let them go after him as hard as they can. I certainly am holding no brief for any man who refuses to accept his responsibilities for the maintenance of his children.

But I am saying that the hon. Attorney General's department is much better equipped to deal with recalcitrant fathers of this kind than is a poor struggling mother.

Then, if the hon. Attorney General manages to collect the money owing, that is fine; that can be offset against the payments made to the mother in mother's allowance. In other words it will simply go to the provincial Treasury. If the Crown fails to collect from the man—and I am afraid that will happen frequently—well, I think that the hon. Provincial Treasurer can bear the loss with greater equanimity than the poor mother who is entirely dependent upon it for the upkeep of her children. I am sure it will not matter to him if his deficit for the year is increased from \$140 million to \$140,001,000, I am sure it will not make any difference at all.

If, on the other hand, the hon. Attorney General manages to collect more than the amount of the family allowance then let him pay the difference to the mother. She can certainly use it; I am sure she will not waste it on riotous living; she will probably be able to buy another pair of shoes for the children. That will be about as far as that would go.

But let all this onus, this nervous strain, this tension, be removed from the mother. Let the officers of the Crown handle the deserting father, let The Department of Public Welfare take care of the deserted mother. It seems to me that this is a sensible and reasonable proposal that would help to solve an extremely difficult problem; one that causes not only heartache but genuine physical suffering, amounting even to starvation, to shortage of food for the mother and children. Let this problem be dealt with on its merits and let the other problem of making the deserting husband accept his obligations be dealt with as an entirely separate issue.

Mr. Singer: Mr. Chairman, when the hon. Attorney General's estimates were first called, I had occasion to remark on the conduct of two magistrates. When the hon. Attorney General replied, he commented on my view of the law, particularly insofar as it referred to the decisions or the actions of Magistrate McClevis, which I questioned. I expressed at that time, sir, grave doubt as to the hon. Attorney General's opinion of the law, but not being aware of what answer he would give me, I was not able to prepare any answer for him at that time. I have since, sir, had an opportunity to examine the authorities and I bring now to the hon. Attorney General's attention a most important case, which I am certain he will accept as the authority on this matter. The case is Regina vs. Essex justices ex-parte final. It is reported in 1962, 3 *All England Reports* at page 924. That case was heard by Lord Parker, the chief justice of England—

Hon. Mr. Wishart: What page?

Mr. Singer: Page 924. —by Mr. Justice Gorman and Mr. Justice Sammon.

An hon. member: A strong bench!

Mr. Singer: A very strong bench of the Queen's bench division. And I do not think, sir, that there could be a stronger or more authoritative bench than the one that gave this decision. I am going to read first the headnote and then a couple of extracts from the decision, which, I think, having heard this, the hon. Attorney General would be bound to agree that the legal opinion he gave us was quite incorrect.

The headnote says this:

K was charged with a motoring offence. After hearing evidence the chairman of the bench announced the determination and decision of the court to the effect that

K. would be fined, whereupon K's solicitor produced further argument to the effect that the case had not been proved. The justice, after hearing the further argument, dismissed the information. On an application for an order of certiorari to quash the justice's decision, dismissing the information, on the ground that they had no power to do so once they had convicted, and for an order of mandamus requiring the justices to substitute in the register a conviction and the sentence of a fine.

It was held that certiorari and mandamus would be granted, because what the chairman of the bench announced amounted to a conviction, and the justices were functus officio at the moment when they had announced their decision.

Now I am just going to refer very briefly to some of the remarks that the chief justice, Lord Parker, made in delivering his judgment and a couple of remarks made by Mr. Justice Gorman and by Mr. Justice Sammon.

At page 926, where the chief justice is quoting from other authorities, he refers to Rex vs. The Manchester Justices, ex parte Leaver and the reference to that case is 1937 3 *All England Reports* at page 4 and 1937 2 *King's Bench*, 96. And quoting from that case and the judgment of Mr. Justice Humphreys in that case, he said:

I find it difficult to treat seriously the argument that a statement by the magistrates, who are a court of competent jurisdiction, that a person who has been tried before them is guilty, followed by a statement that he is to pay certain penalties, does not form a conviction, and that there is no conviction unless and until some clerk has made a record of that finding and sentence in the book which the court is required to keep.

Now to translate that into simpler language. If Mr. Justice Humphreys is right and the chief justice, Lord Parker, thinks he is right and quotes him as an authority, the argument of the Attorney General falls completely, because the so-called record the Attorney General was looking for and suggested there had to be an endorsement on, in the view of this court in England has no importance at all.

The chief justice goes on to say, and I am still quoting from page 926:

I have no doubt in my own mind that the justices in the present case were functus officio at the moment when they had announced their decision—

As did the magistrate in the case that I referred to at the beginning of these debates. And whatever the ultimate result of the case may be there is good ground for letting an order of certiorari and an order of mandamus issue.

Then, sir, turning to page 927, Mr. Justice Gorman says this—and he quotes a previous case, I think it is Jones and Williams. The references are all there. I do not know if my hon. friend wants the citation for this but it is in a footnote at page 927. But quoting Lord Goddard, chief justice—

Hon. Mr. Wishart: I have already distinguished the case in my own mind, but I would be glad to read it.

Mr. Singer: Well, if my hon. friend is able to distinguish it, he is doing mental gymnastics that I can find no—

Hon. Mr. Wishart: Very simple, I will point it out.

Mr. Singer: The fact that the magistrate announces in court that there is a conviction amounts to a conviction. And Mr. Justice Gorman says:

In my view of the authorities that is right.

He goes on to say:

It is said by counsel for the respondent that even if there was a conviction, as in my view there undoubtedly was, the judges had an inherent jurisdiction to alter the conviction, if—

I think that he seeks to limit it to sitting at the same time and in the same court:

—if they find there has been some mistake. Counsel for the appellant answers that by saying that there is no such discretion or no such jurisdiction, I agree with counsel for the appellant, and for these reasons I agree with my Lord—

and he refers to the decision of the chief justice.

And then Mr. Justice Sammon, who was the third judge on that bench says:

I agree. It is quite plain on authority that once a decision by magistrates is announced in open court that decision so announced amounts either to an acquittal or a conviction as the case may be. Once the magistrates have convicted or acquitted, they are functus officio and cannot alter their decision.

Now, with the greatest respect to my friend I cannot see how he can distinguish this

case from the case to which I refer, because there was a hearing, there was a conviction, there was a sentence and there was a reservation of it or cancellation of it immediately in open court. A week later the sentence was confirmed, the sentence went before the county court judge on an appeal. What other conclusion can there be and in the words of these three justices that once the magistrate had performed those acts he was functus officio? With great respect to my hon. friend, I think the case I stated then was valid and with this authority I suggest that there can be no doubt about its validity.

Hon. Mr. Wishart: Well, Mr. Chairman, I would like to speak very briefly to this matter. I do not feel that the House is perhaps interested in a legal discussion between two lawyer members as such. However, there is a distinction that comes at once to mind as my learned friend read the case. I must say this, I should like an opportunity to read it. I have found through my practice that it is sometimes misleading, I do not suggest intentionally so, to read excerpts from a long judgment or judgment of more than one member of the court.

However, when the hon. member for Downsview started out he described the case where there had been a conviction pronounced by the magistrate or the convicting justice, and then he reversed himself completely round about and said: "No. No conviction." Washed it right off! That was not the case with Magistrate McClevis. He had a conviction, he imposed a penalty and then he simply varied the penalty. Now this to my mind is a very clear distinction. It is not an alteration of the judgment or the finding at all; the conviction stood. The magistrate altered the penalty.

Beyond that I do not propose to go at the moment. I could argue that while the case has great persuasive merit, if it were on all fours, this jurisdiction of Ontario is no longer bound by it, but I will not pursue that argument. I say there is a clear distinction between finding a conviction and then completely wiping it out—a total reversal—and finding a conviction, leaving the conviction to stand but altering the penalty first thought of and modifying that penalty. That is all I would propose to say at this time.

Mr. Singer: Mr. Chairman, I do not propose to enter into any more complicated legal argument but I suggest that there can be only one interpretation of the words "functus officio." If those words mean what they say, they mean that the thing was over, it was at

an end. And I suggest the hon. Attorney General in an effort to defend a very weak case that he presented is now splitting hairs. If the words "functus officio" are applicable, and they are applicable as these three judges say, then the magistrate was through with that case once the decision had been pronounced, and that is it. And any effort to shore up the sort of legal argument that the Attorney General put forward, while it may make an interesting argument before a court of appeal, it is my very strong submission, Mr. Chairman, that there is no basis in law for it whatsoever. Enough for that.

I want to deal at some length with the question of justices of the peace and in connection with this I presume the hon. Attorney General is familiar with a recent article that appeared in one of our local newspapers, in the magazine section, concerning justices of the peace. This article levied some pretty serious charges against the government in connection with the appointment and training of justices of the peace. And it would seem to me, and I am going to repeat some of these charges as they are in this article, it would seem to me that the hon. Attorney General, having become aware of this article, and it was published March 20, 1965, would have taken the first occasion to rise in his place in the House and deny these charges if there is in fact a denial. Because some of the things they suggest in here about government, to say the least, are not flattering. To go a little further than that, they are quite damning.

For instance:

There is little disquietude over the fact that 950 persons who are unversed in the law and owe their jobs to political patronage, have the power to jail a citizen in perpetuity.

I would have thought that the hon. Attorney General, the day after he saw that, would have come into the House and risen on a point of privilege or something just to set the record clear, if this is not the record, but we have not heard a word about that. The gentleman who wrote this article is called Albert Warson and this is in the *Globe Magazine* supplement to the *Globe and Mail* of March 20, 1965. Amongst other things he makes these remarks:

In the letter of the law—which is by no means so immaculately strict as the cliché would suggest—a citizen in Ontario can be arrested, haled into court, convicted, fined \$1,000 or sentenced to as much as six months in jail at the discretion of a man who is without formal legal training, who

holds his position through party patronage and who may be moonlighting in court from his regular line, which could be anything from haberdashery to hogs.

He says the same man can decide absolutely whether without appeal from the decision, whether a private citizen or the police for that matter, will be allowed to lay a charge against the suspected wrongdoer.

I am sure it has come to the hon. Attorney General's attention very frequently, the citizen's complaint that "I went to the justice of the peace and the justice of the peace refused to allow me to swear out a complaint." Whether rightly or wrongly, I have heard many of these complaints. Whether the complaints were justified or not, I am not going to discuss. But it would seem to me that since this is the machinery that a private citizen can initiate, and the only procedure by which a private citizen himself, on his initiative, can commence criminal proceedings for assault and various other things, when he has to go to a justice of the peace, this government has a very serious and important responsibility to make sure that those persons who are appointed to act as justices of the peace are the best people available.

Even more disturbingly, the article goes on, the man in question may commit someone to jail for eight days at a time in perpetuity. This is the sort of thing—there were some awfully excited words about in the debate on Bill No. 99. While the police commission was denied this privilege or not given it, the justice of the peace apparently still has it.

Hon. Mr. Wishart: He still has it and he has had it for a great many years.

Mr. Singer: That is right.

Hon. Mr. Wishart: Under section 457 of the criminal code.

Mr. Singer: I agree, and since that power is there and since it is in the criminal code and since it is given to justices of the peace, one would think that one of the hon. Attorney General's most important tasks would be to make sure that everyone who is a justice of the peace is competently trained, is well equipped to do his job, so that there could be no possible abuse of this very far-reaching power. I suggest the hon. Attorney General is a long way from making sure that this is in fact the case. He may do this if a person required to give evidence before a preliminary hearing refuses without—

Hon. Mr. Wishart: Mr. Chairman, this is all very interesting and of course I have read

the article. These statements seem startling if it is true, but I wonder if my hon. friend has ever stopped to think—if he can find in his own experience, or if he has been able to find in the experience of anyone else—where a justice of the peace has ever exercised the power he is making such a lot of words about, committing someone to jail for eight days and then again and then again. Can he tell me of one solitary instance?

Mr. Singer: I cannot, but the fact that that power is there and that we know it is there should make us all most concerned about the persons who have the power to do this very thing, and if the hon. Attorney General was prepared to say that he is satisfied with all of the justices of the peace, with their training, with their ability, with their knowledge, with their regular courses of study, and that he is satisfied that all of these people, if called upon, would exercise this power, this very dangerous power, with the utmost caution and protection, then perhaps there would be a point in what he is saying.

But I suggest, sir, that since this criticism in this article, and since a case I am going to bring before you very shortly I think will speak for itself, this seems to indicate that our system of appointing justices of the peace is something far less than satisfactory, and that the hon. Attorney General should not say to me, "Can you give me one instance?" Rather, the hon. Attorney General should be prepared to say, "Our system is good and we are satisfied with it," or, "We are going to do something to change it radically." I say again, sir, that the charges in this article are of a most serious nature and it would have seemed to me that the hon. Attorney General, having read this article, would have been most anxious on the Monday following March 20, to come into this House and say, "The article is wrong," and I think the opportunity could easily have been created to do that, if he had wanted to. This is a series in a responsible journal by a responsible writer; this is a series of very important and very damning charges directed to the office of the hon. Attorney General.

Hon. Mr. Wishart: Mr. Chairman, will the hon. member allow me? I could be up on my feet many times and occupying a great deal of the time of this House if I got up to deal with every newspaper article I did not like, or that I thought was unfair in its import or its implication. The article is not wrong when it says that the justice of the peace may commit the witness to jail if he refuses to make a statement under oath at a preliminary inquiry, and that he may put him in jail for

eight clear days and bring him back and put him in again. This is not wrong, but I have tried to point out that it is not such a dreadful thing as would appear in the article. It has been in the criminal code. It is section 457. It was attempted to be used in one of our Acts in this Legislature last year, but it was repudiated. However, it has been in our criminal code—a federal statute—for many years and it has been used across the years by justices of the peace through this province in criminal proceedings. This is what the article fails to point out.

I could go on with almost every feature of it. The article fails to point out that by virtue of that warrant, by virtue of that power—which I cannot find has been used by a justice of the peace in years and years and about whose use my hon. friend cannot tell me of a single instance—it guarantees that the witness comes to the preliminary inquiry and gives evidence and tells the truth and does not put himself in jeopardy of being thrown in jail and being kept there until he does. That was put in by our forefathers in their wisdom. There it has been and there it has been used. Perhaps the article might have surveyed the possibility of having some virtue in that section, which has proved itself, not by its use, but by its being there, down through the years.

Mr. Singer: Mr. Chairman, my hon. friend makes some very interesting points. He says he does not feel it is his job to come into the House every time someone writes an article with which he does not agree and I would accept that as a general premise, certainly. But I say that when an article that is damning to this extent, which addresses criticism, very substantial criticism, at the office of the Attorney General or at the functioning of law administration—

Hon. Mr. Wishart: Just once more and then I will promise to say nothing until the hon. member is finished. Is the article damning the law—the section which I have mentioned which is on the federal statute book—or is it damning the officials? I think by and large they are respected people. Is it damning the officials or is it damning the law or is it damning both?

Mr. Singer: I do not think, Mr. Chairman, it is particularly damning the law; I think it is damning the system which allows officials, who, in the opinion of this writer and in my opinion, are appointed unversed in the law. He says there are 950 persons who are unversed in the law and owe their jobs to political patronage. That is pretty damning, is it

not? That is pretty damning. He says, and I will repeat this:

These things can be done at the discretion of a man who is without formal legal education, who holds his position through party patronage and who may be moonlighting in court from his regular line which could be anything from haberdashery to hogs.

He points out:

I am disturbed that this section is in the code.

I do not think that section should be in the code, but I recognize that in this House—

Hon. Mr. Wishart: Did you ever say anything; did you ever tell the Minister of Justice?

Mr. Singer: I recognize that in this House we can do nothing about what is in the criminal code, but I say as well, sir, that in this House we can do something and certainly we can say something and hope it is going to be effective, about the system of appointing justices of the peace. This is only one of the criticisms. There are many more criticisms in this article, so let us not get diverted just on to this one thing.

Their system is a patchwork of convenient practice, statutory clutter, responsibilities by extension and duties by default, as to be a scandal in the pure sense of the term, a stumbling block with a final faith in the due process of the law. There are almost no age limits for the post.

He mentions a young man in London in 1956—there is no point in mentioning his name—who was appointed a justice of the peace at the age of 21. My hon. colleague from Sudbury gave me a couple of other instances where men at age 21 had been appointed justices of the peace. I say with the greatest respect to my friend the hon. Attorney General that for a young man of 21 without any formal legal training or background to be given the power and authority of a justice of the peace, is wrong. I am sure that my hon. friend, reasonable man that he is, will agree with me. This man who is referred to in the article doubles as a violinist in the London Symphony Orchestra. Good for him! He is the youngest JP ever named and my friend the hon. member for Sudbury tells me that there are a couple of others that he is aware of. As for the oldest, the distinction is an academic one since death appears to be the only factor certain to remove a justice of the peace from his commission.

No legal qualifications are required.

“JP’s are chosen,” Inspector of Legal Offices Alan A. Russell says, “as much as possible for intelligence, common sense, a grasp of local affairs, and, if possible, a knowledge of the law.”

They are appointed to their jobs by the provincial Cabinet on the recommendation of the Attorney General’s department, but the original nominations may have come from a variety of officials—a member of the Legislature, a judge, a magistrate, or an officer of the provincial police. Sources in the Attorney General’s department—

I am sure the hon. Attorney General would want to comment on this next remark, Mr. Chairman:

—are quite blunt about the crucial step in screening nominees: Each is checked out with the appropriate government member or, if the post to be filled is in Opposition territory, with the appropriate riding association.

As I say, these are fairly serious charges—and if the gentleman who wrote the article is wrong, I should think that the hon. Attorney General would be anxious to set the record straight.

Hon. Mr. Wishart: I thought some of your members sitting behind you would set the record straight and tell you that in Opposition territory, we consult those members.

Mr. Singer: In the six years that I have had the privilege of being here, sir, may I say that no one in the government has consulted me about the appointment of a justice of the peace. I am not aware that any of my colleagues have been consulted; they might have been, but none of them has told me.

Hon. Mr. Wishart: Metro Toronto is always an exception.

Interjections by hon. members.

Mr. Singer: I think that this deserves an answer. This is a charge made in a responsible newspaper. If it is not true, let the hon. Attorney General get up and say so. I think that the record should be set straight.

JPs get no formal instruction in their duties. By the provincial Justices of the Peace Act, each JP who is appointed must be examined by a county court judge before he takes up his duties. In practice, the questioning usually takes a perfunctory five or 10 minutes. After that, though the JP is presumed to call on the nearest magistrate or Crown attorney if he needs guidance, he is on his own.

Hon. H. L. Rowntree (Minister of Labour): If you take the word "perfunctory" out, it might be an accurate statement. My information about people who go down to be interviewed by the judge on this matter are given a very careful going over.

Mr. Singer: I do not know if the hon. Minister of Labour was here when I commenced these remarks; my prelude to them was this—

Mr. A. H. Cowling (High Park): Well, do not repeat it, please.

Mr. Singer: I will, because the hon. Minister of Labour apparently is not familiar with them. My introduction was this: There was an article written and appearing in a responsible newspaper, which represented a very serious, if not damning, criticism of the actions of government in this regard and I would have hoped that the hon. Attorney General, having seen this—and he has advised that he has seen it—would have taken the first opportunity after this came to his attention, to come to the House and to answer it. He has not answered it, and I think he should. If these charges are, in fact, incorrect, then I think the record should be set straight.

Given the correct political leanings, almost anyone at all is eligible for appointment as a JP.

—the article goes on:

The fact is that JPs are instead the object of such widespread official concern—

and this is a very interesting comment, too:

—that two senior members of the Attorney General's department did not know, and refused to believe it when a reporter told them recently that the 15 JPs in Metropolitan Toronto belonged to local 79 in the Canadian union of public employees. Union membership, of course, raises the possibility that the JPs could tie up the Metro courts in a strike.

I would like to hear whether the hon. Attorney General thinks that this is reasonable and logical, or whether he thinks it is unreasonable.

An hon. member: That is pretty far-fetched!

Mr. Singer: The article goes on:

It is a JP to whom a police officer routinely applies for a search warrant and it is he who signs summonses and warrants for arrest, at the request of the law. This puts within the JP's absolute discretion the police officer's right to invade the privacy

of any citizen at any time of the day or night, at home or at work, and to force any lock or barrier or to break into any safety deposit box belonging to the person against whom the warrant is issued.

Well, as my hon. friend knows, these are very serious powers and there is concern, there is real concern about the people who exercise them. I am not going to read the whole of the article but there are two or three more references here that I do want to make.

We talked about bail and my comments in regard to bail were made earlier. There was substantial criticism of the method of payment of justices of the peace, but that substantially has been corrected so there is no point in referring to that. But here, toward the end of the article, under the paragraph head of "Conflict of Interest" are some remarks that I think are very important:

In 1963, Mr. Justice W. D. Roach tabled in the Legislature the report on his Royal commission on crime in Ontario. Roach recommended in it that James Bartlett, the provincial police deputy commissioner, resign, and it was only upon Bartlett's resignation that the inspector of legal offices discovered the deputy commissioner had also been holding a JP's commission. The inspector, Alan Russell, was indignant: he said the dual office constituted a conflict of interest because Bartlett issued search warrants and other processes to officers of his force without any impartial judicial officer being consulted. Nevertheless, two civilian employees of the provincial police were appointed JPs the same year to pave the way for the force's investigations and arrests and both Inspector Russell and Commissioner Eric Silk seem satisfied that this is proper, arguing the civilian employees are not actually on the force. There are lawyers who do not agree.

I would be most interested in hearing the hon. Attorney General's views on that. Is the inspector of legal offices, Mr. Russell, correctly quoted? Was he shocked, and if he was shocked, why has his department not done anything about it?

I am going to elaborate a bit more on this particular aspect in just a moment.

Hon. Mr. Wishart: What year was that?

Mr. Singer: Well, in 1963, Bartlett was a justice of the peace and in 1964—and I think at the present time, if I am not incorrect—two persons very closely associated with the Ontario provincial police and, in fact, working in their offices, are justices of the peace.

Hon. Mr. Wishart: I was inquiring as to the year of the appointment.

Mr. Singer: The year of the appointment of Bartlett? I do not know. It is my understanding that after Bartlett resigned, or retired, or whatever happened to Bartlett, that these other two men came along. That information—this other man here that I am going to talk about in just a moment—

Hon. Mr. Wishart: For the record may I make it clear that no persons employed or engaged as police officers have been appointed justices of the peace by my department while I have been Attorney General!

Mr. Singer: By your department since your accession to that office, but as late as 1963, Mr. Swan was appointed and we will have some comments about Mr. Swan just in a minute, and I would like to know if the views, as I say, of Mr. Russell are, in fact, the true views of the present Attorney General or the true policy of this department.

There is reference in this article, as I talked about earlier, to Mr. Wilson's giving a series of four-hour lectures on the duties of a justice of the peace in Windsor, Niagara Falls, London, Owen Sound, Sarnia and Newmarket. About half the total number of justices of the peace turned up to listen and there has been no other effort since to give them any instruction.

Hon. Mr. Wishart: I must rise, Mr. Chairman, I cannot just let remarks like this go unanswered.

Mr. Singer: Well, will the hon. Attorney General wait until I am finished?

Hon. Mr. Wishart: I would like to just say this: There have been other efforts. One of them is the preparation of a manual which is now well along in the course of preparation for justices of the peace, a manual of instructions. I could get up and give these things in answer to a newspaper article but I do not feel called upon in every case to do so. I will say to the hon. member—

Mr. Singer: I would have hoped that the hon. Attorney General, seeing this type of criticism, whether he arose at the first possible moment—I think perhaps he should have—or somewhere during the course of these estimates, would have said, "Now, there has been criticism about justices of the peace, here is the true picture, here is what we are doing, here is how they are being selected, here is how they are being trained, here is what they are doing, here is how

they are acting." I think the people of Ontario deserve this kind of an explanation.

Hon. J. R. Simonett (Minister of Energy and Resources Management): Who is worrying about it besides you?

Mr. Singer: Well, it is very fascinating that the hon. Minister of Energy and Resources Management and some of his colleagues in the same bench have no concern at all about the proper administration of law in the province of Ontario. And I hope that is on the record, because I want to repeat what the hon. Minister of Energy and Resources Management just said, "Who is worrying about it besides you?"

I tell him that the people who are worrying about it are the people in the province of Ontario who are concerned with the proper administration of justice. Whether my friend, the hon. Minister of Energy and Resources Management is worried or not, is of no moment to me. I do believe that my friend, the hon. Attorney General is worried about it and I am glad that at least one man on the government benches is listening and is going to tell us some of the things he is doing to remedy it. Because as this story has gone on, whether you recognize it or not, the hon. Attorney General has indicated that some of the practices referred to here are not his practices and are practices he does not like.

Now, if the hon. Minister of Energy and Resources Management in his typical fashion says, "Who's worrying about it?"—if that is the view of the Cabinet, then I say it is a pity that the government of Ontario is charged with carrying people like you on their shoulders.

Now, Mr. Chairman, to return—

Interjections by hon. members.

Hon. G. C. Wardrope (Minister of Mines): It's people like you that we have to carry on our shoulders; you are freeloaders.

Interjections by hon. members.

Mr. Singer: Mr. Chairman, there are criticisms about the availability for justices of the peace in granting bail and those have been referred to earlier.

I want now to turn to an incident which came before the court of appeal in a case in which judgment was given on September 28, 1964. The hon. Mr. Justice Roach—and the case was the case between Frank Worrall, who was the applicant to the Supreme Court of Canada for leave to appeal and A. Swan and P. Sawatzky, who were the respondents—

Mr. Justice Roach gives a dissenting opinion in that case, but I am going to quote one paragraph from Mr. Roach's judgment, which is not his opinion on the facts in issue, the granting of the appeal, but touches on the whole question of his opinion of the role of justices of the peace. He says:

With that information before him, the justice is required to exercise the judicial function of determining whether or not it discloses reasonable grounds for that belief. In performing that function, the justice stands between the informant and the person in occupation or control of the place in which the informant seeks to have a search conducted. In no sense is he identified with either of them.

I think up to that point we can all agree.

As a matter of convenience to the police he may have his office close to police headquarters but he is not a branch of the police department—

and I think my friend, the hon. Attorney General, will agree that he is not and he should not be:

—and as such an aid in the discharge of police duties, under section 429, his duties are strictly judicial. In the evidence in the instant case, it appears that Mr. Swan had his office at the headquarters of the Ontario provincial police, that he had been an employee of the Ontario provincial police since 1929, but it does not appear in what capacity. In 1963 he was appointed a justice of the peace and is also registrar of firearms "under the Ontario provincial police," whatever that means.

When the solicitor for the appellant visited him at his office to examine the information he began to ask him some questions relative to his experience in issuing search warrants. To this, Mr. Swan did not object, as he would have been justified in doing. Instead, he left his office and returned in a few minutes with a sergeant of the force who, on hearing another question along the same line, advised Mr. Swan not to answer. All this, in my opinion, was entirely incompatible with the independence of a justice exercising his judicial function under section 429. A justice of the peace should never in any way be affiliated with the police.

Well, there it is. And I am sure that my hon. friend is not going to say that this is proper conduct. But why Mr. Swan is continuing to be a justice of the peace in the office of the Ontario provincial police, doing this sort of thing and taking his instructions from the

sergeant of that force—and there is another one down there as well; I do not know when he was appointed; there is Arthur Shield, who is also a justice of the peace; he is the registrar of private investigators, apparently. Why these two gentlemen are allowed to continue to perform in this way I do not know, I think it is wrong, Mr. Justice Roach certainly thinks it is wrong, and I hope the hon. Attorney General thinks it is wrong and is prepared to do something about it.

Mr. F. Young (Yorkview): Mr. Chairman, I would like to bring the discussion back, if I may, to the problem raised by the hon. member for Halton some time ago, the matter of probation services. I was rather disappointed that the hon. Attorney General had not commented on the case which was raised of the boys who were given a criminal record, in effect, because the probation services could not accept them because they had violated the criminal code. I wonder if the hon. Attorney General might take that under advisement, might give us some answers as to how this might be overcome, because I think this is a very serious aspect that should be faced up to. Perhaps if he would like to comment on that I could raise further questions after his comment.

Hon. Mr. Wishart: I would be glad to comment on that, Mr. Chairman, right now. I have been aware of the situation, of course, since it has been going on in recent months, and I was quite interested in the remarks which have been made about it. The fact of the situation is that our provincial statutes do allow a probation officer to enter the case before conviction and to deal with a person brought before the court—a young person—to make a report to the court and so on, but there is no such provision in the criminal code. When the offence is one under the criminal code there is no such right, there is no such law, there is no such permission and the short answer is that it would require a change in the provisions of the code in order that this be brought about.

Representations, I believe, have been made. I must confess I have not made them directly, but I believe representations have been made that there should be such a change in our law. Actually, I will have to say this: I appreciate the motives of the magistrate, but in doing what he is doing, saying he will not convict and will not put that mark on the young person's record, he is actually not carrying out his oath of office, where he says "I will enforce the law." I appreciate his motives and I agree, I think, that since

we accept the principle and acknowledge the fact that in our provincial statutes such a procedure should obtain where a probation officer may come in, should come in, and assist the court, assist the young person and enable this to be done without a record of conviction being made, then I think if we accept that principle, it should certainly indicate our attitude that the criminal code should allow the same procedure. I would certainly be glad to follow the matter up. It has been brought very forcibly to my attention today.

Mr. Young: Thank you very much.

Mr. Kerr: Mr. Chairman, the hon. Attorney General says that the code supersedes The Probation Act, is that what he is saying? When the offence is under the code?

Hon. Mr. Wishart: There is no provision under the code for a probation officer to come in and deal with a person, unless there has been a conviction before the court.

Mr. Young: Mr. Chairman, following this matter up in regard to probation services, the more I have looked into the probation setup in Ontario—and I admit it has not been extensive to this point, the more I have been impressed with the quality of the service and with the quality of the probation officers—I have been a bit disappointed at the case load which many of those officers carry. Now, it is one thing to talk in terms of averages, but averages do not show the situation because in some areas the case load may be a proper case load and sometimes below what could be carried, and in other areas the case loads are very, very heavy, so when we talk in terms of averages, perhaps we do not talk in proper terms.

I was interested in the hon. Minister saying the other day that he was hoping to increase the staff, and as I remember the figures, he has 187 probation officers now, he is hoping to get eight more this year, which would bring it to 195. Can the hon. Minister inform us how many probation officers there are in the Toronto area, and in the Ottawa area?

Hon. Mr. Wishart: In the county of Carleton, Mr. Chairman, there are eight probation officers with two secretaries, or a total of ten on the probation staff of the county of Carleton; and for the county of York, there are 36 probation officers and 17 secretaries, a total of 53 on the probation staff.

Mr. Young: This brings the probation staff in the province to something more than the 240 mark.

Hon. Mr. Wishart: The total of probation officers is 187, as the hon. member mentioned; secretarial staff is 103; the total is 290.

Mr. Young: Does the 187 include Toronto and Ottawa, or is this just the provincial staff?

Hon. Mr. Wishart: That is the provincial staff. This does not include 12 probation officers who are engaged by Metropolitan Toronto and are not included in our figures; they are in addition.

Mr. Young: And does not include Ottawa?

Hon. Mr. Wishart: It includes Ottawa. The figures I gave included the Ottawa figure, which was: the county of Carleton, eight probation officers and two secretaries.

Mr. Young: Mr. Minister, the problem as I see it here is that we have a jurisdiction in the province itself which is doing, I think, a fairly good job, although standards perhaps can still be raised. But in the Toronto and Ottawa areas we have separate probation systems and we saw very recently the problem there, where municipal politicians take a look at the budget and say that here is a place where the budget can be trimmed. It is the kind of area where this kind of trimming is very tempting to municipal politicians, because probation service perhaps does not bring as many votes as sewers or watermains or sidewalks and other things that people can see. These are visual, and these are services which are being demanded. The other is more in the realm of service and not as apparent.

I wonder, Mr. Minister if this province should not give very serious consideration, first of all, to bringing these staffs within the provincial jurisdiction and correlating them with the provincial staff—that is, have the provincial staff take over these two jurisdictions that are now outside the provincial staff. In both cases, I understand, the salaries are lower than they are provincially and the case loads are higher than they are provincially, though again, as I say, talking in averages is difficult in this field. I would hope that the hon. Minister is giving this very serious consideration. I hope this can be done and I hope that the kind of budget can be set up to bring the standard up in these areas and to remove the probation service in both Toronto and Ottawa from the dangerous situation in which we saw it placed in very recent days.

Hon. Mr. Wishart: I wonder if I might just take a moment, Mr. Chairman, to deal with

that now while it is raised? I would just like to tell the House through you, Mr. Chairman, that discussions on this very subject have gone forward for some months, particularly with Metro Toronto, and I should say we feel that is the area with which we perhaps might move first. It is the largest problem, it is closest to hand, and it is most severe there, for the very reasons which the hon. member has mentioned and for others which we see. I can only say that the discussions have been full and complete. We have an objective, such as the hon. member has outlined, of taking the situation over as a provincial matter. Whether this can come about soon or not, I cannot say at this moment. It is a matter that is in the exploratory stage and very seriously considered.

I think in fairness to Metro, we should point out that perhaps at our request, all of the probation staff has had increases in the salary ranges in this year's budget. Metro did that much.

Mr. Young: Just one further question, Mr. Chairman, through you to the hon. Minister. The hon. Minister mentioned that it is difficult to get properly qualified people and so he is planning on an addition of about eight people to the staff this year. I understand that people in this field are anxious to see a much greater increase in that number—more than twice that. I wonder if the hon. Minister would tell this House whether, if people are found and if people are available, the moneys can be made available in the budget to increase the staff to bring the case load within reasonable proportions?

Hon. Mr. Wishart: Mr. Chairman, this is a subject in which I personally have a great interest. It is one of the phases of my department in which I find much interest, and some of the notes I had made for the debate with respect to these estimates on the matter of probation and probation services indicate that this service was started only in 1951. It was planned then and considered in 1952. In 1952 the service included 17 probation officers with a budget then of \$74,505. In March of this year, we had a total of 187 provincial probation officers, with 103 secretaries and a budget of \$1,589,000. Perhaps one does not measure everything in dollars, but the increase in numbers there from 17 to 187 in that period, indicates that this is not a neglected branch of the department. In 1964 we established a minimum educational qualification at the level of a BA degree for a probation officer, so the hon. member will understand that while it is a good qualifica-

tion, it is a restrictive one. The field of applicants, to that extent, or to some extent by reason of that, is limited.

I think I outlined in my opening remarks to the debate on these estimates, the training that is done in the field and in courses, and how that is fitted together with supervisory training. To answer the question now as to whether it is possible to secure more officers if we were asking for them, I think perhaps if the effort were made and the money put forth, and I would ask for extra funds, I could perhaps say, yes, I could probably get some more. We have asked for eight this year. We think, after an assessment of the work and the case load, that this is reasonable, fair and proper, that this is a reasonable increase having in mind the task which confronts us.

Mr. Young: Thank you very much.

Mr. Sopha: Mr. Chairman, I would like to ask a series of question on a matter that I have raised for six years in this Legislature in the hope of getting some improvement. With all due respect to the hon. Minister of Energy and Resources Management, who does not apparently believe in improvement—he would leave Indians living in wigwams and that sort of thing—with all respect to him I should like to ask the hon. Attorney General—

Hon. Mr. Simonett: What vote are we on?

Mr. Sopha: I should like to ask the Attorney General, where in this vote is the item for for salaries for supreme court reporters?

Hon. Mr. Wishart: It is here somewhere if I can find it.

Mr. Sopha: Is it in the second last one—Supreme Court of Ontario, \$762,500—second last item on page 19?

Hon. Mr. Wishart: Mr. Chairman, I was looking for a little more detail for the answer to the question. The item is in the section headed "Supreme Court of Ontario," page 19; that is where it will be found. I have detail as to what those salaries are.

Mr. Sopha: What is the answer?

Hon. Mr. Wishart: For the supreme court reporter class 1, the range is \$6,300 to \$7,500; that was fixed as of November 1, 1964. Supreme court reporter class 2 is \$6,600 to \$7,800, as of September 1, 1964. The chief supreme court reporter has a salary range of \$7,500 to \$9,000; that was made effective November 1, 1964.

Mr. Sopha: That is Mr. Luett.

Hon. Mr. Wishart: Yes. I would just like to add that these salary ranges are still under review at the present time with a view to an increase.

Mr. Sopha: That is fine. Would you tell me what the cost of a page of transcript of evidence is in a civil case in the supreme court, and what the cost per page is in a criminal case, or are they both the same?

Hon. Mr. Wishart: I can get it.

Mr. Sopha: I will take a guess, but I think it is somewhere around 85 cents a page. You are going to find out?

Hon. Mr. Wishart: It is 80 cents a page, I am certain in the criminal—

An hon. member: Why ask if you know?

Hon. Mr. Wishart: I am not sure whether it is exactly the same in the civil. Is it 80 cents a page?

Mr. Sopha: That is fine; 80 cents a page in a criminal case. Then there is a law for the rich and a law for the poor. Let me tell the House that when the very rich people with lots of money come before the courts, they can get what is called daily copy. When the really first-class, high-grade, diamond-clip type of criminal comes before the courts, he can get what is called "daily copy." They will put a whole fleet of reporters into the courts and change them at 20-minute intervals and the copy of the evidence of that day will be ready at night for the counsel defending. Those are usually long trials.

I think the Smith brothers who own the hotel downtown had daily copy, and I believe there was daily copy in the Farris case. But as long as six years ago I complained here about the burden on the impoverished individual, the fellow of limited means in picking up a tab—my language is not very good today; it is very loose and I am using jargon—picking up the bill of \$700 or \$800 before he goes to the court of appeal. Imagine the oppressiveness of that burden—scraping together that money to get a review of his case in the appellate courts.

Let it be said, in all fairness to make the record complete, that where the individual has no money at all—a legal aid case—the Attorney General's department will pick up the check.

Hon. Mr. Wishart: I was just about to say that when you said that.

Mr. Sopha: Yes, it will, upon the asking; it will do that. But take the individual of very moderate means who is able to retain his counsel, if he feels he does not get a fair shake in the first court and wants to go to the court of appeal. The first trial may have lasted four or five days, and with the five copies that he must deposit in court, the bill comes sometimes to \$700, \$800 or \$1,000.

I have suggested this in the past, that equity and justice and fairness would demand that the Attorney General's department pay the court reporters sufficient in order to reduce the cost of pages per transcript, to bring it within reason, so that an equitable burden falls upon the high-class, well-heeled criminal—or, I should say, person accused of crime—and the individual in the lower income group. I will bet a quarter—I will not go further than that, but I will bet a quarter—that some of those court reporters who run into a series of appeals during the year, and especially in lengthy cases, make more money than the hon. Attorney General makes.

Hon. Mr. Wishart: That would not be hard to do.

Mr. Sopha: Yes, well, I bet they do, that they make more than the boss himself, when they pick up \$700 or \$800.

I know of a case where there was a mistrial. The individual, who was represented by counsel, had no money. The mistrial was caused through the neglect of the opposing side, and naturally after the mistrial the evidence had to be ordered for the new trial. The bill for the evidence came to something like \$450.

A long time ago I suggested that this price per page of 80 cents could be slashed quite a bit. After all, I can report to the House as the hon. Attorney General well knows, that at 80 cents there is not a great deal on the page. Maybe that is a good thing, that the pages really do not contain many words and the reporters double space them in addition. Perhaps that is a good thing from the point of view of the presentation of the argument when the case goes into an appellate court. I just hesitate to think of what happens to the individual of limited means who wants to go to the Supreme Court of Canada, because he is faced then with a tremendous cost to get the evidence printed in the form of the factum in which it must be printed by a printing press—one like my friend, the hon. member for Muskoka (Mr. Boyer) runs.

But let us leave that aside and deal only

with the appellate court within our own jurisdiction. I would ask the hon. Attorney General what is the cost per page in the district courts for evidence?

Hon. Mr. Wishart: I would have to get that from a member of my staff.

Mr. Sopha: I think that runs about 60 cents.

Hon. Mr. Wishart: I did discover that it is 80 cents, as I told you, in both courts, civil and criminal.

Mr. Sopha: Because it is a junior court, I suppose, in the hierarchy of courts, the price goes down a little bit. I would not be surprised to hear in the division court that you go down to about 40 cents a page maybe. Then I must not leave out the prohibitive cost per page of examinations for discovery, which is a step along in the prosecution of a law suit, and which the litigant has to pick up. It is fair to say that throughout this province a good many lawsuits, perhaps the majority of lawsuits, are financed by lawyers who are prosecuting them. Let me hastily add that the lawyers do not accept the case on a contingency basis. But I venture to say, and my experience tells me, that the plaintiff who has a good case, on first looking at the case—a motor vehicle accident, let us say—if he is not able to put up any money for the prosecution of his lawsuit the lawyer puts up the disbursements and it is the lawyer who has to put out these disbursements, including the cost of paying court reporters for the examinations for discovery.

But in my own view, the whole thing has gone to ridiculous limits—this business of \$700 or \$800 or \$1,000 to get into the court of appeal before you can get the evidence, and you do not get into the court of appeal until you pay for the evidence—it is cash on the barrel. When the evidence is ready you have to take a cheque down to the registrar of the supreme court at Osgoode Hall and deposit that cheque with him. He will give you the five copies of evidence to take over to the court of appeal office. As long as that exists there are going to be a lot of people in this province denied the review of their cases, which they might otherwise get, for lack of funds.

We have had quite a few of the white-collar criminal, the high-class one, in recent years in the province, and the tone of my voice will indicate that I do not have much sympathy for them. Indeed I do not; I do not like the high-class criminal; I prefer the

safe-buster to the individual who, through his own intelligence, agility and manipulations, swindles widows and orphans in the stock market, like that bunch in the Brilund Mines case. That is the type I do not like. But you see how fast they get into the appellate courts and get to the Supreme Court of Canada. By the time they end up they have the first trial judge, and they have five in the court of appeal—that makes six—and then they get to the Supreme Court of Canada and they get a bench of five or seven there. They either have 11 or 13 judges who have reviewed their case, so they have the full treatment. Somewhere along the line, they might convince the majority of those judges that somebody was wrong below them and they might get off.

The fellow from New York, in the same case that I have referred to, convinced the Supreme Court of Canada and he got off.

But I am worried about the other individual who may not have got justice in the trial court and he does not have the money in the pocket to pay this tremendous expense to get into the appellate courts. I would like to see you take this step—put the court reporters on salary, completely on salary. Pay them; pay for the administration of justice and reduce—I do not say give the evidence for nothing—but reduce the cost per page of the transcript to a very nominal amount, say, ten cents a page or 15 cents a page.

Hon. Mr. Rowntree moves that the committee rise and report a certain resolution.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of supply begs to report it has come to a certain resolution and asks for leave to sit again.

Report agreed to.

Hon. H. L. Rowntree (Minister of Labour): Mr. Speaker, I believe it has already been announced that tomorrow there will be second readings, including the milk bill, and thereafter we will proceed with estimates of The Department of the Attorney General. There will be a night sitting, of course, tomorrow night.

Hon. Mr. Rowntree moves the adjournment of the House.

Motion agreed to.

The House adjourned at 6.05 o'clock, p.m.



ONTARIO

Legislature of Ontario

Debates

OFFICIAL REPORT—DAILY EDITION

Third Session of the Twenty-Seventh Legislature

Thursday, May 13, 1965

Afternoon Session

Speaker: Honourable Donald H. Morrow

Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, MAY 13, 1965

The House met at 3 o'clock, p.m.

Prayers.

Mr. Speaker: We are always pleased to have visitors to the Legislature and today we welcome as guests, in the east gallery, students from Sturgeon Falls high school.

Presenting petitions.

Presenting reports by committees.

Motions.

Introduction of bills.

THE MOTOR VEHICLE FUEL TAX ACT, 1965

Hon. J. N. Allan (Provincial Treasurer) moves first reading of bill intituled, The Motor Vehicle Fuel Tax Act, 1965.

Motion agreed to; first reading of the bill.

Hon. J. N. Allan (Provincial Treasurer): Mr. Speaker, the new Motor Vehicle Fuel Tax Act provides for a change in the way in which the 20.5 cent tax on fuel oil used in diesel-powered vehicles is collected. At present, over 1,400 persons are registered under the Act and remit the tax to the department.

By changing to a method similar to that used for gasoline tax, the number can be reduced to below 50, with a resultant improvement in administration.

As several types of fuel oil can be used in diesel motors, this Act would provide that any such oil on which tax has not been collected will be identified by a coloured marker. This will not interfere with the normal use of such fuel oils. Two western provinces as well as the government of Great Britain, have had favourable experience by using this method. New Brunswick has recently passed comparable legislation and I understand that Quebec and another eastern province are contemplating similar action.

The Act would come into effect upon proclamation and the former Act would be repealed.

TAX ON THE CONSUMERS OF TOBACCO

Hon. Mr. Allan moves first reading of bill intituled, An Act to impose a tax on the consumers of tobacco.

Motion agreed to; first reading of the bill.

Hon. Mr. Allan: Mr. Speaker, The Tobacco Tax Act provides the administrative machinery for the collection and administration of the tobacco tax for the province of Ontario.

The tax imposed by The Tobacco Tax Act will be paid by every consumer of tobacco products, as has been done under The Retail Sales Tax Act. However, the method of remitting the tax to the Treasurer of Ontario will be changed.

In the past, retail vendors have remitted the tax directly to the Treasurer. However, with the introduction of this new Act, tax will be remitted through a series of collectors, as is currently in use under The Gasoline Tax Act.

The tax imposed on the various tobacco products will be virtually the same to the consumer, although the method of calculating the tax has been amended. Generally, the administrative provisions of the Act are in line with other taxing statutes of this province. The tax will come into force on the date to be proclaimed by the Lieutenant-Governor in Council.

The provision for the exemption of tobacco products under The Retail Sales Tax Act will also be proclaimed on the same date, so that immediately the tobacco products will cease to be taxed under The Retail Sales Tax Act, they will be taxed under The Tobacco Act.

Mr. E. Sargent (Grey North): Mr. Speaker, I have a question for the hon. Minister of Transport (Mr. Haskett).

In view of the release this morning stating that traffic accidents and deaths in Ontario have increased 56 per cent, I would like to ask the hon. Minister what immediate steps he is taking in the public interest.

Hon. I. Haskett (Minister of Transport): Mr. Speaker, in reply to the question concerning accidents in the first quarter of 1965, I must first correct the information in the question about an increase of 56 per cent in the traffic deaths and accidents. This figure is not correct; there was an increase of 23.8 per cent in accidents during the quarter compared to the corresponding period last year, and there was an increase of 4.2 per cent, that is 11 persons, in the total number fatally injured in accidents. The figure of 56.5 per cent refers to the increase in the number of pedestrians killed.

At the same time, I would point out that there were decreases in the number of drivers killed and the number of passengers killed. I mention these points in the interest of accuracy.

I would emphasize my profound regret that these accidents took place and that these deaths occurred. Let me point out, Mr. Speaker, that one of the purposes of compiling accident statistics by my department is to maintain public awareness of the accident problem, and to remind drivers and pedestrians alike of the need for constant caution and common sense.

The steps that are being taken by The Department of Transport to combat the accident problem are continuing steps. The figures that have just been released serve as a reminder of the magnitude of the accident problem, but they do not signify any appreciable change in the problem itself. Instead, they confirm the fact that accidents pose a major challenge in our modern and mobile society, and they confirm the need for concerted and individual concern for traffic safety.

The government of Ontario demonstrated its acceptance of responsibility in this concern by the creation of The Department of Transport in 1957. Paramount in the responsibilities of this department are traffic safety and safety education. We attack the challenge in a variety of ways, as outlined to the House on previous occasions. We certainly have not solved the problem; no jurisdiction anywhere has solved the problem, but we believe that with our comprehensive safety programme, good progress has been made and will continue to be made.

Since this department was created, the

number of motor vehicles registered in Ontario has increased sharply; the number of accidents has also increased. There is no way of producing statistics to show how many lives have been saved by such activities as the demerit point system, vehicle inspection and the education of school children and senior citizens in matters of safety.

It is of interest to note, however, that in spite of the greater density of traffic in recent years, the rate of accidents per miles travelled has not gone up. In fact, the rates—and they represent the risk of accidents—have gone down in some cases.

The hon. member's question asked specifically about immediate steps. As I have indicated, this department would be remiss if it waited for a statistical summary before it decided to take appropriate steps. It is coincidence that one of the steps decided on some time ago will go into effect next Monday. I refer to the co-operation of The Department of Transport with the Ontario provincial police in an intensified programme of compulsory spot-checks for vehicle safety. The department is providing mobile vehicle check units and staff for our 38-point inspection of vehicles stopped by the Ontario provincial police at predetermined locations.

Another example relating to the statistics just released is driver instruction in high schools. The statistics show that, as usual, the number of relatively young drivers in accidents was higher than their proportion to the total number of drivers. The Department of Transport recommends driver instruction in high schools as a means of increasing safety among young drivers. This continuing campaign will produce an increase of 50 per cent this autumn in the number of schools offering these courses.

Another example involves pedestrians. The statistics show that a disproportionate number of very young and very old pedestrians are accident victims. The department has recognized this fact and is continuing its intensive campaign to make these age groups constantly aware of the need for vigilance and good sense in traffic.

An analysis of the statistics for the first quarter of 1965 shows clearly that they do not represent a new situation. Rather, they report on a continuation of this vital problem, with some special factors that made the figures higher than usual. The special factors were the bad weather conditions and road conditions during the months of January, February and March of this year. The number of accidents that occurred on snowy or icy surfaces nearly doubled, compared to

the same period last year, to a total of just under 16,000. The greater prevalence of bad road conditions was the major factor in the increase in accidents. This is consistent with the fact that there were many more accidents of what might be regarded as a minor nature, while there was a lesser increase in the number of fatalities.

Mr. Sargent: Mr. Speaker, will the hon. Minister accept a supplementary question pertinent to this?

Mr. Speaker, during the past month three young lives were snuffed out in Owen Sound because—

Mr. Speaker: The member has to ask a question.

Mr. Sargent: Would the hon. Minister agree that the law whereby a policeman must stop a speeding car to give a ticket is right, because three young lives in Owen Sound were snuffed out this past month—

Mr. Speaker: Question!

Mr. Sargent: Would the hon. Minister agree that the law is right where a policeman must catch the car to give the driver a ticket?

Hon. Mr. Haskett: Mr. Speaker, this is hardly germane to the first question, but I will take it under consideration.

Mr. Speaker: Orders of the day.

THE ONTARIO WATER RESOURCES COMMISSION ACT

Hon. J. R. Simonett (Minister of Energy Resources) moves second reading of bill No. 128, An Act to amend The Ontario Water Resources Commission Act.

Motion agreed to; second reading of the bill.

THE MILK ACT, 1965

Hon. W. A. Stewart (Minister of Agriculture) moves second reading of bill No. 135, The Milk Act, 1965.

Mr. M. Gaunt (Huron-Bruce): Mr. Speaker, in rising to discuss the principle of this bill on second reading, perhaps the most obvious comment is that it is so broad, so flexible and leaves so much room for my hon. friend to manoeuvre that the spirit of the bill cannot be accurately determined because of its broadness and flexibility.

The precise machinery is not included because, presumably, this will be included in

the regulations, a copy of which we have not had.

This bill can be used to implement gradual and far-reaching reform in the dairy industry or, on the other hand, it can be used by the government as a vehicle to maintain the status quo, or close to it, in the dairy industry.

Frankly, in reading the bill, I did not get the impression that the hon. Minister had accepted the challenge of the mess in the dairy industry.

The ultimate authority for taking either course rests with the Minister of Agriculture. Barring this, my hon. friend could adopt a course of action somewhere between the two extremes. This gives you an idea of the vague generalities with which we in the Opposition are faced; this is the quandary in which I find myself. Under those circumstances it becomes somewhat difficult to intelligently discuss a bill of this nature. Having said that, I hope, and presume, that my hon. friend will use this bill to bring about gradual reform in the dairy industry. I say gradual because, in my opinion, an industry as important to the economy as the dairy industry, if it were placed in the position of being reformed in a rapid and sweeping fashion, could be thrown into economic convulsions.

In the proposals put forward in the Hennessey report, it was stressed that this should be done on a gradual basis. I believe it is suggested in the report that any reform emanating from the report should be based on a three, four- or even five-year period. In any case, the change was to be a gradual one. However, I must warn my hon. friend that the need for caution should not be an excuse for what might be termed inaction.

The dairy industry, needless to say, has been in a state of frustration and chaos for a number of years—a condition responsible for bringing about the Hennessey report. An attempt has previously been made to get the four dairy groups together in order to set up a province-wide single authority for the handling of all milk in the province. Of course, we know the history of that; it failed because none of the groups was willing to sacrifice individual identity or the benefits peculiar to themselves. Those who had fluid milk contracts did not want to give them up, and so on. No one would yield a portion of his price to a lower category in the long-range interest of the dairy industry. So the milk inquiry committee was set up, and out of that came the Hennessey report. As promised, legislation has followed.

As I understand it, this bill will replace

the concentrated milk producers' marketing board and the whole milk league. The cream producers' marketing board and the cheese producers' marketing board will remain operational. A new body, the milk commission of Ontario, will be established, responsible to the Minister. This commission will be headed, as I understand it, by a civil servant appointed by the government.

The commission will have sweeping powers to investigate and control the production, quality and pricing of milk, processing, distributing, transporting and so on. In other words, a wide and general power is given to the milk commission under this Act.

Mr. L. Letherby (Simcoe East): Is not that good?

Mr. Gaunt: Frankly, I do not see much wrong with it.

Mr. P. J. Yakabuski (Renfrew South): Do not get excited.

Mr. Gaunt: Presumably this will mean an end to the milk formula, which has been in existence for some time. It will be thrown out and the work it has done over the years will be taken up by the milk commission. There will be field men to enforce such regulations, as I have mentioned, as might apply in the various areas—producing, processing, distributing, and so on.

In addition to the milk commission, this bill also provides for the setting up of a milk marketing board. The commission may or may not delegate some of its authority to that board. The marketing board will be responsible, as I understand it, for collecting all moneys for the sale of milk; it will deduct a licence fee and will pay the balance to the producer. In other words, it handles all money. It will also be responsible, I gather, for price information and the dissemination of such throughout the industry.

The question that arises here is whether the licence fee will cover the entire operating cost of the marketing board, or will the government subsidize part of the operation of the board?

One of the main areas of conflict has been the fact that any milk producer without a quota who produces grade-A milk could not produce for the bottle trade and was, therefore, deprived of a higher price. The Hennessey report took this into consideration and made provision for it. However, there is nothing in this bill that allows for a concentrated high-quality milk producer to get a quota. Is it presumed that the same quota

system as is presently in operation will continue? If so, how will any additional fluid milk requirements be met? Will the quota shippers be given the opportunity to meet the increased demand from within their own ranks, or will other producers who do not have quotas be taken in to meet the demand?

Is the government going to open up the quota field, or is it not? I contend that in reading the bill, without seeing the regulations, it is not. If this is so, I think it falls far short of what we should have been presented with.

Another area in which I am interested is the position of the Guernsey and Jersey breeder under such a plan. As my hon. friend knows, the high-test breeders were experiencing considerable difficulty a few years ago in selling high-test milk. As a result of advertising which purported to connect heart disease with cholesterol in milk and milk products, there was difficulty in selling the high-test milk. This eventually reflected on the sale of cattle so far as the high-test breeds were concerned. Then, on their own initiative and without government help, the breeders evolved a self-help programme which resulted in the selling of A-J milk, and what has commonly been known as two per cent milk. Both breeds subsequently experienced vastly improved sales and both are riding on the crest of their own success.

May I emphasize again that this was done on their own initiative and without government help? In other words, this was a self-help programme.

The bill is so all-embracing that provision could be made for these people. As a matter of fact, it would be my interpretation that it would even go so far as to allow a pool to be set up exclusively for these breeds. Perhaps I am wrong in this, but I would like to ask my hon. friend if he considers giving the Guernsey and Jersey breeds special treatment or, on the other hand, does he consider milk to be milk and to be put together, regardless of its origin?

One thing which I am pleased to see incorporated in the Act is the fact that the operations of vertical integrators will have to comply with the regulations in each phase of their operation. I think this is good. To my mind, this will have the effect of thwarting vertical integrators from getting into the field.

Mr. Speaker, my party will support this bill in principle, because at least it is a start towards bringing some semblance of order out of a chaotic situation, even though the bill is inadequate in a number of areas.

Mr. D. C. MacDonald (York South): There are a lot of paternalistic remarks around here this afternoon. I hope we will have more of them a little later.

Mr. Letherby: The hon. member should be careful what he says.

Mr. MacDonald: Mr. Speaker, I shall not repeat much of what the hon. member for Huron-Bruce has just stated, because most, if not all, of what he has said I would go along with, particularly in his references to the difficulties we in the Opposition face at the moment in assessing the importance of this Act. Until we know what personnel are going to be operating the Act at the milk commission level, and until we know the regulations, it is pretty impossible for us to decide even the real direction the government is going to take, let alone the vigour with which they intend to move in that direction.

An hon. member: Forward!

Mr. MacDonald: Sometimes it is one step forward and two steps back while people are not watching. Mr. Speaker, I was interested in reviewing what the hon. Minister had stated in his introductory statement on first reading of the bill. He commented, rather briefly, that there is no doubt that the Hennessey report strongly indicates that "changes are needed in milk marketing in Ontario in order to avoid serious deterioration in the industry, and to enable it to strengthen its continuous position of importance in the provincial and Canadian economy."

I want to go back for a moment to quote briefly from certain sections of the Hennessey report. It seems to me that the point we must realize in this House—perhaps for us who are not normally on the farm today, with this preponderantly urban community that the province of Ontario is becoming—is the proportion of the crisis faced by this important milk industry. Certainly any casual review of the events in the past 15 years will show that we are going from one impasse to another. The hon. Minister has indicated the efforts within the industry to establish a marketing scheme two or three years ago, efforts which I think were so directed from this government behind the scenes so that they share a major responsibility for the situation that blew up. The hon. Minister, I notice, washes his hands of all that.

Hon. W. A. Stewart (Minister of Agriculture): That is not true.

Mr. MacDonald: I am aware of the uncanny ability of this government to achieve its purposes—I borrow the appropriate phraseology to my right here—by devious routes, through the farm organizations. If it succeeds, they take the credit. If it blows up, it was the farmers who made another mess of things. However, in this instance we finally had to face up to it in the establishment of the Hennessey commission. I think it is interesting to review a few quotes to show how serious the Hennessey commission views the present situation. For example, from page seven, we have this quotation:

The major theme for the past 15 years has been the unsuccessful efforts of the producers' organization to come to the recognition of mutual interests and of the folly of now partisan behaviour. There is conclusive evidence that sensible compromise and constructive joint action will not be attained on a voluntary basis.

After having chastized the government for its share of responsibility, I would underline the importance of this conclusion of the Hennessey report. For a variety of reasons, the milk industry has reached a virtual deadlock. The four constituent elements within it, because of vested interests and, in some instances, of personalities and factors that perhaps we do not need to bother to review, had reached the point where they were virtually incapable of solving their own problems. Hennessey underlined this in the very early pages of his report.

Starting on page 32, there are a number of quotations that set the whole tone. He said:

The milk industry in Ontario has not solved its major problems, nor has it been able to cope with many changing conditions.

On page 33:

Milk producers have come to the general conclusion that present marketing arrangements are inappropriate in the circumstances.

On page 34:

Generally speaking, producers established in the market have been able to grow with it and other producers have been unable to gain entry. In general terms, during recent years milk producers without a quota had little hope of getting into the fluid milk market, no matter how fine the quality of their products and no matter how willing they might be to invest money in necessary facilities. Non-fluid milk producers resent what they consider to be the privileged position of

quota holders and protest even more vigorously the closed-shop position of fluid milk shippers.

On page 35:

There is no doubt that most milk producers of this province who do not share in the fluid milk market believe that they are receiving an inequitable share of the proceeds derived from the sale of milk in this province.

I could go on, Mr. Speaker. I do not propose to, but that brief selection of quotations underlines the Hennessey conclusion, which I do not think anyone can for one moment ignore, that there is a very, very serious situation.

Indeed, I thought one of the most ironic comments in the whole report was a quotation from the Ontario Royal commission on milk back in 1947, headed by Mr. Justice Wells. How uncannily prophetic it was, Mr. Speaker, I would ask you to note as I read these two paragraphs. This is from the 1947 Royal commission report:

One cannot examine the producers' general position without coming to the conclusion that the eventual solution of the difficulties facing the whole milk producers and probably all milk producers in the province lies in the setting up of a marketing organization that will control the disposal of all milk produced by fluid milk producers for the fluid market and, ideally, of all milk produced in the province.

From the evidence that I have heard, this seems to be an inescapable conclusion. Nevertheless, equally from the evidence, I can only say at the present time that I question very much whether the farmers in Ontario in general, or the whole milk producers in particular, are ready for such a drastic move. However, in my opinion, it is the ultimate and only effective solution of their marketing difficulties.

The hon. Minister of Agriculture nods his head. I assume that he, in effect, is agreeing with me that here in 1947 was a profoundly prophetic analysis of the difficulties that were going to lie ahead and the difficulties that ultimately had to be faced by this government through the study of the Hennessey commission. My chief concern, going along with many of the questions that the hon. member for Huron-Bruce has asked, is this: Is the government really going to come to grips with the situation when, in fact, we saw the problem just as clearly almost 20 years ago? Is it going to come to grips with it at this present stage?

Now, if one examines the recommendations of the Hennessey report and then examines this bill, the snap judgment one would be forced to come to is that the government is not coming to grips with the issue. The government has chosen the easy way out. Now, Mr. Speaker, I will add immediately—and hope by adding this immediately, that I will retain the ear, at least of the hon. Minister, if not the ears of those who are interjecting to my left here—that in choosing the easy way out, it is conceivable that it is the right way out. It is conceivable; depending on a number of factors.

For example—

Interjections by hon. members.

Mr. Speaker: Order!

Mr. MacDonald: Mr. Speaker, it depends on a number of factors. One of the factors is that at the present time the milk industry is enjoying a relatively buoyant period and therefore it may be possible, under these relatively buoyant conditions to move slowly toward the objective, if the objective is clearly accepted and if the direction of moving toward it is clearly established. I will explain that a bit more in a moment when I get down to another analysis of the situation.

If, for example, the government does accept, beyond any shadow of doubt, an objective that there is going to be an equal price for quality products, and moves as quickly as circumstances will permit to the achievement of that objective, then I say it is conceivable that in taking the easy way out at the moment; in not grasping the nettle in the somewhat more revolutionary fashion that Professor Hennessey has suggested, that it may be the right way, because I would concede that the quieter one's revolutions are, perhaps the more effective they are.

The second thing, however, that is going to affect what may happen, is the personnel and the regulations. And, if I may interject here, Mr. Speaker, and register a bit of a protest—the hon. Minister came in and gave his original explanation of this bill on first reading, which was relatively brief. He then went out to a press conference and I have read many very interesting, intriguing, revealing comments that he made at the press conference, which he did not make in the House. One of them, for example, was that a top civil servant is going to be heading this commission. I would think that this was not an obscure bit of information that might be extracted by a newspaper man at a press conference; I think it would be the kind of

information that the House was entitled to get right from the very outset to assist us in trying to come to a conclusion as to exactly what the government was going to do through this bill.

However, let me go on now, Mr. Speaker, to specify three areas in which I think the principle of this bill can be subjected to some criticism. The first one is that the hon. Minister and his advisers have decided to depart pretty completely from one of the underlying recommendations of the Hennessey report; namely, that the milk commission and the milk pool that will be established, or the milk marketing board that will be established, will be to the greatest extent possible, independent of this government.

Indeed, Professor Hennessey even went to the point of suggesting that their offices should be away from Queen's Park and away from The Department of Agriculture to emphasize their independent position. I assume that he was anticipating the establishment of, or he was seeking to have established, an independent commission along the lines of, for example, Hydro, or the water commission, whose policies will be laid down by this government and by this Legislature, but whose day-to-day operation is going to be to the greatest extent possible within the jurisdiction of those who are appointed to do the job and the producers who come into the picture later, as we gradually get the whole machinery set up.

I think it is impossible, Mr. Speaker, to read this Act, without coming to the conclusion that just as this government has moved consistently in farm marketing, they are moving away from any genuine producer-controlled marketing to government-controlled marketing and I personally find this regrettable.

I am not going to spend a great deal of time threshing old straw. This is a fundamental difference—I have almost come to the conclusion that it is a philosophic difference—between that of the government and my concept of marketing. It seems to me that collective bargaining rights, whether they are given to farmers, whether they are given to trade unionists, or whether they are given to professional groups, are rights that are delegated from this Legislature. They are rights that are given to grown men and women of sane minds and over 21. Once you give them rights, you should say, "Go and exercise those rights." If experience indicates that they are abusing them, that they have too much power, or if experience indicates that they have not adequate power, then it

is our right and our responsibility to review that experience and to change the law so that we add to or subtract from those powers. But you should not have a situation in which the government is in effect meddling day after day in the operation of farm marketing. Let the farmers do it themselves. And this, I suggest, would result in something approaching producer-controlled marketing.

I have made this analogy before and I will make it again here. The government, for example, concedes to workers the right to organize a union. I would suggest to the hon. Minister of Agriculture that if he sought to meddle in the day-to-day operations, or rather, if the hon. Minister of Labour (Mr. Rowntree) sought to meddle in the day-to-day operation of trade unionists who have been given this collective bargaining right, to the extent to which the hon. Minister of Agriculture interferes in the day-to-day operations of farm marketing, he would be in serious trouble. We would have something more than a quiet revolution on our hands. And quite rightly so.

But the philosophy of this government in amendments to The Farm Products Marketing Act about four or five years ago is that local marketing boards even have to come to Queen's Park, to "Big Daddy," to get approval of how much money they are going to raise, and how much of their own money they are going to spend. I object to this, and I object to its emergence in this legislation, in terms of what is going to be—if I interpret it correctly—a milk marketing commission dominated and controlled by government to a greater extent than is desirable and necessary.

Mr. Speaker, I move to my second basic criticism, and it is a repeat of a question I asked earlier. How firm is the objective of the government in moving toward an equal price for quality products? Because this is the whole nub of the issue. In all of the complexities, in all of the difficulties in the milk industry, I would say the key issue is between the fluid and the concentrated milk producers—along with a few among the cheese producers, and a few among the cream producers—who are producing grade "A" quality milk. Why, if they are producing an "A" quality product, should they not be able to get a top price like those who happen to be on the quota and have the privileges of the fluid milk market which they have enjoyed now for a generation or more? This is the nub of the issue.

And what assurance, what guarantee, is there in this bill that we are going to move

toward coping with that problem? This question was asked by the hon. member for Huron-Bruce. For example, are we going to start with the present quotas? Does the government accept the present quotas? Will it move beyond them? It seems to me that these are questions which, if we do not get them answered today—and perhaps it is not most appropriate they be answered in discussing the principle of a bill—we certainly will try to get answered before the standing committee next Tuesday, or when the bill comes back to the committee of the whole House.

I was interested, for example, in reading a letter that was sent to all members of the Legislature, from the Ontario whole milk league. Two paragraphs in it, I think, are pretty significant. This is the group whose favoured position has been envied, and threatened, and yet they state:

We are convinced that only one producer organization should be empowered to negotiate prices of raw milk in Ontario. Only in this way can we avoid having one group of producers pitted against another and we believe that producers have every right to speak with one voice in the market place.

They also say, in the next page, after having expressed fears for the stability of their market and their price level being wrecked by an unduly hasty introduction of 5,000—that is the figure that is now used—new shippers in the fluid milk field:

On the other hand, any move to delay decisive action or to have a plan put into effect that would simply protect the present fluid producers—

their own people:

—including those in the highly preferred positions, would cause serious opposition by grade “A” producers not now in the fluid trade. These men must be given a share of that trade as quickly as possible, but they must also be given that share in an orderly and a gradual way.

Mr. Speaker, I think that is a very statesman-like announcement that was sent to the Legislature. They have said they want the change orderly, they want it gradual, they do not want to wreck the position that the fluid producers—sometimes they have been described as the aristocrats of the industry, though I think they tend to react unfavourably to that title—they do not want to tear that position down while attempting to lift the rest of the industry up—particularly those who are producing grade “A” milk.

But, on the other hand, let us not miss their point: “Any move to delay decisive action or to put into effect a plan that simply protects the present fluid producers, including those in the highly preferred position, would cause serious opposition by grade ‘A’ producers not now in the fluid trade.” That is the nub of the whole thing. And that is the reason why we are entitled to ask and to get greater assurances from the hon. Minister that we are going to move in that direction.

What are the difficulties in moving in that direction? This is the reason why—I will be frank with the hon. Minister—I have come to the conclusion that perhaps the easy way out in the relatively buoyant position of the milk industry at the present time, may be the best way out; because, as I examine the situation, I find it to be this, Mr. Speaker: There are approximately 10,000 fluid shippers at the present time in the province of Ontario. I am informed that, over the years, the number of drop-outs during the year, the mortality rate among fluid shippers, has been approximately 350. Indeed it has been suggested to me that the figure is really higher than that now, that this happens to be an average over a number of years; it may now be closer to 500.

I am also informed, Mr. Speaker—and this point really intrigues me—that perhaps as high as ten per cent of those who are now fluid milk shippers, if the inspection and the regulations for the production of “A” grade milk were really enforced, would be out of the picture as fluid shippers. Now maybe the ten per cent is high, but I heard the observation made—that if there was stricter enforcement some would be out of the picture—from more sources than I can reveal in this House here; and they certainly represent knowledgeable voices from within the industry and, indeed, from within the government. It raises the very interesting question of: How have we been enforcing the regulations up until now if there are some farmers shipping who really are not entitled to have the right to market “A” grade milk? But, if there are some, then that opens the door to the possibility of bringing in those who really qualify with “A” grade milk.

There are 15,000 to 17,000 concentrated shippers. Therefore, this figure of 5,000 potential dairy farmers, potential in terms of interest in getting into the bottle trade, is roughly one-third of the concentrated producers. How many of them want to transfer immediately? The whole milk league says that if 5,000 come in immediately it is going to wreck the position of the trade, but how many could come in immediately?

Well, Mr. Speaker, I have been told, for example, that of these 5,000 only 1,800 have bulk tanks. I would immediately concede that the bulk tank is not, by any means, the only criterion, but it is one of them in face of the mechanization required by a grade "A" producer. So then we have only 1,800 who are in a position to qualify, and perhaps only a proportion of those could qualify immediately, if the government is willing to open the door. So consider the situation: with, say, 500 dropping out every year, with some being knocked out because they really do not qualify at the present time—then there may be an opportunity to move pretty quickly in terms of permitting those who want to, and who can qualify, to come into the fluid field.

I think there is another interesting factor here, Mr. Speaker, and I have had this confirmed by people who are active as leaders in the industry. A sizeable proportion of the people who are concentrated producers have been denied the right to get into the fluid field; and anybody who is denied something wants it all the more. Once the government says to them, "Fine, the door is open, you can come in," it may discover that a smaller proportion of those who appear to want it beforehand are really anxious to come in. Or, to put it in more important terms, Mr. Speaker, are ready or willing or able to spend the \$5,000 or \$10,000 or \$15,000 that would be required to bring their facilities up to a standard to be able to qualify.

In other words, I have come to the conclusion, as I analyze this in depth—in terms of milk producers who might want to come in—that it would be possible, very early and very quickly, to permit those who qualify to move over into the fluid field.

There is another factor I would like, by way of a question, to raise with the hon. Minister. Out in British Columbia, in the Fraser Valley, something of the kind of experience we are now going to have to cope with, in a blended price within a pool, has been had by the farmers for some years. And it is my understanding that the pool in the Fraser Valley has secured, from the federal government as part of their subsidy programme, a contribution for a proportion of the milk that went into the pool and was not used for fluid milk bottle purposes, but went into manufactured milk.

The figures I have been able to get are that, roughly speaking, most people in the whole milk league today, on an average, are getting the top price for about 70 per cent of their production. About 30 per cent of it is surplus and presumably they were getting

as low as the \$2.60 or the \$2.65, the price that has obtained for the last number of years and is now going to be raised to \$3.50 through the subsidy programme that the hon. Mr. Hays has introduced at Ottawa, so that you get a blended price that ranges at about the \$4 figure.

If the government is going to move, and I submit it should move, to open the door to grade "A" producers to come into this pool—and I wonder why the government seems to be leaning over backwards not to describe it as a pool, it does not appear in the hon. Minister's statement or in the bill anywhere—why cannot they approach Ottawa immediately for a contribution to that manufactured milk which is going to be shipped by fluid producers—members of the milk league now, or others who were in the concentrated field and who are going to be brought in? If these shippers remained in the concentrated field they would be entitled to this subsidy from Ottawa. It seems to me that the subsidy programme should be administered a bit more flexibly at the Ottawa level—not as a pioneering effort, because it is merely duplicating in Ontario what has already been done in the Fraser Valley of British Columbia. This would assist us in a quicker transition to bring together all grade "A" producers in the one market; that, I assume, is the objective.

I have a third criticism to direct to the hon. Minister. I concede that it strays a bit from the bill, but I think it is relevant enough. Generally speaking, the agricultural industry has not shared equitably in the wealth that this nation has produced. If one compares the number of people who are on farms, and the proportion of the wealth that goes to agriculture, you come up with figures indicating there are almost twice as many people as the proportion of the national wealth that is going to them.

Generally speaking, if farmers were to calculate the income they got on a wage per hour basis, most of them would be in violation of our minimum wage laws in the province of Ontario. Generally speaking, farmers have been living on their capital in a fashion that no other business would. Many farmers simply are not in a position to improve their plant, so to speak, so that they might produce a grade "A" quality product. They simply have not got the capital.

There is an interesting statistic available in the newsletter that has just come to my desk from the Ontario milk producers' co-ordinating board—revealing that the cow population in Canada over the past year, according to the latest statistics, has gone down in every

province across this country including Ontario. The only exceptions were P.E.I., which is so small as not to be consequential in the overall picture, and the province of Quebec where the cow population has gone up by some 23,000, compared with a year ago. The hon. Minister is shaking his head; I can assure him that this is correct.

Mr. R. M. Whicher (Bruce): What was the percentage there.

Mr. MacDonald: Let me read the note on this. It says:

The decline in cow population which was evident in June 1964 continued into December 1964. A total of 2,837,000 cows of two years and over were kept for milking purposes on Canadian farms, a slight reduction of 6,000 compared with the same time a year ago. Except for Prince Edward Island and Quebec, all provinces registered a decline in number. In fact, the province of Quebec added 23,000 cows, an increase almost four times as large as the decline in the national dairy herd. This is an indication of the growing concentration of the dairy industry in central Canada.

Let us put it frankly—in the province of Quebec. Why is this taking place?

Mr. Whicher: They are subsidized in the province.

Mr. MacDonald: I will tell you why it is taking place. Because in the Quebec government—if it does not shatter the hon. member for Bruce—they have a few socialists who know something about economic planning. Economic planning means that if there is an underdeveloped sector of the economy, you plan so that they get a fair share of the available wealth, or you assist them to help themselves and therefore the Lesage government—

Mr. V. M. Singer (Downsview): A Liberal government!

Mr. MacDonald: Yes, with the incentive coming from those with whom you would not agree, the Lesage government has done this. This would be more appropriate during the agriculture estimates, but let me review it quickly. During the past year they have made available, in addition to the federal subsidies, a ten-cent subsidy on butter fat between October and April, which represents 35 cents per 100 pounds of milk. During the summer months there is a five-cent subsidy on butter fat, the equivalent of 15 to 18 cents per 100 pounds of milk. They are mak-

ing a direct grant of approximately \$500 for building milk houses. They are making a direct grant for mechanical cooling for over four cans—in other words, an economic unit, or something approaching an economic unit, but not a small part-time operation. They are giving general assistance for fertilizer, lime and seed grain. This is the kind of thing that has been done. With this result, that with about the same population—90,000 farms, and about 60,000 dairy farms—their economic status is rising. You have a situation in the eastern part of Ontario, I am told, where some of the Quebec producers who are getting these subsidies from their government are actually marketing in the province of Ontario. I suggest the hon. Minister or his colleague, the hon. Minister of Economics and Development (Mr. Randall), is not going to be able to ignore this situation or you will find that the greater production of manufactured milk products in Quebec is going to come in and hit the Ontario market to the extent now shared by our manufacturers.

Mr. Speaker, it seems to me that another basic criticism of the government's policy, implicit in this bill, is that if you are going to give farmers an opportunity to improve their position so that they can produce a quality product, you have to recognize that the agriculture industry has been depressed. At least in a neighbouring jurisdiction they have moved to assist them to help themselves to get out of this depressed position. The result of it is reflected in a rather amazing change in the national dairy herd within a single year, with an increase in the cow population in the province of Quebec four times the decrease throughout all the rest of the nation.

Mr. Whicher: Has the hon. member got the total amount of that subsidy?

Mr. MacDonald: I do not know what the total amount is. I presume that this could be readily available.

It is for this reason, Mr. Speaker, that I have some misgivings with regard to the implementation of this bill and to the convictions of the government in setting the objectives that are implicit in the Hennessey report or in any study that has been made of the milk industry. Along with the hon. member for Huron-Bruce, I concur that it is impossible for us to come to any definitive conclusion at the moment. I hope the hon. Minister, in concluding this debate, may dispel some of our doubts, answer some of our questions and elaborate more on the principles. In any case, we are stuck; for better or for worse, with this bill. It is the way out

of a situation that has become pretty close to intolerable.

If we have no alternative but to support the bill, then on second reading we shall do so.

Mr. R. F. Nixon (Brant): Mr. Speaker, I was interested in the remarks of the hon. leader of the New Democratic Party, and particularly in his complimentary references to the Liberal government in Quebec. It is too bad that he had to take the opportunity to indicate that perhaps those who were indicating the policies were not true Liberals. I would hasten to assure you, sir, that this policy of economic planning is a part of Liberal policy, and a very important part.

This afternoon we are discussing the principle of an Act which assembles an imposing array of authority in the hands of the government. The authority is not new, although there are some aspects of it that have been gathered from other parts of the department, and there are a few new features. In general, the proposed milk commission—production, transportation, processing, distribution and pricing. The commission has within itself the power to not only negotiate and do what it can to foster agreement, but is, in fact, the arbitrating authority in the industry, beyond which, it appears in the bill, there is no appeal. We would assume that there is an appeal beyond the board to the hon. Minister who, in effect, controls the operation of the board, because it is directly under his thumb, and I would like to say something about that in general. It appears that the delegation of this authority can occur in whole or in part, to marketing boards. We already have two of them: a marketing board and a marketing plan involved with the production and sale of cheese and cream; and it appears that there will be a new marketing board setup that will deal with fluid milk and will do away with the present need for the fluid and concentrated organizations.

We find that, if this operation of power is going to be in the same context as it is in the Ontario farm marketing board, these powers can be delegated to the appropriate marketing board but they can be withdrawn without notice and, as a matter of fact, at a moment's notice. All of the decisions of the marketing board—that is, the commodity marketing board—are subject to immediate review and, in fact, frequent interference. We have seen the hon. Minister's tendency toward accepting the overall responsibility when it comes to matters of pricing and matters of acreage allotments, say, in the

tobacco industry, but those of us who are making a living in the milk industry remember very well his compulsion to impose a moratorium on the increase in milk price that was indicated by the application of the milk formula that has already been referred to this afternoon.

So the power is there in massive proportions and although it is operated through a commission that would be established by this Act, it is true that the members of the commission, including the chairman, would be appointed by the hon. Minister; they would be selected by him and I have no doubt that they would telephone him before making any great decision and talk it over with him. So, in fact, the levers of this powerful machine are sitting right beside the desk in the hon. Minister of Agriculture's office.

We are growing accustomed to state control of aspects of the agricultural industry. We have seen—and I have seen, when travelling in Europe, how these features that are state-controlled do, in the long run, work out best for the farmers in a good many areas. The features of state control have been tested here in the courts, direct to the Supreme Court of Canada, and have been sustained by the courts. These features of control have been accepted by the farmers in large measure, although there are still a good many with much reason on their side, who talk about the good old days of supply and demand and, in fact, when a man's initiative was all that was required to get ahead in the particular aspect of the industry in which he was interested.

I maintain that it requires much more than that at this stage of the development of our industry. We have accepted this type of control in the past and we are ready to accept it now, and the objection that I would like to put to the hon. Minister is the fact that although we have this impressive array of control—and we assume that the urbane hon. Minister is going to administer these controls for the good of the greatest number—it has never been made clear by anyone in authority, particularly the hon. Minister, what his views are on what the greatest good for the greatest number would constitute in this particular industry, the milk industry. We do not know how concerned he is for the consumer and the price of the product; we do not know how concerned he is for those in the industry who have enjoyed the special privilege of selling fluid milk for years past. It is in this area that we would call the government to task, and the hon. Minister particularly, for not indicating in a clear and precise way, the

policies that will direct this organization which will be constituted by the passage of Bill 135.

I have said, and I am sure that I will hear it again, that I do believe, in this controlled aspect of agriculture, it must never be controlled for its own sake; it can be imposed only when there is no other solution; and I maintain that this has been a fact, for example, in the tobacco industry. It is apparent from the report of the Hennessey committee and apparent from the views of the farmers dealing with this industry that such controls are essential now, but we want to know specifically the policy of the government, and particularly the views of the hon. Minister on a series of salient and specific points that are in the minds of the farmers at the present time.

Since the Hennessey committee's report has been circulated across the province there have been rumours going up and down the concessions like brush fires, as to what the hon. Minister said on this occasion; what the president of one milk producing group said on another and so on. It is time these rumours were cleared away and the farmers could base their opinions of the action of the government on fact, and clearly stated views.

To begin with, I suppose the outstanding area in which the government view is not made clear is: To what extent will the fluid milk market be open to those who are prepared to ship grade "A" milk? I should say at this time, Mr. Speaker, that I have been in a preferred position in the milk business and it may be argued that I should not be taking part in this debate because of that, but the fact remains that in the constituency of Brant, there are a good many farmers in a similar position and I have been elected to represent them here and so, with this in mind, I would state the view that follows.

I believe that where the control is great, it is imperative that the views of the controllers be known. I am very glad that the hon. leader of the New Democratic Party read into the record the views of the fluid milk shippers at the present time, a view that is broad, that is unselfish, that is far-reaching. Those who do enjoy the present advantage of "a contract" are prepared to see the government use this authority to open up the industry to those who are prepared to ship grade "A" milk. We have not heard from the hon. Minister how he is prepared to do this. We know that the Hennessey report recommended doing away with these quotas entirely, and in order that no one would suffer from the abolition of these quotas, it recom-

mended that the quotas be bought by this government and suggested \$5 a pound. The rumour is that the hon. Minister—or maybe it was the hon. Provincial Treasurer—said that there would be two moons in the sky before money would ever be used for this purpose. Maybe he did not say it, but the farmers are under the impression that money would never be used for this purpose, and we would like to know what the hon. Minister's policy is on this. I have a feeling that he did say it.

Mr. Whicher: Maybe he said three moons.

Mr. Nixon: But the fact remains that because of the Hennessey report there is some change in the trafficking in quotas, which, as the hon. Minister probably knows, has been going on for some years. I have had a farmer phone me and say, "Do you suppose I can buy quotas for less than \$10 now, because I have been paying between \$10 and \$12 a pound for them? I think I should get them for \$5 because they may be done away with in a few years." So it appears that the elimination of rumour and the certainty of policy is what we must have from the hon. Minister; and I hope that we will have it this afternoon.

I believe firmly that any farmer who can produce grade "A" milk should be able to share in the best markets for that milk. I feel that the economic equality of opportunity is something that must be the policy of this government and it should be stated by the government. I am quite prepared to hear this policy qualified by phrases referring to phasing, referring to market expansion, to possible industry disruption and it is true that all of these things are much in the mind of the hon. Minister and must surely have been during the weeks that he was considering the Hennessey report and preparing this legislation.

I would like to know the hon. Minister's views on the formula pricing of milk. Once again the rumour is that the hon. Minister has been completely disillusioned with this for many months and will take the very first opportunity to abolish formula pricing. I would agree that if we were going to form a pool in which there was, in fact, one organization marketing the milk, it might be possible to negotiate this price without the formula that they say the hon. Minister finds so objectionable. It is true that the formula has been overridden in the past but we would like an assurance that formula pricing will continue until such time as the industry is organized on a basis where it can be safely

done away with. And I would hope the hon. Minister would comment on this.

A matter to which my friend, the hon. member for Huron-Bruce referred earlier this afternoon is certainly in the minds of a small but deeply interested group in this province. I refer to those farmers who have Jersey and Guernsey cattle and who have carved out for themselves a special niche in the marketing of milk in this province. I do not have to reiterate what my hon. friend said about the fact that these breeders were in a bad position but they were able to develop a market through their own initiative. It is obvious that, if their milk is pooled with all the rest of the milk, their position would be very drastically changed.

Once again, there are many rumours associated with government policy and we would be glad to know what the government action would be in the direction of the milk commission when this comes before us.

Mr. Speaker, if you will permit me, there is a fourth area where government policy should well be known and should be stated clearly. It is a fact that this bill deals with the marketing of milk that will be made into cheese. It is another fact that one of the strongest recommendations made by the report that is the basis for the bill we are discussing this afternoon, was that the Ontario cheese producers' marketing board be placed under trusteeship immediately. There were allegations made in this report that the chairman, Mr. Hector Arnold, and the other members of the board have not acted in the best interest of the industry and it was because of this that the recommendation for a type of trusteeship was put before the hon. Minister.

I was surprised a short time ago to hear the federal Minister of Agriculture make some comments about the operation of the cheese board of Ontario in a way that would bring the board into some additional disrepute. This is a board that is constituted under legislation of Ontario. It seems to me that the time has come when the hon. Minister in this House should declare his views on these allegations and restore confidence in the Ontario cheese producers' marketing board or, in fact, put it under trusteeship. Many of us are familiar, personally familiar, with the men who have been investigated in this way by the report. And a great service would be done to the farm community if the cloud of suspicion that covers this area of the milk marketing industry would be removed by a strong statement from the hon. Minister; and we would expect to hear that at the very first opportunity.

Mr. Speaker, I may say in closing that this Legislature has been in session since January 20. The committee on agriculture of the Legislature has yet to meet to consider aspects dealing with the agricultural industry. It met for four minutes to elect a chairman and we have not heard anything about it since. Now we are going to meet next Tuesday, apparently to discuss this legislation, but naturally the report itself has been in our hands for many weeks. There have been a good many farmers in organizations and as individuals who would have been delighted to give their views of the report leading up to this legislation, not only to the hon. Minister but to the hon. members of this House at large. And yet the committee was never called together to give the farm community an opportunity to make its voice known. I feel that the hon. Minister, who should give leadership to the committee, can be criticized in this regard. I regret that the government policy associated with this powerful board is not clearly stated nor even implied. I assume that the principles of the findings of the milk report will guide the hon. Minister, but only he can assure us of this.

Mr. W. E. Johnston (Carleton): Mr. Speaker, in rising to take part in this debate I feel there is not a great deal left that I might say because, actually, from what I have heard so far everybody is agreed that this bill is a good one. I would like if I may to go back a little way with regard to the whole thing. It has been suggested here that we are leaving the producer groups out and we are putting this in the hands of the government.

I myself, as most of you know, belong to the whole milk group. We produce fluid milk on our farm and for a number of years now I have felt that not only the producers of fluid milk but the producers of concentrated, cheese, and those of cream and butter, might have accomplished more had they been willing to get together and sit around a common table and discuss their problems. But I would like to say to you that, because this has never been done and because they have never seen fit to do it, or because they have never actually found a solution, it became necessary for the government to establish the committee to inquire into the milk industry so, just a few weeks ago, we received that report.

The report revealed a pretty drastic type of programme in a good many ways. I am happy that the hon. Minister has seen fit to bring in this bill which, I believe, will go a long way in finding the solution so that

those in all areas of the dairy industry will get a better deal. It is true that those of us who are shipping fluid milk may suffer a little, but the main objective is that we shall bring the bottom up. This, I believe, is what this bill sets out to do.

I listened with great interest to the hon. member for Brant's remarks regarding the cheese industry. He has asked the hon. Minister to make a statement, or tell him why he has not accepted the recommendation of the Hennessey report. I would say to the hon. member that if he has read the editorials in all of the farm papers over the past few weeks, that in itself will suggest that the cheese producers—Hector Arnold, and those who work with him—have been vindicated. The cheese producers' group, as I remember it, was one of the first organizations set up under The Farm Products Marketing Act, 30 years ago. I can well remember when the vote was taken in my community. Since that time, the cheese producers have done a splendid job. I commend them for the job they have done over the years. I sincerely hope that this bill will place them in the same position they have been in; they have been elected by the producers themselves, and the day that they do not serve the producers, I am sure that the personnel will be removed. This is the most democratic way I know of that any farm organization can be set up. It is the way this group functions, and does so very well, in my mind.

This bill, I believe, will find in part the solution to the problem we have been faced with. I have said before that the main purpose, I believe, is that we hope to bring the bottom up—I mean by that the secondary milk producers—and hope to level out at a place where there will be room to move in those who wish to get into the fluid milk trade, and those who are able to produce grade "A" milk. And so, Mr. Speaker, I do not propose to prolong the debate. I sincerely hope that with the full co-operation of the milk groups themselves—also that the hon. Minister in his wisdom is able to appoint as members of the commission the very best type of men who will represent all the interested parties, such as transportation, pricing, producers and processors, and that every part of the industry will be represented on the commission. Therefore, I believe it can be said that because the commission has been set up in this way we are not taking out of the hands of the producers themselves the control they hope to maintain through the years.

Hon. T. R. Connell (Minister of Public Works): Mr. Speaker, I would like to take

part in the second reading of this new milk bill. Actually, I think that in my 14 years in this Legislature, this is the first time I have ever taken part in a second reading debate, but I do feel strongly enough about this milk bill that I thought possibly I should say something at this time. It will not be earth-shattering but it will indicate my interest.

I would like to compliment the hon. Minister for the introduction of this new milk bill. Actually, the Hennessey report is, in my opinion, a good report but it is something like our—I hesitate to mention the press, but when we read the press we are often reading one man's opinion. Just because this gentleman—and I do not know the man but I have a high regard for him—is a university professor does not make him the absolute expert on the milk business. However, he has brought to light many of the inequities in the milk business and he has highlighted many of the problems, many of which we have known for many years. However, and here is where I disagree with my friend, the hon. leader of the New Democratic Party, when he indicates that the government has taken the easy way out, I would say that Hennessey in his report has taken the easy way out in bringing in some of his recommendations.

Hennessey's recommendations would be fine, if all the farmers in this province were in equal circumstances and had, say, equal quotas or satisfactory quotas or all the farmers were of the same age; or if milk were in short supply, I would say the Hennessey recommendations might be good. However, I would say that it was the hon. Minister of Agriculture who has taken the more difficult road in bringing in this bill. Instead of opening the gates wide to everyone who could produce grade "A" milk, and allowing them to ship to the pool, he is bringing about the changes gradually, as I understand from this bill.

I will give some more credit to the Liberals, and say that if I determine the Ottawa legislation correctly, the Minister is getting an important assist by the increased subsidy to the concentrated milk producers.

I am afraid that if the Hennessey report had been enacted as recommended, allowing anyone who could qualify to ship grade "A" milk, the price of milk paid to the fluid producer would have fallen very quickly. It seems to me that few farmers are in a position to take less for their milk and continue to survive. Under the new legislation I feel that producers will have an equality, among themselves, that has hitherto only been a dream.

What are some of these inequalities? First and foremost, I would say, is the lack of standard pricing of milk in regard to the amount on which he is paid full price, against that of surplus milk which he must ship toward his quota. This varies, I would estimate, from 90 per cent full price against ten per cent surplus to, in some cases, 50 per cent full price against 50 per cent surplus. The full price is roughly \$5.25 against \$2.65 surplus; and, of course, this is less trucking in both cases. The milk is all the same but you can see that the one could receive \$1 less per hundred.

Second, I would say, is the hardship of many farmers being unable to raise their quotas to a fair amount in spite of the fact that they not only have the equipment and, therefore, the expense, but also the ability and the type of farm, to produce a much greater quantity. I would hope that, under this new Act, the low-quota shipper, shipping grade "A" milk, will be one of the first to be looked after. He has been the long sufferer in the fluid milk business.

Third, I would say, is the inequality in the matter of trucking costs. This is not a large matter, but the distance involved and the resultant cost of that hauling seriously affects the farmer's milk cheque.

There are other inequalities, such as testing the lab facilities, or the availability of lab facilities, the various inspections, the whims of the different dairies, all of which, I hope, will be greatly lessened under the new legislation.

Under the new Act, and the resultant blending of prices, I do not believe there will be a great rush by the concentrated shippers to apply to be allowed to ship to the pool. Most people considered that the grade "A" shipper receives \$5.25 for his milk and the concentrated shipper about \$3.00. This is true on the surface: The grade "A" shipper does receive \$5.25 for milk that is accepted at full price, but remember that any amount from 10 to 50 per cent goes at about the \$2.65 mark and both portions of this milk cost from 30 to 60 cents per hundredweight to ship. The fluid milk shipper in many cases does not net much more than \$4 per hundredweight. In order to ship grade "A" milk, he must maintain a certain quota the year round, which with winter feeding, does cost more to produce than his counterpart in the concentrated field. The concentrated shipper does not have quotas to keep up and tends to be a summer shipper when feed costs are low. Under the new Ottawa assistance programme I understand that the concentrated shipper will receive at least \$3.50

per hundred for his milk. Thus, this narrows the gap considerably between the two groups and I do not believe there will be the pressure to become a grade "A" shipper that has existed this last few years.

When the advantages and disadvantages between the two groups are weighed there will be many second thoughts about becoming a grade "A" shipper.

Now, I would like to mention just briefly how this affects the consumer, and I would think with all the changes that are possibly about to take place in the milk business, that there will be no increase in the price of milk to the consumer. The quality of the milk will be higher at every level of the industry. With the quality and price being maintained, the consumer will have confidence in the product and will retain it in its rightful place as a food and even increase its use.

In spite of the good intentions of the hon. Minister of Agriculture to establish the new commission and milk marketing board, I suggest that it will work well only if the appointments to that board in its initial stages are good, sound appointments. In my opinion, they must have a solid background, not only in the various aspects of the milk business, but in the business world itself. However, there are men like that around. I would suggest to that group, whoever they may be, that changes be made slowly; the gradual implementation of the changes is a must.

Now, there are other suggestions that I would make. I am not sure whether I would be in conflict with our hon. Minister or not, but I would be speaking as a private member rather than as a member of the Cabinet, if they are, but I would say one of the other things that this group must first look after, is that the present inequities in the fluid trade should be straightened out first. I would say the upgrading of quality on all fronts of the milk production is a must.

Another suggestion from me to that group, is that the territorial rights for dairies should be watched closely in any changes that might be suggested, so as not to jeopardize those many small dairies and the job security of their men.

And here is where I fit in with my friend from Brant, I too would like to see a continuance of the formula pricing of milk maintained as a fair basis for not only the producer and the dairy, but also the consumer. And I too, as a private member, will be interested to hear what the hon. Minister has to say this afternoon about that.

I would like to see a good, sound milk marketing organization for the marketing of

all milk. Now, whoever this group of men happen to be, I would say it will be the most important job that any of them have ever undertaken. If they are successful, they will do more than any other group of men in our time to ensure a successful and secure future for the dairy industry in Ontario.

Mr. O. F. Villeneuve (Glengarry): Mr. Speaker, I would like to say a few words on this legislation and I want, first of all, to compliment the hon. Minister for introducing this bill because perhaps it is long overdue. But irrespective of what the province of Ontario does to put the milk industry in its proper focus, Ontario cannot do it alone unless it has a co-ordinated effort on behalf of the province of Quebec along with the federal government, because we produce in these two provinces, 65 per cent of the milk production of Canada and after all, you can sell only according to supply and demand on a preferred market at home. What you have to export out of the country, competes with world prices.

Now, as far as Ontario is concerned, we have more or less regulated our dairy production into different channels in proportion to what we sell and I think that what we do not consume in the way of milk products here is exported largely in concentrated milk and cheese. We are the only province that has legislation that will permit the cheese marketing board to function and sell this surplus on an outside market. For many years it has carried on successfully. Now there is a conflict of interests between the federal hon. Minister of Agriculture and the head of the cheese marketing board in Ontario. I am from a cheese-producing area. From May 1964 until September 1964, the average price paid to milk producers doing business with cheese factories across Ontario was 20 cents per 100 more than that paid or received in the province of Quebec.

The hon. Minister of Agriculture in the federal House has made quite clear the statement that we should have sold cheese produced in Ontario at a much better price. But the facts, as they are known, do not tend to bear out that argument. I do not wish to get into any controversy; I believe Mr. Hays is a serious man. He is trying to play an important part in putting this dairy industry on an even keel. I have a list price for cheese sold in London on February 17 of this year, and Ontario cheese still brings over two cents a pound more than the product manufactured in Quebec, it is rather hard to understand why they would pay more for cheese produced in Quebec and six months

afterwards, when it is aged, the Ontario cheese receives a preference of two cents a pound. That is all I am going to say about that particular argument.

I believe we are making some progress. I served in the federal House during the years 1957-1962 when, previous to the 1957 election, the price of milk powder was raised to 17 cents a pound. That caused a great increase in the production of butter, a product that we can sell only at half the price we are receiving for it in Canada; when a market is available, we have to sell it on the world market. This province is not responsible for that butter, because during the past six years the province of Quebec has produced 250 million pounds more butter than has the province of Ontario. We have to import small amounts in order to feed our population on a per capita basis. So, as I say, the dairy production industry is in order so far as the province of Ontario is concerned, but I am sure the authorities in Quebec are willing and are accepting this kind of legislation. It is my understanding that they are so impressed with this bill that they are prepared to introduce it. As I stated before, if we get that kind of co-operation with the province of Quebec and the federal authorities, I am sure there are many bugs that have got to be ironed out of this legislation—at least we have started in the proper direction.

So far as the fluid milk people are concerned, I appreciate the fact that you can only take so much milk in that particular trade. If you are going to take on increased amounts, you are going to cause chaos and disorder, and everybody is going to suffer. We have had that experience in other branches of the dairy industry. I believe we have to move cautiously; the fact that we are trying to get the lower price people up on a more even keel is doing something they appreciate. The average intelligent man realizes that you can sell only so much of this product; therefore, we have got to have regulated markets. But I believe that, with the effort that has been made, and with the co-operation of the province of Quebec and the federal government, that the dairy industry is in for brighter days ahead.

Mr. Whicher: Mr. Speaker, I hesitate to get into this debate at this time because so much has been said. Before anything else can be summarized about this bill, we must hear what the hon. Minister is going to say. As far as I am concerned, it will be one of the most important speeches of his life, because he has been asked a great many questions this afternoon. Many have been

given in the newspapers and we will look with interest to his answers.

Before going any further, Mr. Speaker, I want to say that I certainly appreciate the difficult job that the hon. Minister has. The inequality of milk prices has been going on for years and perhaps it is too much, even for those of us in the Opposition, to think that the hon. Minister can wave his magic wand and fix everything up in the dairy industry in the province of Ontario.

He has a difficult job, but he has no more difficult a job than many of the concentrated milk producers, cream producers and cheese producers in the province of Ontario who have been living on a starvation wage for many years past. What we in the Opposition hope for, and I am sure what people in the farming industry engaged in the milk business are concerned with, is this question: Will this bill help to bring those thousands of farmers in this province who, as I say, have been living on starvation wages, will this bill help them in any way? If so, how much, and when, is it going to take effect?

The impression has been given by several of the speakers this afternoon, I think particularly from the hon. member for York South, whose speech I enjoyed very much, that he did not think that too large a percentage of concentrated milk producers would go into the fluid market if they had the opportunity. He gave several reasons for this not taking place. I must say, Mr. Speaker, that I do not share this feeling with the hon. member for York South. I think there are hundreds of concentrated milk producers in the province of Ontario who not only work to get into the fluid milk market, but are ready to start tomorrow morning if that opportunity presented itself.

I am thinking of my own particular area where the number of fluid milk producers, of course, is small. May I tell you that the largest milk producers in Bruce county are concentrated milk producers and some of the best quality producers—not only the quality of the milk they produce, but in their whole setup, from bulk tanks, as the hon. member for York South mentioned, their milk houses and all the necessary machinery that is needed. I would say that many of these concentrated producers are in an excellent position and ready to start tomorrow morning whenever the hon. Minister will give the word.

I think the figure was mentioned this afternoon that of the possible 5,000—a figure, incidentally, that I do not accept, but it is possible that it could be true—who might

become fluid milk producers if the opportunity presented itself, only 1,800 had bulk tanks. Might I say, Mr. Speaker, that there is no regulation at the present time in the milk industry that a producer of fluid milk must have a bulk tank in order to ship to dairies. This is not necessary at all, but to my knowledge there is a limited number of people who are milking cows today in any substantial number who would not put in a fluid tank immediately, or in the next week or two. I assure the hon. member for York South that it takes only two or three weeks to get one installed and I assure him, and the House, too, that instead of costing a maximum of, I think, \$10,000—as he suggested—a fluid milk tank can be installed today for approximately \$3,000. This is considerably less than the \$10,000 I heard mentioned this afternoon.

The hon. member for Carleton mentioned the fact—and I hesitate to say this when he is not in the House—that he thought this was a good bill. I, like the hon. member, hope it is a good bill, but I point out to the House that the reason that it is good, so far as he is concerned, is because he is a fluid milk producer. So far as I can see—without the regulations, that we do not know about, and without having heard the speech that the hon. Minister is about to give in a few minutes—his income will not be touched by five cents. I am sure that this bill, as I read it, is not going to hurt a single fluid milk producer in this province.

Mr. Speaker, without hurting the top, how are we going to bring up the concentrated producers? How is this going to be done? There is only so much money in the pot that supports the milk industry in this province, in the amount of milk that we drink, in the amount of milk that we use in butter and in concentrated products. If something is not taken off the top, I suggest that those on the bottom level are not going to be able to be brought up.

I believe it was the hon. Minister of Public Works, Mr. Speaker, who said that this bill will put everyone in the province of Ontario engaged in the milk business on a common basis. Mr. Speaker, I agree wholeheartedly with the hon. Minister of Public Works; it will put them on a common basis except in price, because the concentrated milk producer, as the bill is read, is not going to be helped by a single cent, except by the Treasury in Ottawa. That is where the milk producers in the province of Ontario are going to be helped. Unless the hon. Minister, in the speech we are about to hear, tells us some of the regulations that are going to be

put in the bill, and unless he tells us something that we do not read when we read this bill as laymen, I suggest that the only common basis for milk producers in this province will be in the fact that they are controlled by a milk czar who can do practically anything he wishes to the various milk leagues of this province, and to the different producers. As far as price is concerned, there is still going to be a great differential.

The hon. Minister said, too, that he did not know how the fluid milk producers could be brought down at all in price because he thought that they had to have the present price in order to survive. Mr. Speaker, that is the point. I, as a milk distributor, for example, agree that the fluid milk producers of the province of Ontario are not getting too much money. But how do you expect the thousands of concentrated producers of this province to survive at \$1.50 per 100 less than you are getting, Mr. Minister, if you cannot take 25 cents or 50 cents off the top?

Hon. Mr. Connell: Do you want the fluid milk producers to come down in price?

Mr. Whicher: No, I do not.

Hon. Mr. Connell: That is what you said two or three times.

Mr. Whicher: If I gave that impression, I am sorry. I said that I am quite agreeable that the fluid milk producers are worth every penny that they are getting at the present time, but—

Mr. MacDonald: You said that there is only so much money in the pot—

Mr. Whicher: I agree with the hon. member, and I asked the hon. Minister how he is going to do this. But what I said to the hon. Minister of Public Works was this: If he cannot survive at \$5.25 per 100, how do you expect the concentrated milk producers to have survived the past few years at \$3 per 100, and who are now going to survive at \$3.50 per 100, only through the grace of the Treasury in Ottawa?

Hon. G. E. Gomme (Minister without Portfolio): One can buy milk less than \$5.25 a hundred?

Mr. Whicher: Yes, I do, very little, but about—

Hon. Mr. Gomme: Then why do you use that figure?

Mr. Speaker: Order!

Mr. Whicher: Because that was the figure that was mentioned.

Mr. MacDonald: Four dollars and 68 cents was the average last year.

Mr. Whicher: Four dollars and 68 cents, my hon. friend says. I suggest that this is a much larger figure than the \$3 that they are getting at the present time, or the \$3.50 that they are going to get in the immediate future.

Mr. Speaker, perhaps the hon. Minister is going to be able to tell us how this is going to help those people who are getting a limited amount for their milk in the province today. I certainly hope that he can help us, because at the present time, without the regulations, without the speech the hon. Minister is about to give us now, this bill means very little indeed. It just means a change of regulation.

It means, of course, too, that they are going to try to improve the quality of all milk in Ontario. With this I agree, but the thing that is most important to the farmer who is engaged in the milk business is, "How much money per hundredweight am I going to get?" And, as I have said before on many occasions, Mr. Speaker, revolutions have been fought in countries, hundreds of years ago, on issues much more minor than this one.

It is simply not fair that some people with top quality milk should get \$4.68 a hundred, or whatever the average was last year, and others, with exactly the same quality, should get only \$3. This is not right; and, unfortunately, Mr. Speaker, and I say this in the most friendly and kindly way, it is the hon. Minister of Agriculture's job and position to give us an answer to this problem. And not only are we in the Opposition looking most anxiously for the speech he is about to give but, I assure him, the thousands of concentrated milk producers in this province are also listening with great anxiety; so I say to him, "Good luck!"

Mr. N. Whitney (Prince Edward-Lennox): Mr. Speaker, I would like to make a few brief remarks in this debate. I, for one, share the opinions of other hon. members who have spoken and I want to congratulate the hon. Minister on this very forward step in milk legislation. For many years things have been in a very sad state of affairs, as has been described; and there have been most difficult problems with which to deal. I believe, for the first time, that this is a forward step and although we never expect anything to be perfect in the beginning but, with good appointees to the commissions and to the boards,

we do believe that a wonderful opportunity to make things more closely equal than they have been in the pricing and the conditions in the production of milk will result. Along with the action taken by the federal government in subsidizing the manufactured milk and cheese milk, it will certainly make things much more equal than they have ever been in the past.

I would say that the federal government is to be commended on its action in subsidizing manufactured milk; but, on the other hand, I would very much object and just wonder why this was done, because of the attitude that was taken by the hon. Minister of Agriculture at Ottawa. Last Sunday I happened to be watching "Country Calendar" at the time when they allocated part of their programme to the farmers' union march on Ottawa; and, of course, I heard the hon. Mr. Hays addressing the farmers' union delegates. He started right in and said, "You people are to blame for the situation you are in. You do not treat your hired man properly; you do not let him have Sunday dinner at your own table," and things of that kind.

Well, there may have been isolated cases many years ago when that was the situation—and, of course, there could be conditions where groups of men are hired for working in tobacco fields or picking apples where it would not be feasible and practical to take care of this particular help in the farm house. In special circumstances like that probably they are in some cases—and during warm weather—when their actual living conditions might not be of the very best, but nevertheless they accept that in good faith and understand there is a practical reason for it. But I do not know of one single case where the average experienced man on a farm is not well used.

Many of them have excellent houses of their own; they have gardens; the single men have their rooms and their board—and just the same board and at the same table as the farmer himself; and they are treated for the most part exceptionally well because they have to be. A good worker on a farm is a very valuable asset to any farmer; and if he is not treated well one place then that farmer is not going to get help from any source when he wants it because the man will get other employment without any difficulty whatever.

Then, further, the federal Minister of Agriculture made the statement to these people: "Go back and blame Hector Arnold."

Mr. Speaker: I would like to remind the member that he must make his remarks

relevant to the principles contained within this bill; and that in the remarks he is making he should try to have some relevancy to the bill that is being discussed.

Mr. Whitney: Thank you, Mr. Speaker; I am proceeding to do that because he was referring to the cheese which is a part of the milk industry. To continue, and I hope I am in order, Mr. Speaker, the hon. Minister stated to these people, "Go back and blame Hector Arnold for the price of cheese on which you could have got two cents more a pound last year"—or words to that effect. The cheese producers' marketing board was also criticized in the Hennessey report; and I feel that, on the average throughout the years, the cheese producers' marketing board has done a very excellent job because they have given a degree of stability to the cheese industry which did not exist before.

Previously there was not machinery to take care of surpluses and so on; with this stability the cheese producers could plan and they could market the surplus at a lower price than the local prices; and the result was that they have done a pretty excellent job. How could Hector Arnold or anyone, Mr. Hennessey or Mr. Hays or anyone, possibly know last spring that there would be great scarcity of cheese, a lower production, and that we would have the drought and dry weather? How could they possibly anticipate this? And, in fact, it has been good business for the cheese producers to negotiate ahead of time because that prevented them being faced with a huge surplus for which they did not get an adequate price.

The British market, the export market, knew what they would have to pay for cheese; and in fact the hon. member for Glengarry points out that the Ontario product is bringing a much better price than the Quebec product, which is a pretty fair indication, I do believe, that an excellent job is being done by the cheese producers' marketing board.

I feel also that, through this bill and the regulations which will follow from it, a great improvement can be made in the costs of trucking, and so on. I do not feel that there will be the same number of trucks patrolling up and down the roads, some picking up milk for one cheese factory, some for another cheese factory, and so on; and I think that great improvements can be made in cutting costs in this way. I feel also that the local producers, in going ahead in the lower grades of milk, will be helped by this federal bill because they can make a long-range plan on whether it is worthwhile to improve their

dairy operations, or whether it is not worthwhile. I believe, in fact, that this bill will open the way for a far greater stability than ever existed in the past for the entire dairy industry, and I wish to congratulate the hon. Minister of Agriculture on bringing forth this legislation.

Hon. Mr. Stewart: Mr. Speaker, this afternoon, in listening to the debate for over an hour-and-a-half, we have, I think, brought to the attention of the House and the public in general the complexities of the dairy industry as it pertains in Ontario. There has not been one single clear-cut policy emerge this afternoon, from any of the debates, which would suggest that there is a black or a white area, and we must proceed down the single centre line.

I think it is similar to the operation of one's farm. There are many examples in the province of Ontario of a farmer who operates his farm completely different to someone else, but they may both be considered exceptionally successful farmers. And so it is with all agricultural policy. There is always this grey area that does not simply lend itself to being either, as I said, black or white.

Reference has been made this afternoon to the Hennessey report and to the bill we have introduced. I think, if we are really to get at the significance of this whole matter of the dairy industry as we see it today, we must look at the historical background of the dairy industry in Ontario. I think we have to look at the reasons that have brought us to this place in the agricultural history as it pertains to the dairy industry of this province.

In the years prior to the depression, in the early 1930s, there was what might be considered to be utter and absolute chaos in the dairy industry; there were no defined marketing areas, no producer knew what he really had.

Out of that condition grew The Milk Industry Act of 1932, brought in to bring stability in those markets across Ontario where producers would know that they had a quota to that market for 12 months of the year, and the distributor could count on a quality supply of milk to that market for that period of time. Above all else, the consumer was assured of a quality product in continuity of supply. This is what generated The Milk Industry Act, and since that day in 1932 we have progressed step by step, with one amendment after another, to the time when we have now reached the place where we have been accused by many shippers in the province of Ontario, who do not enjoy the privilege of a fluid contract, of having restric-

tive legislation—indeed, protective legislation—to a certain class of producers within our province. There is certainly validity to this claim.

It was because of the great complexities as to how one should determine whether or not this should be the breaking down of this protective or restrictive type of legislation, whether there should be the elimination of the distribution areas that had been set up to protect the distributor in that area, and to provide the consumer of that area with a quality product. In order that those shippers who produce the quality product might be given access to that market, we brought in the Hennessey committee and gave them, I think, rather broad terms of reference to examine the dairy industry as it pertains to the province of Ontario.

It was true that before this committee was set up we had asked—indeed one of the first things I did after assuming the office of Minister of Agriculture, at the request of the hon. Prime Minister (Mr. Robarts), was to carry on the work that had been started by my predecessor in trying to bring together the various dairy groups, the fluid milk shippers, the concentrated, the cheese and the cream producers. And we asked them to sit down and try to work out a marketing plan among themselves, and it was found that this was not possible.

I take grave difference with my friend, the hon. member for York South, when he accused me this afternoon of having by ingenious—and then he said devious—methods—

Mr. MacDonald: I borrowed the phraseology from the hon. member for Grey South.

Hon. Mr. Stewart: It shocks me to think that either one of these hon. members would think that I would stoop to such a thing as that, because I am sure that all of the hon. members of this House, indeed the farmers of Ontario, know that is not the type of man I am.

Mr. MacDonald: They came up with a plan but it did not fit in with their election schedule.

Hon. Mr. Stewart: Unfortunately, they did not come up with a plan. They came to my office and asked me if we would give consideration to the implementation of an inquiry into the dairy industry in Ontario. And to this we acceded.

Mr. MacDonald: That is skipping a chapter.

Hon. Mr. Stewart: Well, perhaps; but we have talked a lot and this is what actually happened.

Mr. MacDonald: Let us not cry over the spilt milk.

Hon. Mr. Stewart: Now we have the report, and I thought this afternoon there would have been more debate on the report itself. Quite frankly, Mr. Speaker, reference was made to the fact by my friend, the hon. member for Brant that we should have called the agriculture committee together and discussed the inquiry report. I must confess that this would appear to have some merit but I want to say, at the same time, that this report was circulated widely in Ontario, it was given tremendous publicity by the farm papers, by the radio, by the television—in fact, all of the news media—and I want to pay tribute to them for the excellent job that was done in publicizing the main points of the Hennessey report.

And if the hon. member for Brant feels that the farm groups of this province have not given consideration to this, and have not presented their thinking to the government at least, he is certainly wrong; because I can assure him that, ever since I received the report, you might say I have been constantly meeting with people interested in the dairy industry, representing all segments of the dairy industry. And I have good reason to believe that many of these people, and quite rightly so, have been expressing their opinion to the Opposition; this is our democratic privilege.

I would like to make some reference to some of the things which have been said in the commission report, because I correlate what I have to say to some of the remarks that have been made this afternoon, particularly by the hon. member for York South. He mentioned, I believe, somewhere here, his concern with the independence of the commission as suggested in the report and as is revealed in the bill. I think he referred to a statement that I had made at a press conference afterwards.

Mr. Speaker, had I taken a great deal more time at the introduction of this bill I would have said all of these things, because I have no hesitancy whatever in saying that I firmly believe that the chairman of the milk commission must be a civil servant, and I think he has to be a top civil servant. I say this for many reasons.

First of all, in the new bill—The Milk Act—the dairy branch of The Department of Agriculture will come under the direct super-

vision and instruction of the milk commission. How can we have a civil service branch of The Department of Agriculture responsible to a commission which is completely independent and cut off from the government, and from the responsibility to the Minister?

Then I want also to point out the fact that, in the report of the milk industry inquiry committee on page 47, with reference to the Ontario milk commission, the report reads that:

This committee has studied some of the board's decisions—

this is referring to the milk industry board:

—and was permitted to attend several hearings and other meetings conducted by the board, the last of them on October 11, 1963.

Through this report, the inquiry committee takes strong exception to the achievements and accomplishments of the milk industry board and the prestige with which it is held by the dairy industry of this province. Indeed, I feel that there was criticism directed at this milk industry board which went plenty far. But I am greatly concerned with the fact that here we have a milk inquiry report suggesting that there should be a completely independent commission cut off, as the hon. member for York South says, divorced entirely, from The Department of Agriculture even outside its building committee. And yet at the very time this milk inquiry board visited the milk industry board it was indeed a completely independent milk industry board; not a single civil servant on it.

Mr. MacDonald: They did not act very independently.

Hon. Mr. Stewart: And I would say this: When Mr. George McCague came to the board in November, 1963, as a civil servant, appointed chairman of the milk industry board, there is not a single reference to the milk industry board's decisions in this report after that date. I would think that we should give some consideration to that statement.

Reference has been made here today to the policy of the government in this bill. I was not quite able to follow the thinking of the hon. member for York South when he said—in fact went to some length to say—that we should leave the farm groups to themselves, the farmers of Ontario to themselves, to do as they saw fit with their own particular industry in their own interests, while at the same time he admitted that they had, for years, been trying to get together and could

not get together to do the very thing we are trying to do in this bill.

Mr. MacDonald: Where did I say this?

Hon. Mr. Stewart: I would say this, Mr. Speaker: Whatever interpretation may be placed on this new bill a plan is brought in, whether it is by producer petition, which is possible in the bill, or whether it is brought in by government order, which is also possible in the bill, to me it is abundantly clear that there must be a marketing plan for milk in the province of Ontario. Now then, it would seem to me that there are certain things that we could expect a milk marketing plan to accomplish in Ontario.

First of all, I mentioned earlier that there were many milk markets across this province—indeed over a hundred, most of them with different agreements, some of them with different prices. I would say that one of the first things that could be accomplished would be to bring order into the fluid milk industry through the milk marketing board, establishing, first of all, a stability of price, a standardization of agreements, terms of conditions of contract; and to try, in as far as it is possible, to avoid the very obvious duplication in transportation services. But I think, above all else, a marketing plan would relieve the producers of this province of the rigidity of individual contract quotas, and the pressure that is exerted upon individual producers to maintain those quotas. Oftentimes I am inclined to believe that this has resulted in excess surplus milk being produced by those same fluid shippers even though they felt it was not always in their best interest to have to do this. And I think that this very problem of excess surplus milk has aggravated the entire dairy situation. It seems to me that we should place emphasis on a co-ordinated approach to the sale of all raw milk as milk, not as a specific dairy commodity, and place emphasis on the production and sale of dairy products providing the best returns to producers. This surely must be one of the prime objectives of the marketing board.

Now we come to this matter of the details of admission to the milk marketing plan of those concentrated or manufacturing shippers across the province. I think we have to leave to the producers' marketing board under the supervision of the milk commission the details of the admission of these people—these concentrated, or cheese, or whatever you have, manufacturing shippers—to the fluid market. I think we have to recognize the fact that the legislation of this province

since 1932, in providing marketing areas and distribution areas, has required the expenditure, by many dairy farmers, of capital investment in plant and equipment, and in the maintenance of a standard of their farm appearance, that has been not required of other manufacturing milk producers.

This does not, for a minute, say that some manufacturing milk producers have not also reached those standards. But we must recognize the fact, whether we like it or not, that only so much fluid milk can be sold in the province of Ontario; granted it is increasing at the rate of about two per cent per year.

The fluid milk producers of this province produce 2.5 billion pounds of milk annually. Of this amount, 2,029,000,000 pounds are used in the bottle trade. The rest of it is used for plant purposes and surplus or excess milk. There is no reason, in my thinking, why, with concerted effort, we cannot increase that annual two per cent increase by a certain amount. I would like to see it go up to four per cent; I would like to see it go beyond that; because I think we must recognize the fact that milk is nature's most perfect food—and that is an old cliché but so true and so obvious.

How we bring in these other people becomes, surely, the responsibility of the marketing board, of their own producers set up to deal with these very matters. I think it would be indiscreet on my part, I think it would be wrong on the part of this government or of this Legislature, to lay down the guide lines by which they will be admitted; and other than that they will not be admitted. I think we must recognize the fact that there are a number of fluid shippers dropping out of the fluid milk trade, and I think this is a trend that may continue. Because we must recognize, as we do in all aspects of agriculture, that many small producers are dropping out of their respective commodity-producing fields.

But I am disturbed by a suggestion made this afternoon by the hon. member for York South when he referred to the fact that ten per cent of the present fluid shippers would be dropped if quality standards were enforced. Mr. Speaker, I want to make it emphatically clear to this House, and to the consuming public of the province of Ontario, that no consumer is asked to drink milk that is not fit for human consumption.

Mr. MacDonald: What percentage does the hon. Minister think would be dropped, then?

Hon. Mr. Stewart: This is something of which I have no idea, but I will say this:

There are very, very few. To even suggest that this may be the case, is, I think, an unfortunate statement and I want to set it correct.

Reference has been made this afternoon to the cheese marketing board and what was to become of it, and why we did not do something about that in this bill. Well, Mr. Speaker, this bill we have presented here was drafted with a very great deal of consideration—bearing in mind the entire dairy industry, bearing in mind the contribution made to the dairy industry of Canada by the cheese producers' marketing board of the province of Ontario.

We recognize the fact that criticism may have been directed last year at the fact that perhaps our cheese was not sold for what it might have been sold, but I think we must at the same time recognize what has been so well said by my friend, the hon. member for Glengarry this afternoon: that no one could have foretold the drought that happened in eastern Ontario last year and the obvious drop in cheese production, and the fact that the cheese which had been sold indeed could not be delivered from the province of Ontario to the British importers.

Last fall I spent two weeks in the United Kingdom and I made it our business while there to visit a great many of the cheese importers of the United Kingdom, men who had laid their dollars on the line and said, "We will take all the cheese you can deliver us up to certain quantities at a fixed price." These were the men who, a number of years ago, when the cheese producers of Ontario took hold of the cheese marketing in this province and went to Great Britain and said, "Look, we have a surplus of cheddar cheese in the province of Ontario and we want to sell it to your market."

These were the same men who said, "All right, we will give you a negotiated price for it and you deliver it to us." I am afraid that my hon. friend from Ottawa, Mr. Hays, with great respect to him, met—and I met these people, too, who in those days were not ready to say, "We will take a chance on Ontario cheese," but who said to Ontario cheese producers, "Look, send us your cheese on consignment. We do not think it will sell for any more over here than any other person's cheese, but you send it to us and we will sell it and send back to you whatever we get for it."

I am suggesting to you, Mr. Speaker, that the cheese producers would not buy that kind of a deal in those years. They said, "We are interested in protecting our producers and

we want a fixed price"; and they stood by that fixed price.

Bear in mind all the time that Ontario raw milk cheddar cheese sells for a premium on the British market for one reason only, and that is because it is a raw milk product, and if made with the quality standards which pertain to our Ontario cheese industry will age properly when it is stored either here or in Great Britain and provide that flavour that is distinctive to it and for which the British housewife still is ready to pay a premium.

When the cheese shortage developed last year, and it was obvious to us when we were there that there was a shortage of cheese, it was possible, of course, that the price might have been increased, but I think we have to pay tribute to our cheese producers' marketing board for having negotiated what, in their opinion, was a good price and which yielded a higher price to the cheese producers in Ontario than in any other province of Canada. And I say, at the same time, that this self-help programme of deducting .9 of a cent a pound, to put into a stabilization fund of their own, to help them export surplus cheese from Ontario, in effect, carries an umbrella over the entire industry of this country as far as the dairy industry is concerned. I pay tribute to them.

There is this problem of Quebec cheese, and criticism has been directed at the fact that Quebec is selling cheese in the United Kingdom, and that Quebec cheese will not "stand up." I want to say, emphatically, that cheese which is being produced in Quebec is being produced under the same federal government inspection as that which is being produced in Ontario. I have reason to believe that it will "stand up" when it gets to Great Britain. I believe that we in Canada, in Ontario and Quebec, should be approaching the export of cheese on a unified provincial basis, if not, indeed, on a national basis, because I think we must recognize that it is Canadian cheese; and, as such, I think we should be using the knowledge, the experience and the courage that has been shown and developed by the cheese producers' marketing board in exporting this product out of Canada.

Something has been said this afternoon on formula pricing of milk—

Mr. Nixon: Mr. Speaker, might I ask a question before the hon. Minister proceeds?

Hon. Mr. Stewart: Yes.

Mr. Nixon: He has dealt very effectively with the views of our mutual friend in Ottawa, but we particularly want him to deal

with the views of Professor Hennessey with regard to the cheese board.

Hon. Mr. Stewart: As I have said many times, Mr. Speaker, Professor Hennessey and the very able men he had on his committee, in my humble opinion, presented the facts as they saw them in relation to whatever aspects of the dairy industry they studied; this was their interpretation and their opinion of it. We carried on the cheese marketing board in Ontario, as it is presently constituted, because to my mind it deals with a finished product—cheese, cheddar cheese—and not necessarily with cheese milk; and we are talking about raw milk in the plan that we are talking about today. I would say this—

Mr. Nixon: The hon. Minister does not agree or disagree; he ignores, is that so?

Hon. Mr. Stewart: I think we have not, and neither has my hon. friend, bought all of the recommendations which were contained in the Hennessey report. These were simply laid-down guide lines by which we might carry on and develop our dairy industry.

Mr. Nixon: If you would permit me, Mr. Speaker, in this case surely the hon. Minister should either accept or reject, and not just ignore, Professor Hennessey's recommendations about the cheese board.

Hon. Mr. Stewart: I do not think I have any more need to do that than has my hon. friend in the comments he made this afternoon, because I fail to find one constructive suggestion in everything he said this afternoon.

If I may continue, Mr. Speaker—and I would point out to my hon. friends that I listened for an hour-and-a-half and never said a word, and was not on my feet once through it all. Now, I would like to have the same courtesy attributed to me.

With reference to what has been said, I would say another word about cheese marketing, indeed about the export programme of the dairy industry in Canada, because this really ties into the general principles of this Hennessey report and the new milk bill. The bill was developed after very close consultation with the federal government at Ottawa, and I, like other members here, will pay tribute to the federal Minister for having implemented a programme of price supports on manufacturing milk throughout Canada. I think it was high time that this was done, quite frankly. I am not altogether satisfied,

quite frankly, with the support price that has been offered; I think it might have been higher, on a given quantity of milk.

Mr. Whicher: Why does the hon. Minister not give a little support to that?

Hon. Mr. Stewart: I will come to that before too long, my friend. I would say this: We must recognize the fact that the federal government has a taxing base that should carry the export programme over and above any domestic production—

Interjections by hon. members.

Mr. Speaker: Order! I would remind the members that we are discussing second reading of this bill. Every member so far has been given a good hearing and I would ask the members opposite if they would also give the Minister a hearing while he is giving his views of the bill.

Hon. Mr. Stewart: Thank you very much, Mr. Speaker.

We felt that the proposal of the federal government to introduce a national dairy commission would tie in very well with the proposal embodied in this bill for a milk commission and a milk marketing board in the province of Ontario. We have been given assurance that a similar type of programme will be inaugurated in the province of Quebec. If this is done it seems to me that, as has been mentioned this afternoon, with more than two-thirds of the total dairy production of all Canada found in these two provinces, we can very well look forward to a co-ordinated interprovincial federal export programme for that little bit of surplus in the dairy industry; because, of the 19 billion pounds of milk produced in Canada, only 2.8 per cent of that total product was surplus last year. Surely we can never arrive at what might be described as a more uniform domestic production than that?

What about formula pricing for milk? I would pay tribute to those who have developed the milk price formula in the province of Ontario, because I think it has served a useful purpose. And I would also say, Mr. Speaker, that it was with the greatest of regret that, to my mind, the milk price formula was abused a few years ago when it came into the realm of politics.

Enough has been said about that in this House, in previous debates, that I am not going to enlarge on it at all, because the hon. members know very well what I am talking about. But I will say this: I do not

believe that the present price of milk, or the formula structure for the price of milk, should be disturbed until the marketing board is established and operative to handle the price of fluid milk in Ontario. But at that time I think that the formula pricing for milk, if it is decided by the marketing board that there are certain guide lines—and that is all the formula really is, a guide line as to what may be paid for fluid milk—if it is decided that such a service is needed and might be continued, then I would suggest that we should have, in the province of Ontario, a group of independent economists to develop this formula as an advisory service to the milk marketing board; but I do not think they should be civil servants as is presently the case.

Mr. Speaker, I believe that we have, in this bill, the opportunity to come to grips with the dairy industry in this province in a way that has not been heretofore provided. I believe that there are possibilities here for us as legislators, first of all, to give approval to this bill and then to put it into operation, stage by stage, as has been suggested this afternoon—in a gradual process of evolution, to the objective of doing everything we can possibly do to bring stability and equality of opportunity to all who are milk producers within the province.

But we must recognize certain basic principles in doing this, and I think if we were to throw open the doors and say, "Let all of the manufacturing shippers of milk in this province come into this pool, this marketing plan, with whatever the number may be—be it 1,000 or 5,000 or any figure in between," then we would, in effect, be saying to the present fluid milk shippers of this province, "We are dropping your market to what the average will bear after all of this milk has been received and allocated out, or sold out to the various distributors."

Mr. MacDonald: It does not sound like the decisive action they asked for.

Hon. Mr. Stewart: It may not, but I think we have to recognize that, with the increase in the federal subsidy to the manufacturing shipper, he now is recognized as having had a problem, and the national Treasury is coming, to some degree, to strengthen his place in the market.

Mr. MacDonald: And even with the rest of them.

Hon. Mr. Stewart: I would think that he would not be quite as much interested in rushing into this other, what he might

describe as, more attractive field. It is true that there will be some who will do this, but I talked just last week with a concentrated shipper and he said, "Believe me, as far as I am concerned, I am not nearly as interested now in getting into this fluid market as I was prior to the announcement of the federal government." I like the fact that the federal subsidy is based on production controls, to a degree based on last year's production, and I think this is important if we are going to maintain the balance that we need so much in the dairy industry.

I believe that if we can gradually absorb those manufacturing shippers who are producing a quality milk into this marketing plan—into this blended price that will be developed within the marketing plan—then I would think that we have provided a service to them and an opportunity to them that they have long since wanted, and that many of them will have the opportunity of accepting.

Mr. Speaker, I want in closing to say that I greatly appreciate the support that has been indicated by the Opposition parties, and certainly from our own hon. members of the House, who have spoken in support of this bill. It is, to my mind, a step forward in the dairy industry of Ontario.

Motion agreed to; second reading of the bill.

THE FINANCIAL ADMINISTRATION ACT

Hon. J. N. Allan (Provincial Treasurer) moves second reading of Bill No. 129, An Act to amend The Financial Administration Act.

Motion agreed to; second reading of the bill.

THE PUBLIC SERVICE SUPERANNUATION ACT

Hon. Mr. Allan moves second reading of Bill No. 124, An Act to amend The Public Service Superannuation Act.

Motion agreed to; second reading of the bill.

THE PUBLIC SERVICE ACT, 1961-1962

Hon. Mr. Allan moves second reading of Bill No. 125, An Act to amend The Public Service Act, 1961-1962.

Motion agreed to; second reading of the bill.

THE RACING COMMISSION ACT

Hon. Mr. Allan moves second reading of Bill No. 126, An Act to amend The Racing Commission Act.

Motion agreed to; second reading of the bill.

ONTARIO INSTITUTE FOR STUDIES IN EDUCATION

Hon. W. G. Davis (Minister of Education) moves second reading of Bill No. 127, An Act to establish the Ontario institute for studies in education.

Mr. Nixon: Mr. Speaker, in Bill No. 127, we are asked to deal with two principles.

The organization that the bill would set up is really an institute for research and it is an institute for teaching and conferring of degrees; in the words of the bill, a college. Research and teaching are, in the words of an article I read recently, like sin and confession; because the latter does not mean much unless participation in the former has already taken place.

If you will permit me, I would like to speak first about the research responsibilities for the proposed institute.

There has been general criticism for a number of years that sufficient money has not been made available for adequate educational research in this province. There has been a seat-of-the-pants approach to the direction of our multi-million dollar effort in education, which I am very glad to see would be changed with the passage of this bill, and we on this side will support the bill because of this.

The curriculum institute that has been supported by the government for some years past, I believe last year to the extent of \$50,000, was in many ways similar to the proposed institute that is before the House this afternoon in that the members taking part in the institute represented in fact various constituencies.

The members of the curriculum institute were drawn specifically from the teachers' federation, from The Department of Education, trustees and certain specific boards. Because of this they had a constituency to represent; and because of this, more than any other reason, there has been criticism of the work of the curriculum institute, a feeling that it was somewhat timid and ineffectual, that it was able to present its reports in a very glossy way because of the \$50,000 it picked up yearly from this Legis-

lature, but that in fact the contents of these reports were disappointingly thin.

But the bill before us, at least the hon. Minister's remarks on the introduction of the bill, would indicate that this curriculum institute would be absorbed by the new institute. Some other research efforts will be absorbed as well, particularly the department of educational research at OCE, which has a second duty. As I understand it, the department of educational research at the college of education is also The Department of Education's research arm and is readily available to the hon. Minister to do specific researches as he requires.

This is going to be included in the new institute and, I think, is more than anything else the earmark of what is going to be wrong with the institute; it is going to in fact be the Minister's institute. It will have no separate existence in fact. It will be available to do specific research projects for him because, if it is not, no other body is available for this; and surely he would not function without this at his disposal.

I have made the point that this new institute will be very much under the control of the Minister. This is a criticism that comes into many Acts of this government, and I suppose many others. When we look at the bill, we find that the money that supports the institute is voted directly by this Legislature and so we would have the opportunity to review what they did last year and to question what they will do in the years that lie ahead.

The areas for research have been specifically laid out by the hon. Minister himself in great detail, and I am sure that much thought has gone into this; but once again, very little will be left to the imagination of those who will be undertaking this research.

The director of the institute is going to be appointed by the hon. Minister. He has even indicated who this would be, and I would concur that the appointment would be a good one. Nevertheless, the director owes his appointment to the hon. Minister—at least the recommendation of this appointment, which is tantamount to appointment.

As a matter of fact all of the members of the board of governors of the research institute receive their appointment in the same way. They are recommended by various constituencies. Maybe that is a confusing word to use, but I refer to the fact that the Ontario teachers' federation will nominate somebody, the University of Toronto, through its president, will nominate someone. All of these nominees have to be concurred in by the

hon. Minister of Education before they actually become a part of the board of governors of the research institute, which should be a leader not only in this province but in this nation and hopefully in the world with the money that we are prepared to make available for its use.

As a matter of fact, the hon. Minister is in a position in this bill to rule on the re-appointment of members of the board of governors—their eligibility for reappointment. In fact he decides on the conditions under which membership on the board of governors is vacated and the procedures for filling any vacancies.

In sum, I would say the institute for educational research is entirely the hon. Minister's baby. It is constituted in this way and he has the direct and continuing responsibility for all of its actions, as it is presently constituted. I would be the first to say that we could trust the hon. Minister of Education to assume these responsibilities properly, but let us look at the board of governors which he eventually is going to appoint on the recommendations of the teachers' college—specifically the University of Toronto and then the other universities that are in sort of another class—The Department of Education, the Ontario teachers' federation, the trustees of Ontario, and a group representing the directors of education, the superintendents of education, the inspectors and the various officers of administration throughout the province.

Mr. Speaker, I want to make it clear that this group of people control education very specifically and they must have some sort of an organization through which they can speak directly to the Minister and advise him and give their comments on his proposals; but for them to run the institute of research is a retrograde proposal on the part of the government. We have to think of the vested interests that they in fact represent. It would be possible to list a large number of important areas that should be investigated by this research institute which really will be closed to them, because at least one member of the board of governors is going to object violently.

I could think of an investigation into the teachers' professional organizations themselves. Perhaps at some later date the institute would like to look into the role played by the Minister of Education in the development of policy regarding educational television. This would be closed to them. They might want to look in detail into the authorization and writing of text books and how this might be improved in Ontario. We are certainly going to be spending tremendous sums

of public money in this regard and we would want it to be as effective as possible.

It is quite possible that because of the constitution of the board of governors of the institute for educational research they will not be free to carry out the type of investigations and research that we would expect of any organization that we are going to subsidize so heavily as we are asked to subsidize this particular one.

There is one other qualification dealing with the board of governors that has to do with the fact that they would be residents of Ontario. I feel that this is a provincial approach in the worst sense. It will mean that we will not have the advantage of the views of those outside of our province and perhaps outside of our country on the direction in which research might take in our province. With the sums that are available and with the breadth of vision—

Hon. W. G. Davis (Minister of Education): Mr. Speaker, I do not want to interrupt the hon. member, I will make some observations a little later, but if he reads the bill carefully, while it says: "persons who are resident in Ontario," which can include this group of lay people who are not associated with the professional organization, which I think would very adequately cover the point my hon. friend has raised. There is nothing in here to preclude the possibility of appointments of personnel from outside the jurisdiction. There is nothing in this bill that prohibits this.

Mr. Nixon: These people are not residents in the province of Ontario. I may misunderstand the meaning of the Act; and I know that elsewhere in it, at least in the hon. Minister's introductory remarks, there is an indication that he, too, realizes the importance of getting different views from other jurisdictions. I would just like to emphasize the importance of this; an educational research institute must have its windows open to the whole world, otherwise it is going to be fifth rate and useless—

Hon. Mr. Davis: We expect to get—

Mr. Nixon: —and spend its millions of dollars on examining what colour chalk should be used or something like that, something that could be very well done without this elaborate organization. I feel that we would look forward to the direction of this organization being partly in the hands of those who would come to us from outside of the province of Ontario, who, I suppose, would then be residents of Ontario, but at least people

who would have had experience in the educational systems of Europe—France and England particularly—from the United States and from these jurisdictions whose views would be so useful as far as the development of our own education system is concerned.

Hon. Mr. Davis: There is nothing in here to prevent this at all.

Mr. Singer: The use of the word “resident” seems to.

Hon. Mr. Davis: Mr. Speaker, I did not expect that I would have to explain the bill to a member of the legal profession but if you read it very closely, as the hon. member for Downsview would, there is nothing in here that says that all these people have to be residents of the province of Ontario; if you read it carefully.

Mr. Singer: I rely on my hon. friend’s advice.

Mr. Nixon: Mr. Speaker, the hon. Minister is rather adept at the type of comment that he has just made, and we will pass this by simply by reiterating the necessity of having the broadest possible view in the operation and direction of this research institute.

Hon. Mr. Davis: I should point out that in my statement I refer to the fact that they will be looking for actual administrative personnel from outside the jurisdiction to be participating in this particular instance.

Mr. Nixon: The second principle we would be dealing with in this bill has to do with the establishment of a new educational institution. It is referred to as a college and, of course, this has a broad meaning, but in a sense we are asked to charter a degree-granting institution.

It has been made clear that the authority for the granting of these degrees in the beginning would come through the charter of the University of Toronto, but the fact still remains that the institution will not be conducting its affairs under the academic umbrella of stability the university would be able to provide. There are too many educationists already who have been successful in a number of fields, had their success recognized by a university in this province or elsewhere, and been granted honorary degrees with high-sounding names, and they set themselves up with the title of doctor—and I suppose even the hon. Minister himself could do this if he were not such a modest man, having received similar degrees.

But I know that there are people who are in a position to advise him, working in his own department, who are quite proud of the fact that they can put this appendage to their title; and there is a feeling among many people associated with education that, as soon as you get sort of a quasi-independent, college-type institution, which is independent of a university, you are going to get third-rate academics who are going to reduce the level we must have in the institution proposed in this bill.

Mr. Speaker, normally in any academic institution there is a board of governors, as is proposed here; and, associated with the same institution, an independent academic senate. This bill calls for the setting up of an academic council which is going to be directly responsible to the board of governors and, in fact, through them, directly responsible to the Minister. The powers and duties of this academic council are prescribed by the governors. I would say that this is very much opposed to the general academic traditions in this jurisdiction, and in most others. The fact that the appointment of the people who are going to control our research is going to come from a Minister of the Crown rather than from an independent academic authority is something that really puts the whole institution in some question, and—

Hon. Mr. Davis: Mr. Speaker, I was just wondering if the hon. member knows how the board of governors, for instance, at the University of Toronto—

Mr. Speaker: Perhaps it would be better if the Minister would let the member complete his remarks, and then reply to his remarks at the end.

Hon. Mr. Davis: All right.

Mr. Nixon: Thank you, Mr. Speaker. I would submit to you, sir, that the control of staff and their duties, and their appointment, must be independent of the Minister. The group which does make this appointment must be powerful enough to set the standard of the courses that would be given; they should have the power to control the curriculum and to make the final decision on the granting of degrees. But it appears that the academic council proposed in this bill is no academic body at all.

I have just about finished my remarks, but I would like to say that the responsibility of the director is nowhere defined in the bill. I realize that we are not setting up a new

university. If we were, his position—the parallel to it—would be that of president, and his responsibilities would be very carefully defined. We can only assume here that he is being given a blank cheque to do as he wishes, or that he is in constant contact with the real director of the organization who is sitting opposite; and this is something that we must avoid at all costs, if it is going to have an independent existence, and if real research is going to be possible.

The hon. Minister has referred to a similar institution in London, England. I think he should cast his view to another institution of academic and educational research, that is the graduate school of education at Harvard, one which does enjoy the protection of the normal functions of a university, and which is not subject to political direction in any way. This umbrella of academic and intellectual responsibilities to which I have been

referring is needed for this institute as well and, I submit, is not found in this bill. Its absence may doom the work, done in the new institute, to mediocrity. I trust not, but the danger is there.

Mr. Speaker, we have needed an organization for this purpose, properly financed, in the province of Ontario, for years. I hope that the hon. Minister can improve the basis of the organization, as it is described in this bill, so that we can look forward to its implementation with confidence.

Hon. Mr. Davis: Mr. Speaker, I would like perhaps in just two or three minutes, to reply to a great deal of this—

Mr. MacDonald: I have some comments to make also.

It being 6 o'clock, p.m., the House took recess.

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Debates

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Third Session of the Twenty-Seventh Legislature

Thursday, May 13, 1965

Evening Session

Speaker: Honourable Donald H. Morrow

Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, MAY 13, 1965

The House resumed at 8 o'clock, p.m.

Mr. D. C. MacDonald (York South): Mr. Speaker, I move the adjournment of the debate we were engaged in before six o'clock.

Motion agreed to.

Clerk of the House: The 27th order; House in committee of supply.

Mr. Speaker: Before the House goes into the committee of supply, I have an important announcement for certain members who park their cars at the front of the main building, to the south.

Tonight there are going to be a couple of large cranes operating there to raise the new flagpole, and all members have been advised to move their cars or they may be towed away. I have been asked to inform those members who park their cars there, unless you want them towed away, you had better move them this evening.

Hon. H. L. Rowntree (Minister of Labour): Mr. Speaker, is there any significance, in your direction or suggestion to the hon. members, having to do with the possibility of a snap vote?

Mr. Speaker: None whatsoever.

Mr. V. M. Singer (Downsview): Or a snap election?

ESTIMATES, DEPARTMENT OF THE ATTORNEY GENERAL

(continued)

On vote 207:

Mr. A. V. Walker (Oshawa): Mr. Chairman, under vote 207, I would like to say a few words on a matter which is of concern to the area that I represent and, I have no doubt, is of concern to other sections of the province.

I would like to point out, Mr. Chairman, through you to the hon. Attorney General (Mr. Wishart), that what I have to say is not meant in any way in the form of criticism—

although it would not be the first time that I have criticized either—but is simply said to urge that some consideration be given to the thoughts that I would like to express. This is the matter of juvenile and family court judges.

In this day and age when there is so much discussion on the problem of juvenile delinquency, I feel that there is a great need for emphasis on the juvenile and family court judge. Unlike the civil or criminal courts, where cases may be disposed of in a peremptory fashion, the juvenile and family court cases require careful and painstaking consideration.

In the juvenile court there is great concern for the proper development of the immature personality. Intensive research into the background of each case is required, if a proper disposition is to be made. In a family court, the decision of the judge not only affects the lives of the marriage partners involved but their children as well, and the right decision is extremely important to a society where the family unit is a hallowed institution.

At the present time, in Ontario county, we have part-time juvenile and family court judges who can devote only two half-days, and sometimes one whole day, a week to these courts. Because of this part-time situation, there is a considerable backlog of cases, and the important counselling and advice so necessary in this juvenile field of first offenders must, of necessity, be very brief. The time allotment militates against lengthy deliberations and extensive problem analysis. The present judges are committed to other duties connected with their full-time occupations and do not have the time to engage in research. A full-time judge could hold court more frequently, he could spend the necessary time in considering the merits of the case from the background information; and also he could acquaint himself with the counsel and information introduced by modern authorities.

Recently our county judge emphasized to me the importance of proper counselling during the juvenile's first appearance in court. "Proper counselling," he said, "would go a

long way towards eliminating further trouble in later years and I would not have this same juvenile appearing before me later on."

Under the present situation we find The Attorney General's Department appoints and sets salaries for the full-time juvenile and family court judge, with the municipality being responsible for the entire salary payment. There is undoubtedly a real need for a full-time juvenile and family court judge in our county. This is, I think, Mr. Attorney General, a recognized fact. But the large increase in salary for a full-time judge presents, to start off with, somewhat of a deterrent and also there is a very strong feeling that The Attorney General's Department should be fully responsible for this matter. I feel we have reached the point in many areas of the province where the juvenile and family court judge become equally as important as other facets of our justice administration. It is no longer a part-time operation, and I would urge the hon. Attorney General to give serious consideration to the possibility of his department accepting the full and complete responsibility for the appointments in this area of administration.

Mr. V. M. Singer (Downsview): Mr. Chairman, I commend the hon. member for Oshawa for his most important and lucid remarks. I think the suggestions he has put forward have very great merit and I think they emphasize a problem that exists here in the municipality of Metropolitan Toronto.

I do not think I need to refresh the hon. Attorney General's mind about the great problem that exists in Metropolitan Toronto, particularly when the council of that municipality came to pass their last budget. They were looking, as politicians do so often, to methods of reducing the tax rate, and one of the points where they decided to chop was in the estimate for juvenile and family courts. If my memory serves me correctly, they decided that they were going to knock off some \$100,000 from the estimate of that court.

The hon. Attorney General would not have had to read too many of the local papers to recognize the universal condemnation with which that move was greeted. Every newspaper in this city wrote very condemnatory articles concerning this matter. The *Telegram*, for instance, said: "Help These Lives"; and in an editorial dated March 1 goes on in this tone:

Perhaps senior Judge Lorne Stewart of the Metropolitan Toronto juvenile and family court omitted to present his case forcefully enough.

They conclude with saying this:

Where the money required by the department for some material, ordinary project—

I suppose they mean things like sewers or sidewalks or art centres or something like that:

—the executive committee's desire to economize would cause no grievance. But these are lives we are talking about, children and young people and families who are desperately in need of assistance.

The difference is \$101,000. Surely Metro council can find the means of providing it.

The *Globe and Mail* had an editorial entitled "Budget Before Children." It goes on and says just about the same thing in a different way and makes its point just as effectively.

The *Toronto Daily Star* had a similar editorial. There were many letters to the editor. With those sentiments—the sentiments expressed in these editorials, the sentiments expressed in the letters to the editor, the sentiments expressed by my hon. friend from Oshawa—I find myself in complete agreement. The hon. Attorney General is nodding, and I hope he is in complete agreement.

Now, along the way there was a news clipping headed: "Wishart's Men Probe Family Court Needs," and I gather from this that the hon. Attorney General has this problem under investigation.

Hon. A. A. Wishart (Attorney General): I think I made a statement on this in the debate last night.

Mr. Singer: Yes. Well, as we go along through these estimates, the hon. Attorney General, in his very pleasant and very helpful way, has indicated that he is in agreement with many of the suggestions which have come from this side of the House, and that he is looking into them.

Some hon. members: Hear, hear!

Mr. Singer: My hon. friend is applauding—and I think the hon. Attorney General's sentiments are worthy of applause provided that we are going to get some action. I am hoping that we are going to get some action.

Is the juvenile and family court in Toronto going to be able to function in the way that it should, in the way that the hon. Attorney General wants it to, in the way that my hon. friend from Oshawa wants it to, without this additional money? Is not the solution, Mr. Chairman, the solution put forward by the hon. member for Oshawa: that the province should recognize that the whole field of the

administration of justice really knows no municipal boundaries, knows no county boundaries, is a problem of all the people of Ontario, and should become the financial concern and the financial responsibility of the province of Ontario?

I need not point out, Mr. Chairman, that the select committee on The Municipal Act, in the latest Act, unanimously, on two occasions—and it is a committee consisting of members of all the parties—recommended that just this course be taken. I think, when problems like this come up—when it is apparent to me in any event, and to the hon. member for Oshawa, and, I would think, to most hon. members of the House, that the situation in our juvenile courts and in our family courts is not being adequately looked after—that we need an immediate solution. And the solution is apparently not in leaving the problem with the municipalities; it is not working well enough.

I do not know if the hon. Attorney General wants to reply on this particular point. I have one more major point at this time that I want to emphasize, but if the hon. Attorney General wants to reply on this one, I will gladly hear him.

The second point, Mr. Chairman, that I want to make is in regard to court space. I do not think it is necessary—I have referred earlier in this debate on these estimates, and in my general remarks, and in the Throne debate, to various articles, various reports and so on, about the real shortage of court space that exists in all our courts: magistrates' courts, division courts, county courts, the supreme court, the piling up of the lists, the inadequacy of our courtroom facilities. I have quoted from Magistrate Klein's report—and I hasten to add, quickly, before the hon. Attorney General reminds me, that he did give me Magistrate Klein's report and that was why I was able to quote from it so authoritatively—and Mr. Justice Gale's speech, Mr. Justice Gale's remarks to the grand jury, and that sort of thing.

In each jurisdiction for which these gentlemen are responsible, it is obvious that we have quite a situation in our court facilities. There are steps being taken in the municipality of Metropolitan Toronto, for instance, to build a new courthouse, but it has come to my attention—I do not know whether it has come to the hon. Attorney General's attention or not—that this building, which is not even as yet completed, is not going to be nearly big enough.

There are not going to be enough courtrooms available to properly handle the vol-

ume of cases that are presently before the courts. Now what do we do about this? The hon. Attorney General says that he is looking into the shortage of magistrates' courts' facilities. The responsibility perhaps is not his—it is shared with the various municipalities and that sort of thing.

There will be a new courtroom; it will be more comfortable; the facilities will be more pleasant and the atmosphere, generally, will be better. But the fact is—without going through the long statistics about the number of cases on the list in the supreme court, the length of time it takes to get to trial in the county court, the lengthy adjournments that have to take place in magistrates' court—the fact is, and it must be obvious to anyone who has studied this question at all, that we have a serious crisis facing us insofar as making available the physical facilities to properly handle the cases that are ready to come before our courts.

What do we do about this? I suggest, Mr. Chairman, that it is not sufficient for the hon. Attorney General to say that he agrees. I submit it is not sufficient for the hon. Attorney General to say that in certain areas—Metropolitan Toronto—there is a new courthouse being built. I submit it is not sufficient for him to say that he has talked to his colleague, the hon. Minister of Public Works (Mr. Connell), and in due course we are going to get some more money. It may not be this year, but if it is not this year, it will be next year or the year after. I submit that we are in such a serious position at this point that the hon. Attorney General should be prepared, at least on this issue, to come before us and say that he is about to undertake a crash programme to deal with this backlog.

One of the administrative efforts that perhaps he might want to undertake is not only a careful study, but perhaps the initiation of an appointment system of trials into the trial procedure of the supreme court. This sort of system has been used for quite a while in the county court of the county of York. I am certain that my hon. friend is aware that when trials come on the counsel between themselves, and in co-operation with the county court clerk of the county of York, arrange and agree upon dates for trial and postcards are sent out and there is reasonable certainty to the profession and to the parties to the actions and to the witnesses and to all those concerned that on June 10 next the case of Smith versus Jones will be scheduled to be heard.

There is perhaps a criticism of this in that

on occasion a county court judge, having had a docket of three or four cases fixed for that day, suddenly finds that they have all been settled. To my mind such a criticism is not a valid one, because I think our courts are performing a reasonable function when the immediate advent of a trial date forces the parties together and gets them to settle without the necessity of taking up the time of the court.

Hon. H. L. Rowntree (Minister of Labour): You are speaking out of both sides of your mouth at once.

Mr. Singer: No I am not. I am suggesting, Mr. Minister of Labour—if you will listen to me, if you will listen carefully—I am suggesting that if such an appointment system was inaugurated in the supreme court—and it is not going to be as easy in the supreme court as it is in the county court—even though on occasions a supreme court judge might have nothing on before him that day, at least if you were the plaintiff's solicitor in a particular action and you had a case fixed for that day, you would know that by the tenth of June you would either have to be ready to go on for trial or you would have to speak to my hon. friend from Sudbury (Mr. Sopha), who is on the other side, and work out a settlement.

In any event, at that point there would be something approaching finality, either you would agree to agree, or you would agree to disagree and you would go on into court. I am suggesting that this criticism, and it has only been a minor criticism, of a county court judge on an occasional day not having anything before him because five cases have been settled, is a good thing and advances our administration of justice. In our present system the cases pile up and are shifted from list to list and put on the ready list, and it may take a week or ten days or a month before actually you know you are going to go on for trial. And there is always another chance that maybe there can be a remand, or maybe there can be an adjournment.

This delays, seriously delays, our administration of justice and there have been, Mr. Chairman—

Hon. Mr. Rowntree: Mr. Chairman, the hon. member will understand that these are matters—and I speak as a lawyer—these are matters within the competence of the chief justice of the trial division of the supreme court, and they are matters within the competence of the chief or senior county court judge in any district.

The hon. member raised the question about settlement being reached and therefore the case comes off the list; or you come close to settlement, so it comes off the list.

Quite frankly, how can anyone, whether it be the government or the senior county court judge of any country, or the chief justice of the trial division, reach any degree of finality so that you can approach what you are saying in an exact fashion? I suggest that the exactitude which you are suggesting is not available, either to this government or any other government; nor is it necessarily our responsibility.

Mr. Singer: Mr. Chairman, with great respect to the hon. Minister of Labour, I think he is quite wrong. I think there is a real responsibility on this government, which is charged with the administration of justice in this province, to explore every avenue of expediting the matters that are standing before our courts.

Hon. Mr. Rowntree: Mr. Chairman, right on that point, may I say this—

Mr. Singer: If the hon. Minister of Labour wants to talk, he can talk later.

Hon. Mr. Rowntree: Let me make my statement—

Mr. Singer: No, you have made a couple of statements—

Hon. Mr. Rowntree: You have been speaking for about a month.

Mr. Singer: I may be speaking for maybe another two months, but I am still speaking now; and when I am finished then the hon. Minister of Labour can—

Hon. Mr. Rowntree: Will you not let me make my comment—

Mr. Singer: I just did; and I want to finish my point before the hon. Minister of Labour gets up and finishes his point. He has as much right as anybody else to make a statement.

Mr. Chairman, I have the floor and I am not yielding it to the hon. Minister of Labour.

Hon. Mr. Rowntree: You are not yielding it? Fine!

Well, it suggests the uncertainty—

Mr. Singer: Mr. Chairman, I have the floor and I wish you would call the hon. Minister of Labour to order.

Hon. Mr. Rowntree: Mr. Chairman, well, I will relinquish the floor—

Mr. Singer: Mr. Chairman, I wish you would call the hon. Minister of Labour to order. Only one of us can have the floor at a time.

Hon. Mr. Rowntree: Mr. Chairman, I relinquish the floor—

Mr. Singer: You do not relinquish it. I had it and I have got it back again and I am not relinquishing it to you.

Mr. Chairman, will you call the hon. Minister of Labour to order?

An hon. member: Filibustering, that is all you are doing.

Hon. Mr. Rowntree: Mr. Chairman, in relinquishing the floor—

Mr. Singer: Mr. Chairman, will you call the hon. Minister of Labour to order?

Mr. A. F. Lawrence (St. George): Who was on first?

Hon. Mr. Rowntree: I am not advancing any further argument—

Mr. Singer: Mr. Chairman, would you call the hon. Minister of Labour to order, please!

Hon. Mr. Rowntree: And in not advancing any further argument, the position taken—

Mr. Singer: Mr. Chairman, would you call the hon. Minister of Labour to order, please!

Hon. Mr. Rowntree: —to support the allegations—

Mr. Singer: Mr. Chairman, will you call the hon. Minister of Labour to order, or will you not?

Mr. Chairman: Order!

Hon. Mr. Rowntree: You want to talk all the time; but you will not let anybody else say a word, even in—

Mr. Singer: Mr. Chairman, are you going to call the hon. Minister of Labour to order or are you going to let him make a continuing nuisance of himself as he is doing?

An hon. member: What about the cut and thrust of debate?

Mr. Singer: Mr. Chairman, as I was saying, it is completely—

Hon. Mr. Rowntree: The hon. leader of the Opposition (Mr. Thompson)—

Mr. Singer: Mr. Chairman, is it necessary that this come from the House leader, whom after all, we look to as being a symbol of dignity in the conduct of proceedings of the House?

Hon. Mr. Rowntree: We talk about dignity, we want—

Mr. Singer: Mr. Chairman, this is ludicrous!

Hon. Mr. Rowntree: We want the truth about what is going on in the courts of this province, not a political accusation from the hon. member for Downsview.

Mr. Singer: Mr. Chairman, can you not control the leader of the House?

Mr. D. C. MacDonald (York South): This debate is getting too spirited.

Hon. Mr. Rowntree: No, not so.

Mr. E. W. Sopha (Sudbury): It is going to be an interesting evening, I see.

Mr. Chairman: Order!

Mr. A. E. Thompson (Leader of the Opposition): Throw it, if you have to, Mr. Chairman.

Mr. Singer: Mr. Chairman, as I was saying, it is my opinion that there is a real responsibility on those charged with administration of justice in this province to do everything in their power to expedite the handling of cases that come before our courts, whether they be magistrates' courts, or county courts, or division courts, or the supreme court or the court of appeal. I am suggesting to the hon. Attorney General that a system has been worked out, not with exactitude as my friend the hon. Minister of Labour suggested I said, but with reasonable facility that works within the county court of the county of York. By the appointment system—albeit it is not perfect—by the appointment system there has been evolved a method that has improved the procedure of cases through our county courts.

It has been suggested that such a system could be explored for use in the supreme court recognizing, Mr. Chairman, that in the supreme court such a system would not be as simple as it might be in the county courts. In the supreme court more important cases, more involved cases, are on the list for trial and many more things come into consideration. Trials in the supreme court are reasonably likely to last for longer periods than

they do in the county courts. There is no exact way of telling whether a trial might go on for five days or ten days or two or three weeks. On the other hand, in the county court it is reasonable to assume that most trials will not last for more than a day or two or perhaps portions of days.

But I am suggesting that this type of investigation on the administrative level could and should well be undertaken by the proper officials of the hon. Attorney General's office in consultation. I am not suggesting that anyone in the hon. Attorney General's office is going to sit down and pound the table before the chief justice of Ontario and say, You must do this; but I do not think there would be anybody happier than the chief justice of Ontario if he had administrative advice which was going to show him how the whole procedure in front of his courts could be speeded up. This goes for every judge of the Supreme Court of Ontario.

What I am suggesting, sir, is that this sort of study and this sort of administrative know-how could and should immediately be put to work to advise those responsible, the chief justice of Ontario, the chief justice of the high court, how possibly better methods could be used to speed up these procedures.

Mr. E. A. Dunlop (Forest Hill): Do you suggest that the executive should advise the judiciary?

Mr. Singer: Insofar as administrative procedures are concerned, yes; that is exactly what I mean. My hon. friend from Forest Hill makes a point, and I would draw to his particular attention that while the appointment of judges, the control of criminal law and that sort of matter is the responsibility of those people in Ottawa, the federal government, the problem of the administration of justice—as my hon. friend well knows because he is not only a good, but a very careful, student of our constitutional history—the administration of justice is the responsibility of the provincial government; and in this province, our friend, the hon. Attorney General is charged with that responsibility.

He is charged with providing courtroom facilities with stenographers, with accommodation and all that sort of thing. It is part of his responsibility, certainly, to make the facilities so available, and to help to evolve such a system that the administration of justice and the control of the administrative procedures are as well done as they can possibly be, so that those gentlemen who are our supreme court judges will be free from these worries and will be able to sit

in their judicial wisdom and make all the proper decisions.

I am not suggesting that the hon. Attorney General go and tell the chief justice how he should listen to a case, or what evidence he should accept. I am suggesting that the hon. Attorney General should move from the shoulders of the chief justice of Ontario the administrative problems which properly should not be the very great concern of the chief justice and his colleagues in the supreme court bench.

Mr. Dunlop: You just suggested that he bring some know-how to the courts.

An hon. member: That is just a pious speech.

Mr. Singer: Well, I am rather surprised—

Interjections by hon. members.

Mr. Singer: I am rather surprised at the two hon. Ministers here in the front row. My hon. friend from Forest Hill, I think has a much more reasonable approach; but the two Ministers here, the hon. Minister of Public Welfare (Mr. Cecile) and the hon. Minister of Labour—both of whom are lawyers and both of whom, before they entered the Cabinet benches, when they were in private practice, must have been as frustrated as any lawyer about our court procedures which delay at very great length the trial of actions which were pending before our courts—I would think these two gentlemen would be amongst the foremost—

Hon. Mr. Rowntree: You are not suggesting any solution to the problem that you are raising. This is the point. They have all been considered by the law society, by the judges themselves and by the hon. Minister of Justice in Ottawa.

Mr. Singer: Mr. Chairman, can you not keep that man quiet?

Mr. Chairman: Order!

Hon. Mr. Rowntree: You are talking out of both sides of your mouth at once.

Mr. Singer: Mr. Chairman, on occasion the hon. Minister of Labour exhibits great knowledge about certain matters, but what he is talking about tonight I am sure he does not know either.

To continue what I was talking about, I say that the hon. Attorney General's department has the responsibility to do everything in its power to improve the administrative

procedures in our courts, and I do not think he is doing enough about it.

Mr. Chairman, there was a suggestion advanced in the editorial columns of the Toronto *Daily Star* a few days, or a few months ago, about the need for more magistrate's court facilities; and the Toronto *Daily Star* comments on Magistrate Klein's report. They comment on the remarks by Crown Attorney Henry Bull, who is the Crown attorney here in Metropolitan Toronto. Henry Bull is quoted as saying to the Metropolitan Toronto executive committee that overcrowding is so bad we are just barely fending off a Royal commission into the whole administration of justice in Metropolitan Toronto.

Now that throws the challenge into the teeth of the hon. Minister of Labour who says this is none of our business. Henry Bull, who is a knowledgeable man, who is an able man—

Hon. Mr. Rowntree: Mr. Chairman, on a point of order.

Mr. Singer: Oh, Mr. Chairman!

Hon. Mr. Rowntree: I did not say it was none of our business; I said that your proposal had no merit.

Mr. Singer: Mr. Chairman, I am really not too interested in what the hon. Minister of Labour has to say tonight, because he is doing it, obviously, in a disorganized and in an annoying way. If he wants to get up and reply after I am finished that is up to him, but in the meantime could you please keep him quiet and let me finish with my remarks.

Mr. K. Bryden (Woodbine): We should have two Houses, one for each.

Mr. Singer: Mr. Chairman, this problem is of sufficient concern to Henry Bull—who is the Crown attorney for Metropolitan Toronto and a gentleman, I think, who was appointed to this position by my friend, the hon. Attorney General—to have him, apparently, make this sort of remark: That the problem of overcrowding in our courts is appalling, that the overcrowding is so bad that we are just barely fending off a Royal commission under the administration of justice in Metropolitan Toronto.

Then this editorial goes on to suggest, instead of arguments that take place between Chief Magistrate Klein and Mr. Allen, who is the chairman of the Metropolitan Toronto council, that perhaps the provincial government should take certain steps in this regard.

If the provincial government were to

appoint more magistrates, Metro would be obliged to find more courtrooms for them. This space could be found by renting accommodation in office buildings. These temporary courtrooms may even be necessary after the magistrates move into the old city hall, if the increase in case loads during the next few years is as heavy as anticipated. That is why planning should begin now, either for a single massive courtroom building in downtown Toronto, or a series of smaller courts in the suburbs. This concept certainly should not wait until 1970, as apparently the mayor of the city of Toronto suggests.

Meanwhile—

and we have talked of this aspect of it before, too:

—men and women who cannot raise bail, people who may subsequently be proven innocent, are prisoners in the Don jail waiting to be tried. It is up to Queen's Park to appoint enough magistrates to hear their cases quickly. It is the responsibility of Metro to rent enough courtroom space so the new magistrates will have a place to work.

I suggest, sir, that this crisis is not unique only in the province of Ontario, and I am certain that my friend, the hon. Attorney General did not miss the front-page news stories in today's papers dealing with the way his counterpart in the province of Quebec—Mr. Wagner, the Attorney General of that province, who has held his office, I think, for no longer time than my friend—has begun to embark on some of these problems. And in a front-page story, and I have the story here in front of me—it was in the Toronto *Telegram* and in the *Globe and Mail* this morning: "Quebec Lawyers, Judges To Ease The Jam." And, apparently, what they have done in Quebec, with the co-operation of the Bar association of that province, is to recruit on a temporary basis some 93 lawyers who have volunteered to tackle, as special arbitrators, the backlog of 17,000 civil cases.

I am not suggesting that the crisis is quite that bad in Ontario but it is bad enough; and I am suggesting, if the hon. Attorney General was anxious to take on this problem, that he should be prepared to embark upon unusual methods to clear up the immediate crisis, the immediate backlog of cases before our courts. He should seriously consider renting space, he should seriously—well, not seriously—he should be prepared to announce, perhaps at this time, that for the time being, until some of these court buildings catch up, until his colleague, the hon. Minister of

Public Works is able to put into his budget enough dollars to build enough buildings, he would rent space.

He should make arrangements to run courts through the summer. There should be more magistrates appointed. The services of the lawyers of the province could perhaps be called upon in a manner similar to that being tried now in Quebec; and I would suggest that if the Attorney General wanted to address himself immediately to this serious crisis which exists in all our courts, this is the sort of programme we should be hearing about. But I regret very much that we have not heard anything more from the Attorney General to the effect that he agrees that this is a serious problem, that the matter is under very careful study, and that very soon there will be action. Perhaps tonight he can tell us what he is going to do about the crisis in our courts.

Hon. Mr. Wishart: Mr. Chairman, first of all I do not accept the word "crisis" at all. It is certainly not in anything like the situation the hon. member for Downsview has compared it with—the situation in Quebec. I will start at the latter part of his remarks.

As I read the article in the *Globe and Mail* this morning, there was a backlog of something over 17,000 cases. When Mr. Justice Gale made his remarks a few weeks ago at the opening of the court, he referred to something more than 2,000 of a backlog.

Mr. Singer: I said it was not as bad as it was in the past.

Hon. Mr. Wishart: And he said we need additional judges; and the judges' committee requested two additional supreme court judges. I presented to this Legislature a bill, an amendment to The Judicature Act, asking for those judges. This Legislature passed it at this session, and I have sent it on to **Ottawa. The Minister of Justice** has acknowledged it and he has assured me the appointments are available and pending, if they have not at this moment been made.

The provision, incidentally, allows what is done in Quebec to be done here, as described in this article. The appointment of lawyers as judges may be a very sensible thing. Certainly, when you get into a state of affairs such as our friends in Quebec have, of 17,000 cases untried and waiting, then I think it is time they did do something desperate. Maybe it is not a desperate thing to appoint lawyers as judges and give them some training in that field, but in any event that is in the Quebec civil code and we just do not immediately

have available, at our fingertips, a law or an authority to do that. We would have to get federal authority, and ask the federal Parliament, which has the prerogative of appointment of supreme and county court judges—

Mr. J. B. Trotter (Parkdale): That is not impossible.

Hon. Mr. Wishart: No, it is not impossible, but it is sometimes very slow to get action out of the federal Parliament.

Mr. Singer: Have you asked?

Hon. Mr. Wishart: No, I have not asked.

Mr. Trotter: Well, what do you expect?

Hon. Mr. Wishart: But I say, we have not got that at our fingertips today; and I am not sure if the federal Parliament would give to this province the right which resides in the hands of the Quebec Legislature and in the hands of the Quebec Bar by virtue of the civil code.

Mr. Trotter: You do not know, if you do not ask.

Hon. Mr. Wishart: Yes, we can ask if it becomes necessary—

Mr. Singer: We are at least as important—

Hon. Mr. Wishart: —but let me tell you something further.

An hon. member: The federal government does not think so.

Hon. Mr. Wishart: Mr. Justice Gale, as I have recounted, said: There is this backlog and we need two judges. This was the recommendation of the judges' committee, and we have got them.

Let me tell you something further, Mr. Chairman. In the mid-1950s—I cannot give you the year, I did not practise law in Toronto at that time but I think perhaps the hon. member for Downsview did, and perhaps he was one of those concerned and perhaps one of those involved, I do not know. This is not any damning indictment I am about to make, but I am aware of the fact that at that time Mr. Justice McRuer, who was then chief justice, said:

I am concerned at the backlog of cases on the court lists and I am going to do something about it. I will set a day and I want these cases on then and I want the lawyers and the parties ready to proceed.

He brought the court together and I think I can say that it was to his disgust that the

lawyers and the parties were not ready to proceed. Perhaps the hon. member for Downsview recalls—

Mr. Singer: I was not one of those.

Hon. Mr. Wishart: No, but you recall the situation.

Mr. Singer: Yes, I recall.

Hon. Mr. Wishart: And Mr. Justice McRuer, the chief justice, did his best and then set a peremptory date, as I recall it, and said: "Set down your cases and get on with them." And this did not succeed; they asked for adjournments and I believe he went so far as to say: "These cases will be struck off the list if you do not proceed." And they still would not proceed and the whole proceedings were abandoned.

Mr. MacDonald: You mean the lawyer was defying the court?

Hon. Mr. Wishart: No, my point is this: When you say there are 2,400 cases on the list do not, for one moment, be led into the thought that those people are able to proceed or that—

Mr. Bryden: Many people have been waiting for months and are anxious to proceed.

Hon. Mr. Wishart: —or that 80 per cent of them want to proceed; or that if you said, "Be ready next week," that they would be there to proceed.

Mr. Singer: Some of them have waited two years.

Hon. Mr. Wishart: Yes, and if you put them on the list next month they would not be there to go on. This has been proven, this has been tried, this has been shown. Many cases are commenced with the idea of forcing a settlement and the plaintiff does not want to go on; and you have to get them right up to the trough—up to the fence, rather, I should say—you have to get them right up to the jump before they will settle. So I am not fooled by a recital of some 2,000 cases on the list.

Interjections by hon. members.

Hon. Mr. Wishart: Let me bring you up to date. Last year, 1964, there were, on the civil jury list in Ontario, on the supreme court list, 1,545 cases set down for trial; 197 were tried; 593 were settled. There was none struck out. There remain 755 not tried. And I venture, from my own experience, from the

experience I have recited and the experience that lawyers generally know, that if you set those 755 down and gave them six weeks to be ready you would not get ten per cent of them ready to go on to trial.

Mr. Singer: That is no answer at all.

Hon. Mr. Wishart: Well, it is experience. Let me say this on the matter of courtroom space. The hon. members of this House are aware that a new courthouse is being built in Toronto, that it will provide, I think it is, 21 courtrooms, 11 supreme court rooms—these are additional facilities—and ten county courtrooms. This is the obligation of the municipality of Metro Toronto and the county of York, and they are building the courthouse. It is well under way, and you can see it rising downtown; it will provide 21 additional courtrooms. I regret that they did not start a year or two earlier, but I think it is a very exemplary effort, something they should be commended for, that space is becoming available.

With respect to magistrates' courts, what is the situation? We have been negotiating with the city of Toronto—again I am not sure who claims full ownership, I believe Metro Toronto—for the old city hall. While we cannot give an assurance that we are going to obtain what we are asking, I think it is fairly definite, and I am quite in a position to say, that it would appear that there will be—that the westerly portion of that city hall will be made available for magistrates' courts—70,000 square feet of space. I am not certain how many courtrooms we reckon that will provide—perhaps some 15 to 20 courtrooms for magistrates' courts.

These things are definite; they are approaching accomplishment; and it is something to our credit that this is being accomplished. We are not unmindful of the situation but I do not think we are in a crisis at the moment. Only one judge, so far as I have been able to gather—and the hon. member for Downsview says it comes to his ears that the new courthouse is not going to be adequate—at least I read where one judge expressed a doubt that they had built it quite big enough; but I think it is a fine addition to the courtroom facilities of this county and metropolitan city.

I am reminded that there is also an addition being made to Osgoode Hall; this will provide a very considerable amount of additional space, I do not know just how much.

Mr. Bryden: Mr. Chairman, may I ask the hon. Attorney General if he now plans to leave the subject of courtroom facilities?

Hon. Mr. Wishart: Well, I do. I was going to—or I can come back to it if you wish—but I would just like, while I am on my feet, to refer to the remarks of the hon. member for Oshawa, echoed by the hon. member for Downsview. I think, yesterday evening, I had expressed views which are very much in agreement with those expressed by the hon. member; at least certainly an awareness of the desirability, in my view, of the province, taking a larger part in the responsibility for the provision of juvenile and family court facilities in that whole area. As I stated then, this matter has been not only considered but discussed and it is very seriously under consideration.

Mr. Trotter: Mr. Chairman, there was one matter I wished to bring before this House. Last February the former Attorney General (Mr. Cass) got some favourable press over the fact that he said he was going to bring in legislation in order to protect the consumer against the “fast-buck” operators we have here in the province. I think various chambers of commerce and better business bureaus in Canada have said that Canadians get milked for about \$50 million a year. Bearing in mind the size of this province and the money in this province, it is fair to assume that a great proportion of that \$50 million is wasted right here in the province of Ontario.

I would like to know if the hon. Attorney General has any intention of doing anything about this in the immediate future? I realize another former Attorney General, the present hon. Minister of Lands and Forests (Mr. Roberts), was going to do something about the drunks in our courts. Nothing happened. Then the immediate predecessor—

Hon. A. K. Roberts (Minister of Lands and Forests): A lot happened.

Mr. Trotter: Nothing happened; I have seen the courts. The immediate predecessor told us what they are going to do about protecting the public against crooks in business, and yet nothing happened but, in the meantime, you milk the publicity out of these headlines as much as you can, giving the mirage that you are actually doing something. I admit the present hon. Attorney General can be called a new man at the job, but he has been there now for over a year with the same civil servants; and if this legislation is contemplated I cannot understand why it has not been before this House.

For example, even quoting from a relatively conservative paper, the *Windsor Star*; when they were talking about the legislation they

thought was going to come forth about protecting the consumer, they said this:

The Hon. Fred M. Cass, Attorney General, promises to introduce into the Legislature a measure to protect consumers from cheaters. Such protection is long overdue.

And then they conclude by saying:

The legislation should be as strong as possible but even that will not be enough. Many victims are old people, widows, and so on, who have not the money or the know-how—

and incidentally, that is very important, the know-how:

—of how to take the culprits to court. There should be a government agency to which people can take their complaints if they think they are cheated. Then, if the complaints are justified, the government can take over the prosecution. The fact such an agency existed would make cheaters take second thoughts. It is one thing to swindle a widow or some other innocent individual and get away with it. It is something quite different if the miscreant knows that government is likely to take him to court.

I advocate that something can be done about stopping a lot of these racketeers—who, incidentally, in many cases, act within the law, or even when they have broken the law it is so difficult to catch them because the individual who has suffered does not have the money or, as this editorial said, the know-how. But to point out that it is not a pious hope I want to say again to this House that what I have mentioned they have done in the state of New York has worked very successfully. It has worked in the state of New Jersey. In the state of New York they set up a bureau of consumer fraud and protection. They have brought many people to court and the very fact that they are there is like a policeman on the beat: The very fact he is walking down the street keeps many a crook away. It is long overdue that this province do something in a big way.

I have, on various occasions, gone over this business of the magazine salesmen and the various rackets that have been used—how they force the last buck they can out of some 80-year-old woman who does not know what to do. And there are many instances where the same rackets are perpetuated. First one company starts up in Montreal and then, a few years later, it changes its name and comes back to this city; it bilks the people of Montreal and Toronto. In many cases it is a matter of jurisdiction where the Attorney

General of Quebec, the hon. Attorney General of this province, and the government in Ottawa have to get together to see that something is done.

I mentioned, I think in the Budget debate, about a racket called "the perpetual energy invention," where they try to sell a radio that is worth 98 cents for \$5 through the mails. I think Ron Haggart, a couple of weeks ago, had picked up this racket again. This type of thing has been pulled on Canadians, particularly in Ontario. I want to emphasize it really hits a large area like Toronto, and the larger centres like Montreal, because they can inundate the population quickly, grab their money out of the mail and beat it across the border. Most of them are from the United States. Again, it is something that is the responsibility of the hon. Attorney General; it certainly is under the administration of justice. I would like to know if the government really intends to do something, or are we going to have another put-off job like we had from the hon. Attorney General's predecessor?

Has the hon. Attorney General any remarks to make on it?

Hon. Mr. Wishart: Mr. Chairman, yes, I have some remarks. This whole matter has been the subject of study by the select committee of this House on consumer credit under the chairmanship of the hon. member for St. David (Mr. Price)—

Mr. Bryden: That is only one phase of it.

Hon. Mr. Wishart: It is a pretty broad study. We referred a good many things to that committee and I anticipate that the report of that committee will be tabled in this House before the end of this session; probably this month. We are expecting it. I would think that the hon. members would expect, in the light of that study by a select committee of the House, that we should, knowing that the report is about to be tabled very shortly, wait for it in order to implement it into legislation. That is one thing.

We have our anti-racket squad of the Ontario provincial police very actively watching and investigating these things, and every complaint that is received is referred to them. We have had prosecutions. Recently I recall the art fraud cases where prosecutions were carried forward by the Attorney General's department; the aluminum siding cases recently. These things we are doing but I believe that much of the answer will be found in the report of the committee on consumer credit, and the legislation which we

can then initiate and introduce to carry out its recommendations, which I think will be wide and ample enough to take care of the matter.

Mr. Trotter: Mr. Chairman, for example, here is somebody saying, "Now, run your car half on gas, half on air." This racket has been pushed for ten years, every once in a while. That has nothing at all to do with consumer credit. I admit consumer credit is part of the problem but when they try to sell you perpetual energy and tell you your car can run on air, and some of this stuff, this has nothing to do with consumer credit. I am saying that \$50 million is bilked from the people in this country—this comes from the chambers of commerce—it has nothing to do with consumer credit. That is another phase.

Consumer credit may even be worse, but I say to you that if you had a consumer protection bureau you could at least help the public to a large degree because the only firms which can really move quickly are when large firms, like what happened recently—Remington Rand sees a fraudulent person using its name, it has the know-how and the ability to move in quickly and it protects itself as well as the public; but a lot of these other firms are not able as quickly—

Mr. Bryden: What about the "Kelso Roberts' Used Car Dealers"?

Mr. Trotter: Or these small operators can bilk the small people. So again I say I often wonder what the former Attorney General had in mind when he said he was going to introduce this legislation, because the former Attorney General was not waiting for this report on credit.

Hon. Mr. Wishart: Could I ask the hon. member what he spoke of a moment ago, the example of the advertising that you can run your car half on air and half on gasoline or whatever? This is not consumer credit we are talking about.

Mr. Trotter: No, that is what I am pointing out; that is what I am trying to tell you. You said you were waiting for the consumer credit report. I say a lot of it has nothing to do with consumer credit. These are rackets.

Hon. Mr. Wishart: You just mentioned—yes, all right. In one breath he mentions consumer credit and in the next breath—

Mr. Trotter: You brought it up.

Hon. Mr. Wishart: Let us distinguish.

Mr. Trotter: You brought up consumer credit, I did not. You started to befog the whole issue by talking about this committee report.

Hon. Mr. Wishart: Well, I will try to defog it, then.

Several hon. members: Unfog!

Hon. Mr. Wishart: Perhaps this will help to clear the air. The example which the hon. member gave is purely a type of thing which is fraud, or a conspiracy to defraud somebody, and the remedy for that type of thing is found in the criminal code. You prosecute that type of thing and you do not need a new Act. I do not know how you are going to protect a consumer except to give him the right, if he is bilked, to take action by way of prosecution in the criminal courts or action in the civil courts to recover.

Mr. Trotter: If he can afford to.

Mr. J. H. White (London South): Speak to your friends in Ottawa.

Hon. Mr. Wishart: All right, then we have the legal aid coming for him, to help him with the legal side of it. We have the law there for him to take his remedy in the criminal court and in the civil court. Now what are we going to do, stand over him and make sure that the fellow does not bilk him?

Mr. Trotter: No.

Hon. Mr. Wishart: That is the only thing I know that you can do.

Mr. Trotter: I can give the hon. Attorney General a very practical suggestion. In New York again, where there are large cities, they have found that this bureau they set up is of great help.

Now, I admit nothing is guaranteed to work completely. There is probably a sucker born every minute, but at the same time, their consumer bureau to protect the public against fraud, in New York state under the Rockefeller administration, has done a great deal. I wish you would send a couple of your law officers down and talk to them to see what can be done.

Second, I would like to know this: What did the former Attorney General—after all, there are some of the same civil servants there—what did the former Attorney General have in mind when he said he was going, when he promised, to introduce into the

Legislature a measure to protect consumers from cheaters?

He got a lot of headlines out of that; now what did he mean?

Mr. Bryden: It meant what it always means, that he wants to get headlines.

Hon. Mr. Wishart: One of the things he did was to suggest a Used Car Dealers' Act.

Mr. Trotter: That was one that came up on this occasion.

Hon. Mr. Wishart: And that is in here now.

Mr. Trotter: Right, but that is the only one.

Hon. Mr. Wishart: If my memory—

Interjections by hon. members.

Mr. G. A. Kerr (Halton): You were against advertising restrictions.

Mr. Singer: No, all I wanted was an appeal in there, and you know that.

Hon. Mr. Wishart: Mr. Chairman, would you call the hon. member for Downsview to order?

Mr. Thompson: What about the other members?

Mr. Singer: I am just answering him.

Interjections by hon. members.

Hon. Mr. Wishart: If my memory serves me right, in response to the hon. member for Parkdale, I think there were amendments to The Mortgage Brokers Act, The Real Estate and Business Brokers Act—I am thinking from memory, but I know we did a number of things, just in this last year, for the protection of the consumer

Mr. Bryden: Mr. Chairman, I think one can agree that there has been some legislation enacted in the last few years which improved the position of the consumer vis-à-vis people who want to fleece him out of his hard-earned money. I think the problem in the situation is that there is no co-ordinated attack in this province. There are many crooks in the world, crooks who know how to stay within the law. The consumer is open to attack from a great many different angles, often on matters that are quite technical and really beyond his capacity to judge. I think this is the point that the hon. member for Parkdale was getting at. I

would say, as far as this party is concerned, for at least eight of the last ten years we have had a resolution on the order paper proposing the establishment of a consumers' bureau in this province. I notice we have not got it on this year; we have given up, for the moment, trying to make the government see the rationality of such a proposition, but we will keep hammering away at it. We have come to the conclusion that a quicker way of doing it will be to turf you fellows out at the next election.

This country, and I am talking about the whole country or about the province of Ontario—whichever you wish—is miles behind other civilized countries on the whole question of consumer protection. Bureaus of the type that we proposed in our resolution, and that the hon. member for Parkdale was proposing a few minutes ago, exist in many jurisdictions of the United States. They do not solve the problem of protecting the consumer from his own stupidity in every single case, but they do a great deal to assist him in protecting himself.

There are so many ramifications to this problem that it is impossible to deal with it entirely by specific statutes. I am hoping, and I believe, that The Used Car Dealers Act will clean up a lot of abuses, serious abuses, or at any rate will reduce them, but the result of that will be that the crooks will move into the selling of aluminum sidings or—

Hon. Mr. Wishart: Would the hon. member permit me just to remind him again, and ask him if he is familiar with the work of the anti-racket squad of the Ontario provincial police? I think this is almost on all-fours with the very thing that the hon. member for Parkdale has mentioned, and which you were asking for, or apparently had proposed in your consumers' protection bureau. The name is different, but the work would be exactly the same; and although I do not have at my fingertips a report of the great amount of work that that squad is doing, I know that it is very active. There are five inspectors allocated to that and they do nothing else but follow rackets and clean them up and prepare them for prosecution. This is going on all the time.

Mr. Bryden: I certainly would not like to cast any reflections at all on the work of the anti-racket squad. I think it is a necessary organization and I have no doubt it is doing a good job, but really it can move in only in cases where a crime has been committed.

Hon. Mr. Wishart: Oh, no—

Mr. Bryden: That is essentially their job, and surely a police force will move in only in that sort of situation. It is possible, you know, to do a lot of fleecing without really breaking any law.

One large problem is in the whole area of advertising—the misleading advertisement that is not against any existing law now, that I know of, or in many areas is not, and yet can certainly be used to deceive people. Then there is the whole question of standards. Now that is partly governed by federal law and, to a considerable degree, this whole subject matter comes under federal jurisdiction. Incidentally, the federal government, the current federal government, said that it was going to set up some sort of a consumers' bureau. Perhaps the hon. member for Parkdale, while he is inquiring into the matter, could find out what has happened to that federal proposal—

Mr. Trotter: The Liberals are working on it.

Mr. Bryden: If they are working on it in the same way these fellows over here are working on it, all of us will be dead before they ever get to do anything about it.

However, I think the point is clear enough. I suggest it is a matter of concern for both the federal and provincial governments and that we could very well set up consumers' bureaus, at both levels, which work together, not only in the actual prosecution of crimes, or in assisting in that, but in ferreting out and recommending appropriate action with regard to a great many questionable practices which may not be actually criminal. After all, the good racketeer is the fellow who avoids breaching the criminal code. He is the one most likely to stay in business. I am sure, if he breaches the criminal code for any length of time, the anti-racket squad will catch up with him; but other fellows who always manage to stay on the right side of the law, just skirting it all the time, are even a greater menace than some of the fellows who break the law.

However, Mr. Chairman, when I tried to get up a few minutes ago, it was for the purpose of making one or two observations with regard to the question of the overcrowding of court facilities, and I would still like to make an observation or two on that subject.

Mr. Sopha: Are you qualified to do so?

Mr. Bryden: I think so.

Mr. Sopha: Well, I will reserve—

Mr. Bryden: You know, the trouble with the legal profession is that they think that consumers are of no consequence. This is a great difficulty. If you are not lawyer, then what you say does not matter and sometimes they also seem—

Hon. A. Grossman (Minister of Reform Institutions): Have you got a QC?

Mr. Bryden: No. I have been accused of many things, but not that.

Mr. MacDonald: How low can you get?

Mr. Bryden: I had wanted to make some observations on the problem raised by the hon. member for Downsview and commented on by the hon. Attorney General. The hon. Attorney General denies that there is a crisis in this area. This, I suppose, depends a good deal on how one uses words. I think the former Prime Minister of Great Britain, or a former Prime Minister, used to be called "Unflappable Mac." I think some similar name might be appropriate for our hon. Attorney General here. Nothing ever fazes him. I have no doubt that if the roof of this Chamber fell in he would say, "Some day we must send a man to take a look at that roof." Or perhaps he would have a select committee look into it, or look through it, as the case may be.

I think, Mr. Chairman, that the point made by the hon. member for Downsview merits more urgent attention than the hon. Attorney General seems prepared to give to it. I think that the suggestions made by the hon. member for Downsview very likely have considerable merit. I will bow to my friend from Sudbury and say that I do not really know whether his proposal for the scheduling, is it, of cases would work or not. I could not say, but it certainly would be worthy of consideration; but I think, Mr. Chairman, that he has overlooked ideas which would undoubtedly make a much greater contribution to the solution of the problem than any of the suggestions he made.

I would suggest to him, and to this House, that by far the most important way to tackle the problem is to remove from the courts the large number of cases now there which do not belong there; that is the best way to relieve the congestion. At the level of the magistrates' courts that would mean getting the charges against alcoholics out of the courts; these people are not criminals, they are sick. Let us get sick men out of the courts; let us not charge a man with being sick and have a magistrate go through a form of trial and through a futile procedure of

sentencing him, knowing very well he is going to be back the day after his sentence has been served. That is one way of relieving congestion in the courts to a considerable degree.

Then if we look at the higher levels, an obvious solution is one that was proposed two or three years ago by Chief Justice McRuer, as he then was. That is to get the automobile accident cases out of the courts; they have no business being there. Chief Justice McRuer at the time said that, in all his years on the bench, he had never felt, in dealing with automobile accident cases, that he had administered justice according to law. That is how appropriate it is to deal with the vast majority of automobile claims in courts. The obvious suggestion is one along the lines Chief Justice McRuer himself made. Let us deal with automobile accident claims and the whole question of compensation for injuries and damages suffered in relation to automobile accidents in a modern, up-to-date way—according to the same sort of principles under which we now deal with industrial accidents, and have dealt with them for 50 years—in other words by setting up a public fund and have a special tribunal administer it.

Let us just consider this from the other side of the coin, Mr. Chairman. Let us assume that back 50 years ago Commissioner Meredith had been overtaken by a desire to protect the insurance industry and had not made the recommendations he in fact made, and that the government of the day had not acted upon those recommendations, and that industrial accident claims were dealt with in the courts in the same way as we now deal with automobile accident claims.

I would suggest that if we were operating under that system, we would have to build courthouses all the way along Queen Street from University Avenue to Yonge Street, including the area occupied by Eaton's, in order to accommodate all those claims. But those cases do not come before the courts at all. The compensation board, in its whole administrative setup, deals with thousands of them every year; they never come to the courts.

Let us follow a similar sensible principle with regard to automobile accidents. Let us get them out of the courts. Let us get a sensible, intelligent way of dealing with them; not a system under which a chief justice of this province says that he had never felt, in any of the cases he had dealt with, that he was administering justice according to law. Let us have a system where justice will be administered in accordance with the needs of

a situation which is of a totally different kind. Then let us see how this will affect the courts.

According to information tabled in the House by the hon. Prime Minister (Mr. Robarts) in response to a question from my hon. friend from Riverdale (Mr. Renwick) earlier in this session, as of January 1, 1965, there were 3,977 cases on the list of the supreme court; and, of those, 1,332, or approximately one-third, were automobile accident cases. A third of the cases on the list were automobile accident cases in the supreme court.

In the county courts on the same date there were 2,291 cases on the list, and of those 1,433, or 62 per cent, were automobile claims. Now, if we adopted a sensible system for handling these automobile cases we could get 60 per cent of the cases out of the county courts and a third of the cases out of the supreme court. That would certainly relieve the pressure both on the physical facilities and on the time of the judges, very greatly.

Mr. W. D. McKeough (Kent West): Carried!

Mr. Bryden: If the hon. member wants me to take another hour he should just keep on the way he is.

Mr. McKeough: The hon. member has said the same thing over again now four times.

Mr. Bryden: Is that so? Well, I am glad to know that the hon. member was listening, that is something new. He is so rarely here that we hardly know whether he is listening or not.

Mr. McKeough: The hon. member has said the same thing over and over again.

Mr. Bryden: I am suggesting, Mr. Chairman—I know the clear logic of my case is very painful to these gentlemen, but I would like to suggest to them that it is time we decide that featherbedding in the insurance industry is less important than a rational system for dealing with a particular specialized type of claim. It is also less important than relieving pressure on the courts, and if my hon. friend from Downsview is really serious about the case of relieving pressure on the courts I think that he should get behind this sort of proposition.

Mr. E. Sargent (Grey North): Mr. Chairman, to hurry this vote along—

Interjections by hon. members.

Mr. M. Gaunt (Huron-Bruce): Mr. Chairman, I want to make some very brief comments in connection with consumer protection. You may recall that I made a speech under the Budget debate about The Hire Purchase Act in Great Britain and the protection that it afforded to the consumers in that country. I would just like to ask the hon. Attorney General if he would have any comments to make about that particular Act in Great Britain.

Hon. Mr. Wishart: Mr. Chairman, I have no comments at this time.

Mr. Sopha: Mr. Chairman, I want to put in my two cents worth about the matter of the backlog of cases in the courts and I want to say by way of preamble to my good friend, the hon. Minister of Labour that we on this side of course do not apologize for the lengthy time spent dealing with these estimates. Especially have we the right to take that mental posture when we recall that during the six years that my hon. friend from Downsview and I have been here, there have been three occupants of the office of Attorney General. I was thinking if there was any other department where there had been three occupants, and I can recall that only The Department of Education has had three; but those circumstances, of course, occurred by reason of the death —

Mr. MacDonald: And Reform Institutions.

Mr. Sopha: Oh, yes, Reform Institutions, but it is likely to change almost weekly. Then again I cannot conceive of a more important subject in the life of this province than the administration of justice for the citizens. Finally this is the first year perhaps that the homework has been done in a very thoroughgoing preparation by my hon. friend from Downsview, with whom I am very proud to be associated in the light of the excellent presentation he has made and the many recommendations that he has forwarded for the improvement of the administration of justice.

Now, I want at this time to pay tribute to the hon. Mr. Justice Gale, who since his accession to the office of chief justice of the high court has spent a good deal of time and energy—and attacked the problem with real enthusiasm—in cleaning up the backlog of cases in the courts. I have had contact with him myself and I have made suggestions in regard to my own constituency which have been very courteously received, with a promise that they will receive consideration and will likely be brought into effect.

Now, I want to address myself to the matter of pre-trial proceedings which of course is not part of the rules of our courts. I just wonder—and the hon. Attorney General can answer with a yes or no—whether he has a nominee to the rules committee of the supreme court.

Hon. Mr. Wishart: Yes, I have an assistant deputy Attorney General in the person of Mr. Allan Russell, QC. He is known as the inspector of legal offices. He used to be known as the co-ordinator of justice administration, and that is the way he still appears in the public accounts; he is on the rules committee.

Mr. Sopha: Well, the rules committee of the supreme court, which I might say to the lay members of the House regarding that body of persons, that it is very difficult to find out, unless one made a very special effort, just who is on the rules committee of the supreme court. Some of the judges of the high court are on it and lawyers are also appointed. I do not know who they are appointed by—the hon. Attorney General tells us that he has one nominee—but the rules of the supreme court, of course, are the device whereby the procedure in the courts is governed, and I have said in this House before, and I reiterate it, that the rules of the court seem to have specially yielding characteristic in the presence of the insurance companies and it seems to me as a practising lawyer for plaintiffs, the insurance companies have always managed to effect changes in the rules which benefited them. I recite merely the rules governing payment into court.

Payment into court, of course, is allowed, whereby if an insurance company, or any other defendant, is permitted to pay money into court in full satisfaction of the plaintiff's claim and once paid in—

Hon. Mr. Wishart: Would the hon. member allow me just to say that the rules committee—I cannot give him the total personnel, but I know it is made up of judges, masters of the supreme court, representatives from the law society, one of the deputies of this department whom I have mentioned—when the hon. member then says that they make flexible rules and imply that they favour certain clients or corporations, or persons, I wonder at the temerity of the hon. member.

I recall in our rules the right of payment into court in mechanics' lien actions, which I think is a very useful thing. However, I really rose to say how the rules committee is made up.

Mr. Sopha: Well, I was giving an illustration of how the rules favour the insurance companies, and how they have managed to obtain changes in the rules to suit them. One is in the realm of payment into court which is an insidious device, oppressive against plaintiffs without means and a privilege that I would abolish tomorrow. I would not permit payment into court. It is particularly oppressive against infant plaintiffs for whom one has a high degree of responsibility. A few years ago, insurance companies were allowed to pay into court something up to 14 days before the trial of the action—I hope I am accurate in that.

Then that did not satisfy them. They got the rules amended so they are allowed to pay into court seven days before the trial of the action. I can record with certainty that if they miss the seven-day limiting period they very frequently make a motion before the local judge or the master permitting payment into court, notwithstanding that the time has elapsed, and leave is almost always granted.

It is useless to oppose that motion. Payment into court is nothing more than a coercive measure to put the plaintiff and his counsel on the spot, for if you go on to trial and you do not get more by way of judgment than the amount paid into court, the plaintiff must be responsible for all of the costs after payment in, notwithstanding that he may win the lawsuit.

The bulk of the costs, of course, are connected with the counsel fee at trial, the preparation for trial, and accordingly the plaintiff who does not accept the payment into court may be faced with a very heavy burden of costs. Accordingly, the decision whether to take the money out of court or not is a very difficult one to make. In balance, the lawyer may feel, counsel for the plaintiff may feel, that the claim in the light of the injuries sustained is worth more money than the money paid into court. However, he may be uncertain about the liability features. He may be uncertain about the personality of the judge and his unwillingness to give high damages—judges, you know, Mr. Chairman, have reputations. Some of them have reputations for giving very munificent amounts, and some of them have reputations for being very stingy.

These difficult decisions have to be made for counsel by the plaintiff. Let us remember so far as motor vehicle claims are concerned, something like—the hon. Minister of Transport (Mr. Haskett) will tell me—something like 98 per cent plus of the vehicles now in the province are insured, so litigation arising out

of damages on highways is a fight between the plaintiff and the insurance companies. I give that as an illustration of how oppressive it is.

In respect of infants, why not prohibit the device of payment into court? The court, after all, is the protector of the infant, you cannot settle a case on behalf of an infant without the approval of the court. Then in order to do justice to that infant, who cannot forward his own interests, take away that privilege granted to insurance companies to pay money into court, and let the judge decide what is equitable and fair and reasonable compensation for this infant.

I know of other illustrations that I could recite in the rules where the insurance companies are able to have their own way. I could go into the matter of the delaying characteristics of third party procedure, and I could speak at great length and it is a matter of great sorrow to me.

Hon. Mr. Wishart: I wonder if the hon. member is about to leave that particular subject?

Mr. Sopha: Yes, that point.

Hon. Mr. Wishart: Would the hon. member permit that I make some remarks?

Mr. Sopha: By all means.

Hon. Mr. Wishart: Mr. Chairman, I am somewhat puzzled. I am very interested in the remarks of the hon. member, but what he is talking about is a rule of procedure forming part of our Judicature Act, or part of our rules pursuant to The Judicature Act, and prepared by a rules committee established under The Judicature Act of Ontario, an Act of this province, an Act which this Legislature has power to change and which, I think, I have some amendments before the House with respect to—if I may end that sentence with a preposition.

I would just like to say this to the hon. member, and perhaps to the hon. members of the House, Mr. Chairman: The Judicature Act, section III, reads:

The rules committee shall continue to be composed of—

these are the people who make the rules by which we practise law, under which my hon. friend practises, the rules committee. These are the people that I take it the hon. member is criticizing for a rule that they have made. I am not sure whether he expects the Attorney General to disband the rules committee, or to change the Act so that I can name, or so that this Legislature rather—

Mr. Sopha: I will tell you in a moment what I am expecting you to do.

Hon. Mr. Wishart: I want to get this clear—

Mr. Sopha: I will tell you in a moment.

Hon. Mr. Wishart: I have to make my puzzlement clear in order to get it cleared up—

Mr. Sopha: Tell us who is on the rules committee.

Hon. Mr. Wishart: —because the hon. member is criticizing a rule made by the rules committee. Is it his suggestion that this Legislature disband this rules committee, or pack it up, or change its character, and how?

Mr. Sopha: I will tell you in a moment. Tell us who is on the committee.

Hon. Mr. Wishart: Here is the composition of the rules committee:

—shall continue to be composed of: (a) the chief justice of Ontario; the chief justice of the high court and five other judges of the supreme court to be appointed by the chief justice of Ontario. That is six judges; (b) two county or district court judges, who shall be appointed by the Attorney General; (c) the Attorney General, or such law officer of the Crown as he from time to time appoints.

So on that committee the government, through the Attorney General, has one nominee.

Mr. Sopha: Well, whose fault is that?

Hon. Mr. Wishart: It is nobody's fault. I do not think it is a fault.

(d) The master of the supreme court, that is the senior master; (e) three barristers or solicitors who shall be appointed by the benchers of the law society of Upper Canada in convocation.

That is six judges of the high court, the supreme court, two judges of the county court—there are eight members of it—a master, who is in the nature of a judge, that makes nine; then the Attorney General has one nominee and there are three lawyers. They make the rules.

All I am anxious to know is, why does the hon. member in this debate, the estimates of the Attorney General, say to this House there is something wrong with the rules committee?

Mr. Sopha: I want to reiterate a very fundamental principle right here. The supreme body in this province, is this Legislature. No judges, no masters, no county court judges, or anybody else. This is the sovereign body.

Hon. Mr. Wishart: I agree.

Mr. Sopha: But in this Legislature, in the realm in which I am speaking, the hon. Attorney General is the guardian of the public interest. I recall the late Mr. Justice Walsh, a great friend of that government, a very wise man and a very old man when he went to his great reward.

Mr. J. F. Edwards (Perth): A friend of yours, too!

Mr. Sopha: Mr. Justice Walsh told me—well established quite a rapport in the latter years of his life—that he was one of the members of the rules committee at one time. To use, perhaps not his exact words, but to paraphrase them, he said it was sickening to go to the meetings and to see the influence of the insurance companies' lawyers there. I can think of one that was on the rules committee for a long time, a man who whenever he appeared in court—I must not point my finger, it reminds me of the hon. Provincial Secretary (Mr. Yaremko) and I do not want to copy him—always appeared on behalf of insurance companies.

Now, sir, I say to him through you, Mr. Chairman, that if the hon. Attorney General is really the guardian of the public interests, he should wish to remedy an evil such as I have pointed out—the business of payment into court, especially in regard to infants. Mr. Justice Walsh and I shared a common view. He, too, said that he would eliminate it immediately. I think it is unjust and oppressive, it is unfair, it does not give compensation to infants in the measure that they ought to receive it. I know that from personal experience. If the hon. Attorney General will come into a rapport with me and see that there is an evil, then the hon. Attorney General, through his nominee, can become insistent to the rules committee that such and such a change be made. The office of Attorney General is one of such great prestige, the chief law officer of the Queen in the province, that he can send a strong man to the rules committee and that strong man—the man of a very determined personality—can say that this is what the Attorney General wants. I daresay that, human nature being what it is, what the Attorney General wants

in the realm of reform, the Attorney General will get. He will get through persuasion.

I am going to leave that. That is my feeling about payment into court. I could occupy the time of the House, but I will not tonight, on the score of the third party procedure, the advantage it gives to insurance companies and the way in which third party procedure delays law suits and delays the payment of money for damages suffered on highways, into the hands of persons who deserve to get their reward speedily. I have said that one of my greatest regrets about the select committee on compensation to persons injured on our highways, was that I went before that committee and presented a brief to them on this score and I asked them to urge reforms along this line. Regrettably, that select committee, in its infinite wisdom, did not feel it was appropriate to comment upon the comments of that brief. All a person can do, is to keep trying.

Finally, I wanted to make a few remarks about the pre-trial procedure, to eliminate the case load in the courts. A few years ago, at a mid-winter meeting of the Ontario section of the Canadian Bar association, they invited lawyers from the state of Michigan to describe to us—in fact they enacted, and described to us—the use of the pre-trial hearing in that state. That is a device which could be effected by a change in the rules, by the same rules committee. It is a device whereby the parties must come before a judicial officer at some point in the prosecution of the law suit and discuss with that judicial officer the nature of the case. That judicial officer's function is, of course, to see where there is common ground between the parties, so as to eliminate a lot of evidence at the trial and to shorten the trial itself. Very often, as the hon. Attorney General well knows, there is a great deal of common ground between the parties. Direction of streets, the nature of the driving conditions, the admission that the defendant was in fact the owner and driver of the motor vehicle, the change of medical reports in respect of the injury sustained, and so on.

The second function of the judicial officer is to attempt to effect a compromise between the parties. And here let me say the most satisfied litigants in the world are those that settle the law suit, and if I may have the temerity—that is the word the hon. Attorney General used tonight and I will borrow the word—if I may have the temerity I will disagree just a little bit with the chief justice. The chief justice complained that in many cases, the law suit is settled on the court-

house steps. That seemed to bother him. The case was scheduled for 10 o'clock on Thursday morning. The parties come into court and they announce to the judge, we have settled the case.

Many cases are settled on the courthouse steps. In fact, that is the best place to settle them, because as you approach the fatal hour of 10 o'clock, when the clerk cries out, "Oyez, Oyez, Oyez," one or other of the parties, or perhaps both, start to develop weak knees and biblical palsy at one and the same time, and they are not so secure as they were three months before, in the prediction of success of their case. I venture to say that most cases are settled on the courthouse steps. Indeed, a good many are settled away from the intervention of the trial judge.

Judges, after all—they will permit me to say this about them because I am not being critical—develop a reputation as being settlers, Mr. Chairman.

Mr. Justice Trelevan, with all due respect to him, and he has left the bench and I can say it, Mr. Justice Trelevan never seemed to want to try a case at all. Dan Kelly hated the thought of giving judgment in a case. He would pressure the parties, and I have been subject to the pressure, from D. P. J. Kelly, a man for whom I have the most profound admiration. He would exercise all the wiles of a very alert and agile personality and get the parties together. When that happens, of course, the judge has nothing to do for the rest of the day, because the next case is not ready to go ahead.

These things we must not interfere with. That is part of the process of judgment. But I do urge upon the hon. Attorney General that he take some steps, perhaps through consultations with the rules committee, or with the judges, or with the chief justice of Ontario, or with the chief justice of the high court, to see whether this province might not try, for a time, this pre-trial hearing, because the pre-trial hearing is merely the replication of the intervention of the judge at the trial in effecting a settlement between the parties. But the advantage of it is that the pre-trial hearing takes place two or three or four months before the case is to come on for trial, and it may be a way out.

In respect to my hon. friend from Woodbine's comments about getting the motor vehicle cases out of the court, that is a very difficult and a very complex subject. But I want to suggest that if we get the motor vehicle cases out of the court, over the howls of anguish of the lawyers—and the howls will be great—then for heaven's sake let us relax the

divorce laws so that we can make up in the number of cases—

Mr. Bryden: Do you want divorce grounds broadened in order to congest the courts?

Mr. Sopha: Well, we have a resolution on the order paper to relax the divorce laws, and this would just about balance getting the motor vehicle cases out of courts. Remember that before I was born, a long while back, we took out the workmen's cases, about which my hon. friend from Woodbine spoke with such feeling, and it just happened that with the passing of the workmen from the courts the motor vehicle appeared on the scene.

Mr. Dunlop: The advance of technology.

Mr. Sopha: Yes, it was the advance of technology. But my hon. friend from Forest Hill will agree with me that divorce has nothing to do with technology. It may have something to do with technique, but certainly not with technology. I leave that with the hon. Attorney General, and I hope that he will exercise his good offices to try an experiment with the pre-trial hearing procedure in this province.

Mr. Chairman: Vote 207.

Mr. Sargent: Would the hon. Attorney General tell us the number of civil cases awaiting judgment in Ontario courts, and would he advise if he plans to follow the precedent set by the province of Quebec in using lawyers as judge arbitrators to bring these cases to trial?

Hon. Mr. Wishart: Mr. Chairman, we have been all over that this evening.

Mr. Sargent: Thank you.

An hon. member: We were out to lunch!

Mr. Sargent: I guess I was.

Mr. J. Renwick (Riverdale): Mr. Chairman, I would like to refer to a gap in the jurisdiction of courts, in the province of Ontario, which has particular bearing on the adequacy of the functioning of the juvenile and family courts, particularly the family aspect of the juvenile and family courts.

I do not know whether it is well known in this House or not, but this is the only province in Canada in which the courts do not have jurisdiction to make a judicial declaration of separation in matrimonial cases, and I think it is essential that the hon. Attorney General and the law officers of the Crown should investigate the steps which should be

taken to confer jurisdiction to grant judicial separation to persons who appear before the courts of this province.

The reason is: As anyone who is familiar with the functioning of the family aspect of the juvenile and family court, or indeed familiar in any way with social work done in the city of Toronto, will realize, when a family situation deteriorates to the point where something has to be done in order to separate the spouses, one from the other, the only way in Ontario in which that can be done is either for one spouse to desert the other or for the two parties to sit down and sign an agreement. And I would suggest, Mr. Chairman, that in many instances it is ludicrous to expect spouses in a deteriorating family situation to sit down and sign a separation agreement.

The result, therefore, is that the only recourse available in this province is for one spouse to desert the other. Immediately you are faced with the very difficult problem of determining which one has deserted the other. And in the family court every day that particular decision is made by a court which, by its nature, is neither quite a court nor quite a family counselling service. As a result of the decisions in the family courts on this question of desertion, the ultimate financial liability of one or other of the parties or the ability of one of the parties to exist financially, is determined for all time.

There are very few people who realize that the transcript of the evidence in the family court is not available for use in any other court, and there is just no appeal from a judgment made by the juvenile and family court. The whole proceeding must then be commenced all over again, in a superior court, to obtain the decision as to whether or not one party has deserted the other for some purpose quite extraneous to the support of the spouse who has been deserted.

It is only, as the hon. Attorney General is probably quite well aware, an historic accident that the courts in the province of Ontario do not have that jurisdiction. We have heard the question of the resolution which is on the order paper raised, I think, by the hon. member for Wellington South (Mr. Worton) to debate the extension of the jurisdiction of the courts of this province in matters relating to divorce; but I would suggest that, without entering into that kind of a debate in this Legislature, it should be possible for the province of Ontario to obtain jurisdiction for the courts in Ontario similar to the jurisdiction which exists in every court in every other province in Canada.

Everyone in this House knows that there is no simple solution to the many problems which exist in family relationships in a deteriorating situation, or in the ability to keep families together; but in my opinion, and, I am certain, in the opinion of many people, the one single thing which could be done, and could be of great benefit, would be for the judges actually to be in a position to declare a judicial separation. Then it would not be necessary for husbands or wives to appear in magistrates' courts in order to get one or other of them bound over to keep the peace, in circumstances where either violence or the apprehension of violence has occurred within the family life.

It would be possible for such a judicial declaration to mean that the deserting spouse would not have any right to suddenly reappear on the scene, and the person who had the benefit of the judicial declaration of separation would be able to place it in the hands of the police and to make certain that their lives could then go forward, on determination by the courts, that they should thereafter live separately.

I would hope that the hon. Attorney General would take this matter up, because this is one matter which the hon. Attorney General could immediately accomplish for the courts in this province, without raising all the many other issues which are involved in the matters set out in the resolution of the hon. member for Wellington South.

Mr. Chairman, I would also like to refer to two or three matters that the hon. member for Sudbury has mentioned in the course of the last few days, and to express my agreement with these particular points which he has raised. I need not hark back to another debate earlier, in the estimates of The Department of the Provincial Secretary, when I reiterated the proposition that it was quite essential that bodies such as the law society of Upper Canada, and also such bodies as the rules committee set up under the jurisdiction of The Judicature Act, should be responsive to the public interest; and I agree entirely with the remarks made by the hon. member for Sudbury that the way in which the public interest can properly be brought to bear upon the law society of Upper Canada, and upon the rules committee under The Judicature Act, is through the hon. Attorney General expressing the viewpoint which has the agreement of the hon. members of this Legislature. This is not an intrusion by the legislative branch into the judicial branch at all; this is simply an effort to make the law society of Upper Canada and the rules committee under

The Judicature Act, responsive to what public opinion is on matters related to law.

One of the matters to which the hon. member for Sudbury referred was the need, now that a revision of The Law Society Act is about to be presented to this Legislature, or will be in the near future, to make certain that the statute governing the law society should specifically provide that there be an annual meeting of the lawyers of this province as members of the law society of Upper Canada, so that the governing body of the law society will, in its turn, be responsive to the opinion of the lawyers.

I need not reiterate that there has not been—certainly, in my experience, I have no idea when the last meeting was ever held, of the lawyers in this province within the framework that was granted to the law society of Upper Canada to govern the legal profession in this province. I would hope that every hon. member of this Legislature who is a lawyer, who belongs to this profession, would take advantage of this debate, of these estimates, to stand up and express his views on this particular question. I think it would be very important and very effective if the hon. members of this Legislature who are lawyers would express the viewpoint that we should have some minimum degree of democracy within our own governing profession if we profess to be the guardians of the democratic society in which we live.

The other item on which I would comment, and state my approval of the remarks of the hon. member for Sudbury, is on the question of payment into court, because this is a matter on which this Legislature could well, through the hon. Attorney General, express to the rules committee the fact that, in my opinion and, I think, in the opinion of many others, payment into court is, as has been said, an oppressive and coercive device in law suits related to insurance claims in this province.

Mr. Singer: Mr. Chairman, the remarks of the hon. member for Riverdale in relation to the great gap in our law concerning such matters as separation agreements and actions between husband and wife and so on, I think, are most pertinent. I am not going to amplify them at all. I had some notes here about which I was—

Hon. Mr. Rowntree: He spoke very well.

Mr. Singer: Yes, he did. And I just want to compliment him and express the view that—

Mr. Dunlop: Write him a note.

Mr. Singer: No, I think it is important that it go on the record that there are many people in this province who believe that there needs to be a better system of family law for the province of Ontario, that there is a big gap in this jurisdiction and as a result of it many people are suffering very severe hardship.

Mr. MacDonald: What is next on the agenda?

Mr. Singer: The next matter I want to deal with is the registry office—

Mr. MacDonald: Let us get on to it.

Mr. Singer: Thank you. The registry office and land titles procedure.

Mr. Renwick: Mr. Chairman, would the hon. member for Downsview just let me ask the hon. Attorney General if he has any comment to make on that point before we continue?

Hon. Mr. Wishart: Mr. Chairman, I am much indebted to the hon. member for Riverdale, as well as the hon. member for Sudbury, in the complementary remarks confirming their suggestion, which I think are very thoughtful and thought-provoking. I must confess, particularly on the question of the lack of a right or a power in our courts to grant a decree of judicial separation, that I used to wonder when I practised before the courts why that was lacking.

Mr. Trotter: What are you doing about it now that you are the Attorney General?

Hon. Mr. Wishart: I did not get around to doing anything about it at that time.

I would like to add to the suggestions that have been made—I think they are very worthwhile—dealing particularly, first, if I may, with what was said by the hon. member for Sudbury on the question of payment into court. I would think that that might be supported if the legal profession, as the hon. member for Riverdale suggested, represents public opinion by and large. Then I should think that a good deal could be done to strengthen the hand even of the Attorney General or this Legislature by resolutions from local Bar associations and law societies. The same would go for the matter of the power to be given to our courts to grant decrees of judicial separation. But I think the thoughts put forward are certainly worthy of consideration and worthy of some effort to see if there can be an accomplishment in that area.

Mr. S. Lewis (Scarborough West): Mr. Chairman, I would like to add something in the area of juvenile courts, after which the hon. member for Downsview can pick up on a totally new topic.

I do not think that we should allow the vote on juvenile courts within this particular branch of the estimates to go through without making some reference to that bizarre and unhappy case of young Jamie in the detention home. I want to raise it in good spirit, Mr. Attorney General, through the Chairman, because I think that it raises some rather interesting questions and merits some observations which I for one would like to hear about.

I think this particular case is sadly illustrative of a general problem, and I want to say to him that I do not pretend that the province of Ontario has a large number of deaf mute children with severe emotional disturbance but it has a lot of severely disturbed children who require some particular kind of help and for whom no such help is available. This particular case, I suggest, borders on the supernatural in its implications and in the efforts that have been made—so far unsatisfactorily.

The hon. Attorney General suffers some arrows of misfortune by association. I admit that one does not expect ministerial dispensation in this case. I think back to the matter of the Guelph inquest, raised in this Legislature, some of which was directed to this hon. Minister when, in fact, they arose from Reform Institutions. I think of the Fred Fawcett case, through which some dishonour fell on The Department of the Attorney General, when in fact it should have been directed at Health. Now, alas, we have the problem of young Jamie, and the onus of responsibility, in fact, lies jointly, I would suggest, in The Departments of Education and Health and Public Welfare, but alas, the hon. Attorney General finds himself in the unhappy fortune of making reply.

I would like to make some observations and ask some questions, and then perhaps the hon. Attorney General can respond. I am curious, Mr. Chairman, about the clinical team which made the diagnosis. I am perplexed that the diagnosis should have led to the suggestion that Jamie be placed in Milton—without previous contact with the superintendent of that institution or without previous contact with the superintendent at Belleville. In fact, sir, both of these men have indicated that they do not run psychiatric institutions; they are for children who are deaf but are otherwise normal in all faculties. I

am also perplexed that we could have made the suggestion that Jamie go to Milton or Belleville, when, in fact, the term ends in the month of June and does not pick up again until the month of September. I ask the hon. Attorney General what is to happen to this young lad in the intervening period during the summer. Does he know?

I am also curious about the position in which we have placed Magistrate Little. I am not at all sure that it is not an invidious position in an exceeding degree. I would think that if this case demonstrates anything, it demonstrates the necessity of asking all magistrates in juvenile court at the point at which they succeed to their duties to visit—

Mr. Thompson: Mr. Chairman, I wonder if I might suggest that because of the lack of interest that has been shown here, I would like to move that the committee rise and report progress, and beg leave to sit again.

Mr. Singer: The motion is in order and not debatable.

Mr. Chairman: Only if he has the floor.

Mr. Thompson: I did have the floor. The hon. member yielded the floor to me.

Hon. W. A. Stewart (Minister of Agriculture): The hon. leader of the Opposition just came in to make that motion.

Mr. Thompson: Not at all, Mr. Chairman.

Mr. Singer: Are you going to call it? Are you going to call the motion?

Mr. Chairman: No, because—

Mr. Singer: You are not? Oh, Mr. Chairman.

Mr. Chairman: Under the regulations, the speaker—

Mr. Singer: Under what regulations?

Mr. Chairman:—relating to the proper conduct, the orderly conduct of the business, the motion can be moved only if the speaker has the floor.

Mr. Sopha: Is it not competent for the hon. leader of the Opposition to move a motion?

Mr. S. Lewis: Mr. Chairman, it is not competent unless the hon. leader of the Opposition rises on a point of order and asks the member speaking if he will yield the floor for a particular motion of intent. He did not do that. It is not that I want to extract the

political drama from the hon. leader of the Opposition; do not let him misunderstand me—I am not persuaded that if we fill this Chamber we will achieve any more in this case. I am persuaded the hon. Attorney General is a genuine person and I for one, Mr. Chairman, should like to continue this and get his response, unless the issue is forced.

I want to go back, Mr. Chairman, and say that the magistrate has been placed in an invidious position. It demonstrates that one of the things we should demand of our magistrates is that before they assume their duties they visit every single institution in the province to which they can designate children, so that they are familiar with the facilities, so that they are familiar with the problems of overcrowding, so that they are familiar with the psychiatric and psychological emphasis, so that they are familiar with whatever punitive features exist if such do, so that in fact they can not make errors of judgment. I am sure this is something to which the hon. Minister of Reform Institutions would subscribe.

It also raises interesting questions about the detention home and detention home facilities. I want to suggest strongly to the hon. Attorney General that one of the ways in which we could have alleviated this bad problem, by our detention home having some clinical staff and some intense supervision for equally difficult cases; because there are many disturbed and retarded and otherwise handicapped children who pass through the detention home. You would not have had this incessant public outcry and clamour if the detention home itself were equipped to handle these children.

From all the press reports one reads, Jamie has responded to some therapeutic treatment through the demonstration of love and affection, and the proximity of other human beings, even, let it be said, untrained human beings. If, in fact, there were some legitimate counselling services available, if there was in a detention home, a treatment orientation, then many of these problems would be less severe and extreme.

The truth is, Mr. Chairman—and this is why I raise it at this juncture—the hon. Attorney General is being put in this rather difficult position because there are, in fact, no facilities, with which we are presently acquainted, for children like Jamie in the entire province of Ontario. And if there were such facilities, the people involved cannot afford them; indeed, society itself has not shown a willingness to undertake financial responsibility.

I want to suggest that the answers lie in the field of education and welfare and health. I would just like to tell the hon. Attorney General of two specific cases of which I am now aware. I am not going to give a diagnosis, but they are of an approximate kind.

I have a young boy in my riding who has been to the Toronto psychiatric hospital out-patient clinic. He is an organically disordered child. He falls within the category of learning disability: Some small degree of brain damage at birth. He has been to Toronto psychiatric hospital out-patient clinic. I have spoken to the people there, and they feel he needs some kind of intensive treatment. He has been to the Ontario crippled children's centre. They have made a similar diagnosis—they feel he needs some intensive treatment.

During the Easter holidays, he was expelled from a public school in my riding. I have spoken to the principal. He has now taken him in and the school is making a desperate effort to cope with this young boy who manifests the very broad spectrum of erratic observance in class. But there is not a single specialized class in the entire municipality of Scarborough township to look after this lad who is ten and a half years old.

Why do I raise it in this context? For two reasons, Mr. Attorney General. First, because the boy has been breaking windows in the district and could conceivably come into juvenile courts through the natural channels; second because the mother is in a state of despair and may in fact have to bring the child herself. What are we going to do? Is society again to have another dramatization of the Jamie equivalent?

Just yesterday afternoon I spoke to the hon. Minister of Education (Mr. Davis) about a schizophrenic young girl for whom there are absolutely no educational facilities in the entire area of the city of Toronto. At the moment the parents have had to make plane reservations for the United Kingdom Monday night, so that something could be done by way of alternative education. And again, the inability to communicate, and the frustrations which build up, and the disabilities involved, can manifest themselves in delinquent ways, which would bring the child within the purview of the hon. Attorney General. It would place him in another untenable and difficult position, because it is unhappy when a Minister has to respond to such individual and complex cases.

Mr. Chairman, I think what the hon. Attorney General has to do in general terms—the Attorney General generalizing is an admirable phrase—is to have the staff and

the facilities of the detention home itself strengthened and to see that the magistrate becomes much more familiar with the facilities available. And some co-ordination must be developed within this Cabinet immediately with a tremendous sense of urgency to provide alternative facilities, placements and group homes and above all, at the educational level, special classes for the wide range of children who ultimately fall within this vote, because society provides not a whit for them.

This is a sad case. I do not expect the hon. Attorney General to wave a wand and give a reply, but I do not think that he should have to suffer outraged fortune in his own portfolio because of the inadequacies demonstrated by his fellow Cabinet Ministers. I urge him to pressure them, as we are pressuring him, so that similar incidents do not arise a year from now. I say to you, Mr. Attorney General, as I stand here, with every ounce of sincerity at my command, that I think it would take no more than one or two years to provide sufficient treatment centres and special education classes to remove these extreme and dramatic cases from society. It can be done. There is already enough success evident, and I profoundly hope that you will give it the propulsion necessary.

Mr. Chairman: Vote 207.

Mr. Singer: Mr. Chairman, I want to address some remarks about our system of dealing with registration of titles in the province of Ontario.

Hon. Mr. Grossman: Mr. Chairman, would the hon. member mind if I just made some comments on the subject raised by the hon. member for Scarborough West? I think he might be interested to know—

Mr. Singer: I am going to get to the land titles later, anyway.

Hon. Mr. Grossman: I think the hon. member would be interested to know that we, in our department, have been working with the juvenile family court judges association, in setting up a programme to do precisely what he is suggesting, that is to visit all of the institutions, so they would, as the hon. member stated, be familiar with what goes on in them.

You might also be interested to know that, as a matter of fact, I met with them at dinner time tonight, before the evening session—

Mr. Bryden: None of the institutions you now have is suitable for a case like Jamie.

Hon. Mr. Grossman: All right, but it is not just Jamie. Whether there is such a place for Jamie, no one knows yet. You know, some of these cases—

Mr. Bryden: Well, maybe there is, but you will not put him there.

Hon. Mr. Stewart: It would not suit you if we did.

Hon. Mr. Grossman: No one has proven yet that there is such an institution for a youngster like Jamie. Some of these cases are so complicated, a great deal more research has to be done to find out the sort of treatment the youngster needs.

I do not know enough about this particular case, but we have such cases. In some instances it is like saying, "For God's sake somebody better do something about cancer," but no one has an answer to it yet. I will agree we have to do something about finding out what the answer is in some of these difficult cases.

The point I was getting at was that I was discussing with the juvenile court judges tonight, that under the new Act it is proposed that the juvenile court judge would state specifically the kind of treatment, or institution, or programme that he thinks a youngster who is up before him should have in preference to committal to a training school. So we will know precisely, say, a year from today, how many of those youngsters should not in fact have been in training schools, but should have been given a specific type of treatment or programme outside of a training school. So rather than talking in nebulous terms of nebulous types of programmes or treatment that these youngsters should have in place of a training school, they will tell us what, in their view, the youngster should have, and how the youngster should have been treated.

They are meeting next week. They are going to discuss this amongst themselves, and I think we are moving very rapidly in the direction in which the hon. member has suggested.

Mr. S. Lewis: Mr. Chairman, I do not want to shock the hon. Minister of Reform Institutions, Mr. Attorney General, but let me rise at this point to say that I would also like to acknowledge to him on the record, at this point, his new emphasis on the detached worker programme which he is now undertaking in the city of Ottawa. This sense of urgency, at this point in all these cases, is the only answer. That is why we flank our attack in this way.

Hon. Mr. Wishart: I just want to say, very briefly, that I appreciate what the hon. Minister for Reform Institutions has said, and I want to say to the hon. member for Scarborough West that I appreciate his suggestion. Whatever responsibility falls here, I would be glad to share. I do like the suggestion very much, that was put forward. It was one that had not occurred to me, that magistrates and judges—those who have to do with the juvenile courts—should have an opportunity, and it should be part of their education, part of fitting themselves for their functions, that they do see the places to which juveniles are sent.

The other suggestions I think are very worthwhile. I do not know the answer and I cannot wave a wand, but I appreciate the comments which were made.

Mr. S. Lewis: What does the hon. Attorney General think about the proposition of turning detention homes into more intensive treatment areas? I cannot quote the words of the editorial, it was a *Globe and Mail* editorial, but I can quote him the date. It was November 9, 1964. It was an editorial which suggested that a large number of children—representative of great disturbance and retardation, and delinquent behaviour—went through the detention centres at all times. They frequently were left for two or three months, subject only to the untutored but, I am sure, highly genuine and affectionate supervision of the workers who were there; and I think you could achieve more of that if you had interim concentration. This, of course, brings us back to the fact that was raised earlier this evening.

When a municipality like Metro Toronto is so myopic as to deny the \$100,000 specifically designated for improved psychiatric and counselling services, then children in the society eventually suffer. Although I can take no issue with the hon. Minister of Reform Institutions about the extremity and severity of individual cases, I will argue forever that there are, in fact, several thousand children in this general category, and that Jamie is reflective of a large group, not a very small and minute portion of society.

Hon. Mr. Wishart: This was suggested to me, Mr. Chairman, in the way of a question, and I would ask the hon. member not to expect me to give a proper and sensible answer offhand at this moment. I think the implication of that suggestion is one that deserves study. It carries with it a good many consequences. It carries with it much that has to be planned and worked out before it

could be suddenly put into effect. I think it has merit, but beyond that I would not like to express myself at the moment.

Mr. Singer: Mr. Chairman, if everyone is through with that particular facet, may I now get into the registry office and land titles system?

We have a system here in the province of Ontario, which in my opinion, Mr. Chairman, leaves a substantial amount to be desired and I have some remarks here that deal with some analysis of our system and some of the faults of it.

The primary purpose of all systems of land registration is to promote security of title to land and facilitate the smooth operation of the land market. Two distinct systems of land registration have existed in Ontario since the enactment of The Land Titles Act in 1885. The system created by that Act is not available in the whole province of Ontario. The counties in which it is not available, startling enough, include the county of Peel, which adjoins Metropolitan Toronto and which is represented by the hon. Minister of Education in this House.

Land not registered under The Land Titles Act is registered under the residuary system established by The Registry Act. The genesis of this Act is found in the legislation of the province of Upper Canada of 1795. The value and importance of systems of land registration are obvious to anyone who owns property in the province, and the value to each land owner or person dealing with the land owner and the state may be judged by considering the following factors.

First is the security of title of the registered owner of land; second, the scope of protection accorded to persons dealing with it; third, the ease and certainty with which any defects in his title may be ascertained and dealings affecting the land completed, and fourth, the technique and the expense of bringing the land within the system. I propose to discuss briefly the theory and the comparative value of each system on the basis of the above criteria.

Under The Registry Act, evidence such as a deed that a transaction affecting land has taken place, a conveyance, may be registered in the appropriate registry office. The system is one of document registration. Failure to register does not affect the validity of the transaction between the parties to it, but rather the priority of the transaction over subsequent transactions affecting the land. For example, a conveyance, which one came first, or a mortgage, which is first in priority,

is made to depend on the order of registration. Persons dealing with others who appear on the register to be owners of the land thus are accorded very limited protection under this registry system. The title of the registered owner is not guaranteed by the state, or the province of Ontario, although of course it may be by a solicitor, and often is by a solicitor. The solicitor charges a tariff for that guarantee, in this county in any event. It runs to 1.25 per cent of the value of the first \$20,000 with diminishing portions after that.

In these remarks, Mr. Chairman, I am not going to be uncritical of the legal profession, because I am suggesting that there is a mystique existing in the whole system of land registration that has not been critically examined by members of the legal profession, or pretty well by anyone else, for a long, long time. I just wonder why there has not been a more careful look at what I think is a most inefficient system, a system that is wasteful and a system that does not afford to the members of the public the sort of protection to which I think they are entitled.

The register does not purport to define accurately the nature of the owner's title, nor specify all the defects to which it is subject. It is incumbent upon each person dealing with the registered owner of land to satisfy himself as to the person's title. This involves the examination and the appraisal of registered transactions affecting the land for a period of at least 40 years and that is only comparatively new in terms of the length of time it takes to change the law—a comparatively new step that not too many years ago meant you had to go back to the initial grant from the Crown. As you know, Mr. Chairman, if the purchaser of land sells it after a few days or months, the process will be repeated again at further expense, and the same ground almost invariably is gone over again and the same documents are examined and the same sort of opinions are sought and given. Indeed, the process will be repeated several times within a year, in the case of many pieces of property, and several times within the year the same documents are examined, the same procedures are taken, the same sort of inquiries are made, and the same sort of tariffs are charged, and a series of people pays 1.25 per cent to have the same title guaranteed as many times as that title is dealt with.

Finally, not all the defects of the title of a registered owner are disclosed by the documents registered. For example, a neighbour may have acquired a title in fee to a part of the land under The Limitations Act,

through adverse possession, since the acquisition of title in this way is not evidenced by a document, registration is not required and a different type of inquiry has to be made.

In summary, document registration does not ensure security of the title to the registered owner. It accords only limited protection to persons dealing with it, and makes the ascertaining of the registered owner's title, hazardous and wasteful. In fact, as I say, a mistake has been established to which few people, except the very acutely educated in this particular field, can find their way. It is almost impossible, I would suggest, Mr. Chairman, for the average person who has land that is registered under our registry office system, to inform himself properly about very much by going in and getting out the appropriate register. He needs very specialized training in this regard and unless he has spent some time absorbing this type of training and this peculiar type of knowledge, he is not going to be able to tell himself very much about who has the title to a piece of land. In other words, he has to turn to the professional, whether it be a solicitor or whether it be a person who makes his living out of searching titles.

Enactment of The Certification of Titles Act was a minor effort, I would suggest, taken in 1958 to be somewhat helpful in this situation, and it provided some relief respecting land registered under The Registry Act, but it has many defects. The owner in fee of the land may apply to the director of titles to have the title of such land investigated and certified. Further and more importantly, in any area designated as a certification area by the Lieutenant-Governor in Council, a plan of subdivision cannot be registered unless and until the title of the owner of the land included in the plan of subdivision has been certified under the Act. It does not apply to land registered under The Land Titles Act.

Subject to certain qualifications upon registration in the appropriate registry office, a certificate of title is conclusive evidence as to the day, the hour and the minute named therein that the title of the owner of the land is described as absolute and indefeasible, but that is only under this procedure.

The Certification of Titles Act assurance fund was established by the Act to compensate persons wrongfully deprived of land or of an interest in it, by reason of the title being certified. In addition to all other fees, in order to constitute the fund, applicants under the Act are required to pay a defined sum of money calculated on the value of the land.

In one of the questions I addressed to the hon. Attorney General, I inquired about the delays in connection with this procedure, and in my question 71, I asked:

Will the Attorney General advise:

1. What is the average length of time required to issue a certificate of title from the date of application until the land is registered in the land titles office:

(a) in all land titles offices in Ontario,
(b) in the land titles office, Toronto?

2. Have any complaints been received about the length of time so required?

3. What are the reasons for such a length of time?

4. What steps have been taken to remedy this situation?

And the answer that was tabled said this:

1. (a) One to two months, depending on completeness of the submission and complexity of the application.

That is in offices other than Toronto.

(b) One to five months, depending on completeness of the submission and type of application.

This applies to Toronto.

2. Yes—in the form of written, telephone and personal inquiries at the land titles office.

3. (i) A marked increase in volume—of the applications, and he details particulars of the volume:

—the extension of The Land Titles Act, submission of faulty surveys, the failure of some lawyers to file applications, change in the nature of the application, applications are becoming more complex—

and so on. He gives six reasons, all of which have some substantial importance in them.

What steps have been taken to remedy the situation? He says:

The employment of additional staff—a detailed audit of the methods—

Hon. Mr. Rowntree: Mr. Chairman, we cannot hear the speaker over here.

Mr. Singer: I am sorry. To continue quoting:

—a detailed audit of the business methods in these offices, visits and inspections to various offices with the result of suggestions as to how procedures can be improved.

But the fact is, Mr. Chairman, that there are substantial delays. The delays occur partic-

ularly in Toronto where, I suppose, the greatest number of transactions go on in real estate of any place in the province, and where the delays are lengthiest.

The hon. Attorney General does not refer—and I think perhaps we could just pause a moment in this presentation and deal with it—to the difficulty in obtaining and retaining staff, both in the land titles offices and in the registry offices. I think that the salary levels in these offices are far too low, and I am not alone in this opinion. I referred once before in this House to some remarks made by Mr. Hurst, the former registrar of the registry office for the east and west ridings of the county of York, who stated in a letter that he sent out to some members of the profession that it had been difficult during 1964 to keep the abstracting up to date, owing to the difficulty in hiring abstractors at salaries permitted by the government. He continued:

Representations have been made which I hope will eventually improve the situation.

There was a young gentleman who was a very efficient person, in my opinion, in the land titles office in Toronto—perhaps my friend, the hon. Minister of Labour would be familiar with him. He was there when I was a student. His ability and intelligence appealed to the responsible governmental officials of the day. They determined that he was the logical person to send, at government expense, to Osgoode Hall, because not only did he have the practical knowledge and experience of working in a registry office but he had the ability and interest in advancing his education. The general intention was, I would imagine, to have as a trained man in the land titles office, a young man of ability and intelligence and education.

Well, what happened? He went off on government time and at government expense, to Osgoode Hall and came back into the land titles office. Because of our fascinating system of determining pay for civil servants, whoever is responsible for these things determined that the young man had to go into the category of young lawyers just out of law school. He was expecting to take—and I think reasonably, and I would imagine the people who were responsible for having made the original decision would have expected this young man would have to take—a very important role in the running of that office, but after he had gone into that position and spent several months there waiting for payment and position commensurate with his ability, his education and his training, and

nothing being forthcoming, a very well-known firm of solicitors in London, which does a great deal of real estate work, came to him and asked him to go with it. I do not know what the salary is that he is getting in London, but I am sure that it perhaps multiplies by two or by three what the government was paying him.

So in the one effort that I am aware of in the land titles system in Toronto, because there was no ability to cope with situations like this, because everything seems to go into a sort of meat-grinding system and you do things by number and by category, you lost the first professionally trained man through the system that our registry offices seem to have produced and that the land titles system seems to have produced. You will never replace him; you will never get that man back in again, because of the very unfortunate experiences he had working in those offices.

I compliment the hon. Attorney General for one departure that he has made that has come to my notice and to that of many members of the profession. He has departed, very fortunately, from the approach that most of his predecessors have taken, of looking outside the system for the top jobs in the registry office, both in the registry office for the city of Toronto and the registry office for the east and west ridings of the county of York. When those positions became vacant, the hon. Attorney General looked carefully at the deputy registrars and saw fit to appoint, as registrars in both those offices, the men who had served there many years and who, up until this Attorney General's arrival, had no hope or expectation—no matter how able they were or how much experience they had—that they were going to get the top jobs. In these two cases that I am aware of the hon. Attorney General did this and I compliment him for it.

I would suspect, and I would hope, that this same attention is being paid to ability in other registry offices and that the old system is not continuing in other places where you look for someone who needs some political award, whether he knows anything about registry offices or is interested—that it is nice to put good old Joe in as registrar because the deputy is there and is going to stay and do the work anyway. This is a new approach and it is a good one. I hope it continues and applies throughout the whole of the province.

I assume, in most parts of certification areas—which I was talking about before I got off on this thought about salaries and staffs and so on—an owner wishing to subdivide and develop land must prepare and register a

plan of subdivision in order to comply with sections 26 and 28 of The Planning Act. In a certification area the registration of a plan must be preceded by compliance with The Certification of Titles Act. It has been pointed out that the Act has no application to land registered under The Land Titles Act.

The Land Titles Act—in sharp contrast to The Registry Act—supplemented by The Certification of Titles Act, establishes a system of title registration. Generally speaking, the title to the land can only be effected by an entry made upon the register and not by a transaction made off the register. After the first registration of a parcel of land the person shown to be its registered owner by force of the legislation is conclusively presumed to be the owner and to have the title described on the register.

Hon. Mr. Rowntree: Mr. Chairman, might I ask a question of the hon. member?

Mr. Singer: Yes.

Hon. Mr. Rowntree: By reading the entire dissertation of the history of the system, what is the hon. member's point?

Mr. Singer: My point is to inform the hon. members of the House and the members of the public of the systems that we have and the methods by which they work, because I think, Mr. Chairman, it is most important that this sort of system be discussed, be understood, in the hope that we can bring some real reform to our method of dealing with the registration of land, as I said at the beginning of my remarks. Whether you are satisfied with that answer or not I do not know. In any event, that is my purpose and that is my answer.

Mr. Chairman, as I said at the beginning of my remarks, it is my opinion that this is a system that is archaic and outdated; that it is not properly serving the interests of the people of Ontario; that it is surrounded by much mystique and mystery; that the average citizen, by and large, is unable to find out on his own who owns a piece of land and who else might have an interest in it. I think this is a problem the government must turn its serious attention to at the earliest possible opportunity.

Hon. Mr. Rowntree: You never took that position as a lawyer.

Mr. Singer: I am not going to bother to answer these remarks. If my friend, the hon. Minister of Labour wants to get up and answer some of these criticisms, that is his privilege.

Hon. Mr. Rowntree: I am just looking at the sincerity of your presentation.

Mr. Singer: Mr. Chairman, if the hon. Minister is questioning my motives, I would draw to his attention the rules of this House which make it quite clear that this is not permissible. What other purpose the hon. Minister has, I do not know. I propose to continue with my remarks.

Hon. G. C. Wardrope (Minister of Mines): Those who talk longest do not come back.

Mr. Singer: The registered owner is the only person—

Hon. Mr. Wardrope: Remember that.

Mr. Singer: I skipped a sentence there. After the first registration of a parcel of land—

Hon. Mr. Rowntree: Did somebody else write what you are reading?

Mr. Singer:—a person who is shown to be its registered owner, by force of legislation, is conclusively presumed to be the owner, and to have the title described on the register. It should be noted that the title shown on the register does not disclose, for example, zoning bylaws.

Other qualifications are specified in the Act. The registered owner is the only person who may deal with a registered parcel of land. The purchaser may rely on the register of title as conclusively establishing defined title in the registered owner. It is not necessary for him to look further than the register in order to determine who has the title to the land. Neighbouring landowners cannot acquire title to a part of a parcel of land registered under the Act by adverse possession.

The Land Titles Act assurance fund is constituted under the Act to compensate persons wrongfully deprived of land, or some estate, or interest therein, by reason of the land being brought under the Act, or by reason of some other person being registered as owner through fraud or misdescription, omission or other error, in a certificate of ownership of land, or of a charge or an entry on the register.

In addition to other fees payable on an application for the first registration under the Act, a defined sum of money is computed on the basis of the value of the land and buildings involved, and is payable to make up this fund.

Mr. Dunlop: Could the hon. member not be more exact—

Mr. Singer: I am sure that the hon. member for Forest Hill has studied these statutes very carefully, and if he feels that anything I am saying here is wrong, I would appreciate his comments. I think this is a fair and reasonable summary of what is in these statutes, and I think the hon. member for Forest Hill, being a fair-minded man and interested in the progress of government in its advancement in the interests of the public, would agree with me that we should have a better system of dealing with land registration than we have—the registry office system and the land titles system.

Mr. Dunlop: The hon. member's comments are more useful than your readings and lectures.

Mr. Singer: That is a question of opinion, and it is an opinion I do not share with the hon. member for Forest Hill, so I am going to continue on with my readings, my lectures and my comments until I have had my say. That is why I was sent here, and that is what I intend to do.

Hon. Mr. Rowntree: Mr. Chairman, as a matter of interest, are you going to continue? This commentary is more properly under the Budget or Throne Speech debate rather than a debate on the estimates. Mr. Chairman, are you going to continue to permit this?

Mr. Singer: Mr. Chairman—

Mr. Chairman: I believe it comes under the registry office.

Mr. Singer: Of course it does. Thank you, Mr. Chairman. As my hon. friend well knows, since he has come into the House at eight o'clock he has made a concerted effort to disturb every remark I have said. I accept his remarks in the intention in which they are given, and I am going to proceed in any event.

Mr. Chairman: You have the floor.

Hon. Mr. Rowntree: Mr. Chairman, it is the most unfair reactionary comment from the hon. member since he has been in this House.

Mr. Singer: The Land Titles Act has been made to apply to many municipalities. The Land Titles Act, 1885, applied only to the city of Toronto and the county of York. By 1911 the Act provided that it applied as well to the county of Elgin, including St. Thomas; the county of Ontario, the city of Ottawa; the county of Carleton and the provisional judicial districts in northern Ontario. It also

permitted the council of a county, city or separated town to extend the Act by enacting a bylaw declaring it to be expedient that the Act be extended to such municipalities. Further, a procedure was established by which ratepayers of a county in which a city or town to which the Act had been extended was situate, to petition the Lieutenant-Governor in Council to extend the Act to such counties.

By 1962, in the land titles amendment Act of that year, the Act had been extended and made to apply to every local municipality in the counties of Elgin, Ontario, Carleton, Lincoln, Halton and York, including Metro, and the united counties of Prescott and Russell. Since 1962, the Act has been extended by bylaw to the counties of Essex and Welland and the cities of Riverside, Windsor, Niagara Falls and Welland. Unfortunately, Mr. Chairman, it does not apply to significant parts of southern Ontario, including, for example, the counties of Peel, Middlesex and Wentworth, which are experiencing, and will continue to experience, great increase in commerce and land.

Apart from the provisional judicial districts in the municipality to which The Land Titles Act applies or has been made to extend, the owner of land registered under The Registry Act must choose to make application for the first registration under The Land Titles Act. If he is the owner of land which has been divided and developed, unless he is concerned to have his suspected defect in title removed by adjudication on an application for the first registration, or is compelled to comply with the demands of a lender of funds, there is very little incentive for him to make such an application. The benefits which flow from the title registration system tend to accrue to successors in title of the current owner, and the state.

In addition, significant fees must be paid on first registration. It is unlikely that they would be reflected by an increase in the value of land. Accordingly, one would expect comparatively few owners would choose to apply for first registration under The Land Titles Act, and very few of them in fact do.

However, a curious and indirect incentive is provided to bring land under The Land Titles Act where the area in which land is situated has been designated a certification area under The Certification of Titles Act, and is one to which The Land Titles Act applies or extends. If, prior to the marketing of land, a plan of subdivision must be registered as a result of an enactment of a bylaw by the municipality under section 26

of The Planning Act, designating the area in which the land is located as one of subdivision control, the owner must choose between bringing the land under The Land Titles Act or applying for certificate of title under The Certification of Titles Act, and registering it. The expense schedule under the two Acts is so formulated, and the administrative procedures are such, that it is often advantageous from a cost and convenience standpoint to make application for first registration under The Land Titles Act.

This incentive, if it can be so described, is said to work satisfactorily as a technique to promote registration under The Land Titles Act. It does not work if the land is located in an area defined as a certification area, but to which The Land Titles Act does not extend. Such an area is the township of Toronto and the county of Peel, just outside Metro.

Of course, once a plan of subdivision has been registered, The Certification of Titles Act cannot be used to promote registration under The Land Titles Act. Thus, the thousands of plans of subdivision already registered are completely unaffected by this legislation, and the land within them will continue under The Registry Act. So many of these things that appeared on the surface to have substantial benefit, in fact really produced nothing except a momentary clearing of the air, and the system is proceeding retrogressively once again.

I would suggest that from the standpoint of the present owner of land, persons dealing with them and the province of Ontario, that the system of title registration provided under The Land Titles Act is obviously—it is not just a suggestion—regarded as a far superior system to that of the registry office system. The technique of extension of the Act in municipalities by local option manifestly has not resulted in these advantages being diffused throughout the whole province. Further, the technique of determination by individual owners whether to make application for the first registration under the Act has not worked satisfactorily. Finally, The Certification of Titles Act provides no answer to the long-range problem of promoting security of title to land, and to the smooth functioning of the land market.

It would seem to me that the following reforms could, and should, be taken and could, and should, be taken almost immediately. First of all, I think it is obvious that The Land Titles Act should be amended and made to apply to all parts of Ontario.

Second, there should be a requirement that

all new plans of subdivision be registered under The Land Titles Act and be preceded by an application for a first registration under that Act by the owner of the land.

Third, I would suggest that these parts of The Certification of Titles Act inconsistent with these recommendations be repealed.

Fourth, I would suggest that we adopt a suitable technique to bring all land now registered under The Registry Act into The Land Titles Act.

Fifth, and I think it is an important part of any of these recommendations, we must concentrate on improving the staff and on improving the facilities.

Just recently, in the land titles office at Toronto, there was a delay of I think a month or six weeks because suddenly a crisis had arisen in another part of the province and several of the senior men from the land titles office in Toronto had to be quickly taken to another part of the province to assist in helping out in that crisis. While those men were gone from the Toronto office, the work there slowed down to a very substantial extent, and almost, in certain phases of it, came to a halt.

To be fair and reasonable to the people of Ontario who own real estate, I think we have to establish a better system. The land titles system at the moment seems to be far superior—there is no question—to the registry office system. It may be that there is something even better than the land titles system, and there are many practitioners who are not too sure that the land titles system is in fact the final answer. But certainly, a system of half land titles and half registry office is not working and is not working at all. As you go into our registry offices and into our land titles offices, you must recognize that we are unable to attract in those offices young men who are anxious to make a career of working in registry offices and in land titles offices, because we are not providing sufficient incentive by way of pay and opportunities for advancement to make this an interesting and attractive career.

Time has long since caught up with the antiquated wage scales and the lack of attention that we have paid for so many years to our civil servants, and in the registry offices and in the land titles offices, we are suffering as a result of it. It would be my hope, Mr. Chairman, that the hon. Attorney General tonight would have some real promise of some immediate progress to be made in this, rather than the sort of minor amendments that we see from year to year, to The Land Titles Act and to The Registry

Act, which are housecleaning amendments or which change some very minor detail.

Mr. Chairman: Vote 207.

Mr. MacDonald: Mr. Chairman, I have been waiting for about two days to have a few words on this vote, on collection agencies. I note that in vote 207 comes the division courts, which I presume is the appropriate place to make these comments.

I am not going to illustrate my point at great length, because I think hon. members are generally familiar with a problem that I want to remind them of by taking one case history. I do not think it is out of the ordinary, though it is certainly extraordinary. It is a case history that was reproduced by Ron Haggart in his column of March 19, entitled—

Mr. Edwards: Reading the papers again.

Mr. MacDonald: "Elsie Brown."

Mr. Edwards: You have been reading the papers to get all this.

Mr. MacDonald: Some of us do a lot of things very frequently. I read the papers, you do other things very frequently.

Mr. Edwards: You have to read the papers to get this type of thing.

Mr. MacDonald: Maybe my excesses are less damaging.

Mr. Chairman, this is the case of one, Mrs. Russell Brown, who signed a contract for five magazines with the Education Book club on November 23, 1963. She was supposed to receive a cook book valued at \$24, and in the contract it said, "Allow 14 days for this book to arrive." Well, the cook book did not arrive. Indeed, it did not come to her neighbour whose name she was supposed to have submitted, and therefore she wrote to the Education Book Club and said she was not interested in the magazines any more. She then got into a year-plus of exchanges with the Education Book Club, or its collection agency, known as the Sentinel Credit Corporation which demanded increasing amounts of money that started out at \$13.95 and ultimately climbed to \$93.40.

The first letter she got from the book club—and I want to read this one, because it is indicative of the kind of threats, indeed of terrorizing, that goes on—said:

This is to advise you of the fact that your contract has been submitted to our lawyer for collection. He has been instructed to issue a writ of summons to be served upon you by the bailiff—

and Ron Haggart says "sic" after that, because I do not think the bailiff comes into the picture here anyway, even if they had proceeded with an action.

—in order that we may obtain judgment against you in the division court. This action against you will only result in the collection of your account in full plus court costs, that can result in considerable loss of sometimes valuable time and oftentimes considerable embarrassment.

If you read that letter carefully, absolutely every imaginable phrase is thrown into the letter to terrorize this person into putting that cheque for whatever it was—\$13.95 or somewhere between there and \$93.40—into the mail, to avoid all these dire consequences. But Mrs. Brown was not deterred. She did not send the money in, and in a short time she received a pink-coloured, rather official-looking slip claiming to be a 48-hour notice, final notice of court action. It said:

Unless payments are made our lawyers will file proceedings against you without further notice.

Three months later, on August 13, 1964, she got another 48-hour notice all over again, saying once again that the lawyers would be taking proceedings.

In between these two pieces of pink paper, the Browns received another official-looking document, which was clearly designed to fool the ordinary person into thinking it was some kind of legal document. On it there were smudges of red ink which, if you examined them closely you would recognize were not an official stamp. All of it was set out in very legal fashion in its printing.

The final threat came on January 25, 1965, when the Sentinel Credit Corporation sent a letter to Russell Brown at the factory where he is an engineer. The envelope had the word "garnishee" on the outside and the letter inside was emblazoned with the words "notice of impending garnishee action" in bold red type. The document, says Ron Haggart, was dated three days before the Sentinel Credit Corporation dated its writ and it was six weeks before the Sentinel Credit Corporation case was even called for trial. There was no impending garnishee action at all. There could not have been; it had not gone to trial; there had been no court action.

Finally, Mr. Chairman, this thing did come to court, and Mrs. Brown was there with her lawyer, but the Sentinel Credit Corporation decided that it was not going to fight it any more, so the whole case went by default.

Later on, in another one of his columns, Ron Haggart, who has pursued this and done a great deal of the research that I draw to the attention of the hon. Minister, notes the fact that he knows of not a single instance where these phony front collection agencies, or collection agencies that are a front, will actually go to court if the person is willing to fight this matter through. In other words, the whole thing is a case of blackmail from start to finish, to try to extract this money from people. He draws attention to this fact, that in Canada, we have now emerging a kind of organizaion that has emerged in the United States, where the recipient is left with the impression that he is getting a document from a collection agency, when, in fact, it is only a mimeographed sheet that is sent out, and indeed sometimes comes from the very same office of the company that has been dunning him all along.

We have in Canada today, a Canadian credit and collections agency, which is one of these phony front organizations. I draw to the hon. Minister's attention—in case he has not got a satisfactory answer for me as to what he is willing to do in coping with this kind of thing, at least with regard to these phony collection agencies, which are really house organs within the companies—that the US government has acted. It is sitting down with these companies and saying, in effect, "Do not pursue this any more, because it is not going to be tolerated," and they called off the hounds. The US federal trade commission sat down with a group of companies, which shows just how far-reaching and how important the organizations were which were involved in these practices. It involved the Popular Science Monthly, the Heritage Club, The History Book Club, Simon and Schuster, Pocket Books Incorporated, Golden Press Incorporated, Grolier Enterprises and the Conde Nast Publications Incorporated.

I repeat, the federal trade commission, the FTC, sat down with these companies and persuaded them to cease this kind of letter through a phony front organization, and at least that aspect of this kind of terrorization has come to an end.

As Ron Haggart points out at the conclusion of his column:

There is no such inhibition in Canada because no action has been taken by this government.

Now, I put the question to the hon. Minister. I think this is an intolerable kind of terrorizing of people—bulldozing them to extract money when there is a good deal of evidence to suggest that when they get to court, if it

goes to court, the companies simply will not appear.

Can the hon. Attorney General give the House any assurance that he is willing to do something about it?

Hon. Mr. Wishart: Mr. Chairman, I wonder if I might ask the hon. member before I answer him, was this agency a house organ—the one he is particularly describing—the example he used—was it an agency of some mercantile house?

Mr. MacDonald: That is not the long Brown case, no.

Hon. Mr. Wishart: One other question: Did the lady who was being badgered make any appeal or complaint to The Department of the Attorney General?

Mr. MacDonald: I am not aware that she did, though I cannot speak with assurance on that point.

Hon. Mr. Wishart: Well, might I say this then—answering first the question of collection agencies generally and The Collection Agencies Act—I have some notes in this vote 208 with respect to collection agencies: There are 134 collection agencies with 60 branch offices and 830 collectors registered under and subject to our Act. Three registrations were cancelled during the year for shortages in trust accounts; known losses to the public were \$90, \$750 and \$1,200; claims have been filed under the surety bond which the registrants are required to pay—this is incidental information; 167 complaints were received during the year.

Most complaints were against collectors for using threatening or abusive language over the telephone. These complaints expressed as a percentage of the total received, are now tabulated against each agency, and repeaters are required to show cause as to why the registration should not be cancelled. This new procedure has caused a marked reduction in complaints against abusive language and we are hopeful that the improvement will continue.

I recall, Mr. Chairman, in our Collection Agencies Act, section 20:

No collection agency shall, among other things, use any form or form of letter to collect, or attempt to collect, money from a debtor unless a copy of the form or form of letter is filed with the registrar.

So they must submit this very type of letter to our agency, and we have this pretty well covered. I think—I cannot put my finger on

it, but I am certain that in this Act—I had introduced an amendment where if an agency was attempting to use anything simulating a court form, this is a heinous attempt, if I may call it such. But we have it covered by the fact that they must submit the collection letter—in any form—to the agency and have it cleared before they can use it.

Now if this lady had complained, she could have saved herself hiring a lawyer and going to court, I think. In any event, she could have stopped that type of letter.

As to the house agency, this is a new touch.

Mr. MacDonald: Before we leave that, have you had many complaints with regard to the Education Book Club, because this is the one—

Hon. Mr. Wishart: I have not got the names of the firms complained against; there were 167 complaints—

Mr. MacDonald: Because—

Hon. Mr. Wishart: I will be glad to look it up.

Mr. MacDonald: There are two or three other columns that repeat accounts in connection with the Education Book Club.

Hon. Mr. Wishart: The Education Book Club; we will take a look at it.

I do not know about the house agencies, but I am quite certain that this came to our attention as an abuse. In this country we would be able to find means to deal with it. I do not know if the Act specifically refers to such, but I think it would perhaps qualify as a collection agency—it carries on the business of collecting debts for other persons; a person who carries on the business of collecting debts for other persons. I should think that we would be able to surround that area, if it came to our attention.

Mr. MacDonald: In other words, Mr. Chairman—I should just like to clarify this—I take it then that if enough complaints come in to you and demerit marks mount up against any company, that they would have their licence taken away.

Hon. Mr. Wishart: That is what is happening. That is the way we are proceeding.

Mr. MacDonald: I hope that this gets out. It does not look as though it would get out much tonight, but we will send a copy of *Hansard* to Ron Haggart. Maybe he will do

a column on that and flood you with complaints, because I really think that this should be cleaned up.

Hon. Mr. Wishart: Mr. Chairman, on that last commentary, if I had thought, we were on 207, I would have drawn it to the attention of the hon. member that that was under 208.

Mr. MacDonald: I am sorry; I thought it was under division courts.

Hon. Mr. Wishart: We have got that, I trust, disposed of—at least part of 208 covered.

Mr. B. Newman (Windsor-Walkerville): Mr. Chairman, I would like to bring to the attention of the hon. Minister the problem of bingos and car raffles. I understand that this would come under the administration of justice and under this vote. Am I right, Mr. Chairman?

Hon. Mr. Wishart: I suppose the enforcement of any breach of the criminal code is part of the administration of justice.

Mr. Newman: Mr. Chairman, some three years ago the city of Windsor passed a resolution that had been endorsed by the inter-service club council—which is a group of all the service clubs in the community—and the city recommended that legislation be passed authorizing the service organizations to conduct raffles, bingos and so forth on behalf of charitable purposes. I understand this is federal.

Hon. Mr. Wishart: Yes. I want to draw this to the attention of hon. members—this is definitely federal legislation.

Mr. Newman: I am working on the enforcement aspect of it only, Mr. Chairman.

An hon. member: Why bring it up here?

Mr. Newman: Because of the difficulty of uniform enforcement throughout the province; that is why I am bringing it up. In my own community, the enforcement, as far as car raffles go, is very severe. No car raffles are allowed whatsoever. But it is very disturbing to the community when you find other parts of the province conducting car raffles. Does the department enforce a ban on car raffles throughout the province?

Hon. Mr. Wishart: All I can say to the hon. member is that we have enforced the law when a breach of it is brought to our attention.

Mr. Newman: Well, Mr. Chairman, if I may, does the department enforce the ban when it comes to the Canadian national exhibition, because from my understanding, they do conduct a car raffle?

Hon. Mr. Wishart: If you bring it to our attention we will enforce it.

An hon. member: Would you like us to go and lay a charge, lay an information?

Mr. Chairman: Vote 207.

Mr. Singer: Mr. Chairman, I have several more topics. I wondered if the hon. Attorney General wants to comment on my remarks relating to land titles and registry office? I think this is a most important topic.

Hon. Mr. Wishart: I have a very brief comment, Mr. Chairman. I am much indebted to the hon. member for his very learned and lengthy dissertation. I can inform him that the salaries of officials in registry and land titles were revised substantially upward, with further consideration to be given to that phase, which I think will improve our staff, and he will note by looking at the estimates that there is quite an amount requested for additional members of staff.

I do not propose at this hour of night to attempt to discuss historically, as he did, the merits and demerits of one system against the other. I have lived with both. As he noted, the provision of judicial districts calls for land titles offices. They fall heir to that by virtue of the Act, except where registry offices may have previously been established. Both systems, in my experience, have worked very well. As he also knows, any area that wishes to go over to land titles may do so. A municipality does it by passage of a bylaw, owners by petition. There is some assistance afforded where judges' plans are required; then, the government assists financially. We are trying to improve the systems by increases in staff and increases in salary and I think, by and large, the systems do not work badly.

Mr. Chairman: Is vote 207 agreed?

Mr. Singer: No, Mr. Chairman. This is a sort of catch-all vote and there are a number of subjects that have to be discussed under this one. I think one subject that we should talk about for a while is the whole question about grand juries. There was a story carried in the Toronto press just a few days ago, a few weeks ago—

Mr. Edwards: That is another press clipping you are working on.

Mr. Singer:—concerning grand juries which I thought was a little amazing, if in fact it is correct, and it appears to be. The question was asked, addressed to the sheriff of the county of York, as to what real powers a grand jury has. This article starts off:

How grand are a grand jury's powers? May they stroll through Queen's Park and inspect the Prime Minister's office or perhaps sit in on the Cabinet meetings?

These questions were raised by a grand jury report last week which asked that future panels be given a list of buildings that they might inspect.

"We found it difficult to assess what to inspect due to the lack of information supplied to us," wrote the foreman, R. S. Kellow. The York county sheriff, Phillip J. Ambrose, who would have to supply any list eligible for inspection, says he would be at a loss to give specific instructions. The Jurors Act says a grand jury may inspect any institution in the county supported wholly or in part by public money.

Is that as broad a mandate as it seems to be? "I don't know what it means," confesses the sheriff. Does it mean hospitals, does it mean schools? What is an institution? Has it necessarily to do with criminals or with places of detention or just what does it mean? Or does an institution maintained in whole or in part by public funds encompass governmental departments and administrative tribunals—for instance, the workmen's compensation board?

By tradition, says a spokesman for the Attorney General's department, grand juries inspect only institutions which house people, homes for the aged, jails, and so on. But asked if a jury had a legal right to walk through the Queen's Park offices the official said, "Don't ask me to interpret."

My obvious question to the hon. Attorney General is, if the sheriff of the county of York is not able to answer these most most pertinent questions, and apparently he is not, is there not some method by which rules and regulations and instructions can be passed on to such people as the sheriff, so that when the grand jury approaches him and says, "What can we do, where can we go, what can we inspect?" there would be readily available to the grand jury a reasonable answer?

Hon. Mr. Wishart: Mr. Chairman, there is a Jurors Act to begin with, which sets out certain responsibilities and duties of grand juries. The sheriff, particularly the sheriff of Toronto, has a manual, quite a thick book,

telling him what his duties are and I know it specifically covers the instructions for grand juries. Grand juries are usually also instructed by the presiding judge. But I have not heard of any difficulty or any confusion on the part of grand juries.

Mr. Singer: If the hon. Attorney General has not heard of it, this story seems to indicate it and I just wonder why the sheriff appeared to give those answers.

An hon. member: Whose story is that?

Mr. Edwards: Is this a newspaper account again?

Hon. Mr. Wishart: Is this another newspaper clipping?

Mr. Singer: Yes, it is a newspaper clipping. If it is wrong, then I think the hon. Attorney General—

Mr. Edwards: Mr. Chairman, we have been listening to newspaper clippings for two months now.

Mr. Bryden: It saves you reading them.

Mr. Edwards: Sure, I read them, the same as you do. But I do not make all the hash you do.

Hon. Mr. Rowntree: Where is the hon. leader of the Opposition?

Mr. Thompson: Listening, and I think what you should do is also listen.

Mr. Singer: Mr. Chairman, I was wondering how much supervision the hon. Attorney General's office exercises over the sheriff's office in the county of York. I am advised that there are personnel there consisting of some 100 members and that in the last 12-month period some 16 have left and that there have been very serious staff troubles. Has the hon. Attorney General had any occasion to check on the reason for the very substantial staff changes in that department? Have there been complaints about lack of pay or bad supervision or poor working conditions? It seems to me that those figures are alarmingly large and that it would be more in accord with the proper administration of justice that there was some better continuity in that staff.

Hon. Mr. Wishart: Mr. Chairman, I will not take the time, although it would take but a moment, to draw to the attention of the hon. member for Downsview the fact that the amendments to The Sheriffs Act are before the House at this session on the very points he raises. They provide that section one of

The Sheriffs Act be repealed and the following substituted therefor:

The Lieutenant-Governor in Council may, by commission under the Great Seal, appoint a sheriff for each county and district and may appoint such persons to the staff of the sheriff's office as are deemed necessary and may fix their position specifications, salary ranges, and terms and conditions of appointment.

That is new.

Mr. Singer: That is only permissive though and I presume—

Hon. Mr. Wishart: I think you may rest assured it will be exercised.

Mr. Singer: All right. Am I able to read sufficiently well between the lines to attempt perhaps to put words into the hon. Attorney General's mouth? He is disturbed by the situation I have alluded to and perhaps this is a remedy that he is suggesting to the House for its correction.

Hon. Mr. Wishart: I am very chary about allowing anybody to put words in my mouth.

Mr. Singer: Can you elucidate further then?

Hon. Mr. Wishart: I think I would phrase it this way: I am aware of the situation and I have taken what I consider to be necessary and proper action.

Mr. Singer: All right. That is good enough. Now, Mr. Chairman, I think under this vote the law reform commission—

Hon. Mr. Wishart: No, that is not under this vote. I will be glad to deal with it in a few moments tonight, though.

Mr. McKeough: That is 211. Carried!

Mr. Singer: No, no. Where does the law reform—

Hon. Mr. Wishart: Vote 211.

Mr. Singer: No, I am sorry, Mr. Chairman, not the law reform commission. What I was looking for was legal aid. Legal aid is under this, is it not?

Hon. Mr. Wishart: Now we have got that covered surely.

Mr. Singer: No, all we have got done, Mr. Chairman, is to table the report. This is a very complete report, but I do not know that we have debated it. I had suggested that when that report was introduced, an opportunity should be given to debate it. It is not on the

order paper and I do not know if it is the government's intention to debate legal aid. This is a very important facet of the administration of justice and I think we should discuss it, whether tonight or at a later time. I notice the hon. Prime Minister is back and perhaps I can just address that part of my question to him.

Is it the hon. Prime Minister's intention to put the report of the legal aid committee on the agenda for separate debate or not?

Hon. J. P. Robarts (Prime Minister): Mr. Chairman, that particular report is under study now with a view to eventual implementation and to the introduction of legislation. I very much doubt that legislation will come forward at this session, in fact, I am quite certain. The whole question of legal aid and the report of the committee is at present under study with this idea in mind.

Mr. Singer: All right. If it is not going to be put on a special item for debate, I have a few remarks that I want to make—they are necessarily brief—on this particular point.

Mr. Chairman, I think that the report is an excellent report. I think a good committee was set up, that it studied its subject well, that it did its research well and that it presented a very commendable report.

There are two or three things, though, that I think should be considered when the government reviews the report and is preparing its legislation. The first part is, I am disturbed somewhat that The Department of Public Welfare will be deciding whether or not legal aid will be granted if the adoption of the report is made in full.

Mr. Edwards: Mr. Chairman, on a point of order, or a point of procedure, are we getting into a legal battle to be settled by the hon. members of the House here, or what? I am just asking for guidance.

Mr. MacDonald: You certainly need it.

Mr. Trotter: The whole government needs guidance.

Mr. Edwards: I go for what I said. We have lawyers down here and our—

Mr. Chairman: Order! The Attorney General has accepted this procedure as being correct.

Mr. Edwards: I am just asking for guidance.

Mr. Trotter: Is it divine guidance you want, or legal guidance?

Mr. Singer: As I was saying, Mr. Chairman, the recommendation that The Department of Public Welfare be substantially responsible for determining the people who are going to be provided with legal aid causes me some concern. This would more or less separate the responsibility. There is a criteria for legal aid, and then there is the sort of financial examination that is going to be done in another section. I just wonder, if we get into this—if there are two departments of people looking after legal aid, if there is a legal aid committee or a director or a staff, and The Department of Public Welfare are in both—whether we may not ask for and get great confusion, and perhaps some very substantial difficulty and delay in getting the thing moving along.

I suggest to the hon. Attorney General that when he comes to review this legislation, he very seriously consider making the same group responsible for all of the decisions. If you want, bring in trained people—

Hon. Mr. Wishart: If the hon. member will permit, Mr. Chairman, I think I should make clear to the hon. member that if I recall the recommendation in the report, the part of welfare was simply to determine the ability of persons to pay, not their entitlement other than that.

Mr. Singer: I think the hon. Attorney General is right on that, but what concerns me is that there may have to be two separate reviews. If the law society is going to administer it—and this is one of the major recommendations—those officials of the law society have the duty and responsibility of doing a particular review, and perhaps saying, "In our opinion applicant A should get assistance." Now we have to send this file, or a portion of the file, to The Department of Public Welfare to let them send out their investigators and we may come to a different sort of a conclusion.

It occurs to me that the split in this jurisdiction could be very dangerous. And it would seem to me—if substantially the recommendations of the committee are going to be adopted—that the hon. Attorney General would do well to consider having a staff that will do this sort of thing attached to those people who are actually making the decisions, so that the processes can go on the same track.

What concerns me is the split jurisdiction, and I think if we get into the split jurisdiction—it may be you want to take personnel out of there and second them to the law society or to the people who are going to administer—

you might have conflicts, you might have delays and so on, and that the same people who are responsible for making the decision may be unnecessarily delayed, may have two different sets of criteria, may not have a proper understanding. I think this is something that is well worthy of serious consideration.

We have seen in other fields of government that where a responsibility falls astride one or two or three departments, very often we have difficulty in getting any action, because Minister A can move only so far, and Minister B is not quite sure where Minister A has stopped moving from; civil servants are not quite sure where the lines of demarcation are. Even though these problems are often ironed out—sometimes they are not—they cause delay and confusion. That is my first suggestion in regard to this.

The second problem that concerns me—and I have commented about it outside the House—is the difficulty that might well arise if the only lawyers available to do legal aid are those who happen to put their names on a panel or might be so moved to put their names on a panel. It would be my thought that careful consideration should be given, perhaps, to putting all lawyers on the panel, making it a panel of all the lawyers in the province of Ontario, or putting all the lawyers on and letting those, who for particular reasons that concern them, withdraw. Let the impetus come from the persons who are administering it, and try to make the coverage as broad as possible. In other words, I think that the initial plan should be concerned with trying to get as many lawyers participating in this as is possible.

I recognize that somebody is going to say, if you put two or three of the top counsel on the panel, everyone who wants legal aid will want a John Robinette or a Joe Sedgwick or perhaps persons of that calibre.

Mr. Kerr: Or Vern Singer.

Mr. Singer: Or my hon. friend, the hon. member for Halton. But I would think that there should be a real study done as to the method of getting the broadest possible participation.

It may well be that you should start off by putting all the lawyers on and then let some of them withdraw. For instance, if you were to put all the lawyers on, the Deputy Attorney General would be on, and obviously he would not be available for that. But people who have good and substantial reasons could, and should, withdraw. Those two points commend themselves to me immediately as this

report is in study. I do not know if the hon. Attorney General has any comment on this point.

Hon. Mr. Wishart: I have a very brief comment. I would like to see—one of the reasons the report was tabled and left, as I mentioned at the time, was for comments and discussions and suggestions which might come forward from the law societies and local associations—the law society further itself with a broader study than the hon. members were able to give while the report was being prepared. I would hope that local law, county and district law associations, would come forward with studied suggestions such as the hon. member has put forward tonight.

Mr. Singer: May I ask, has there been an abundant distribution of this report to all societies?

Hon. Mr. Wishart: Yes, very thorough arrangements have been made to see that the report is distributed broadly all across this province, to lawyers and law societies.

Mr. Singer: I would imagine that as it has been distributed, perhaps in a covering letter the hon. Attorney General has asked for suggestions.

Hon. Mr. Wishart: It has not actually gone out. We have been printing it and getting it ready for distribution.

Mr. Singer: But this will be done?

Hon. Mr. Wishart: Right.

Mr. Singer: Fine. Now, Mr. Chairman, another matter that I did want to talk about was the conditions that existed in the master's office. The master's office, in effect, just about collapsed six months ago.

Hon. Mr. Wishart: It has been completely resuscitated.

Mr. Singer: I appreciate it was completely resuscitated, but what concerns me very much is what were the conditions that brought about this collapse? How is it that suddenly one of the most important judicial offices that we have in the province of Ontario was in need of such resuscitation? It must have been known, surely, to the hon. Attorney General's—

Hon. Mr. Wishart: Will the hon. member permit? Mr. Chairman, I am quite willing to sit and listen and learn, and to receive suggestions and critical comments, but I think,

perhaps I can reach the thought that the hon. member is seeking here to tell him that the office collapsed, or almost collapsed, through a set of circumstances arising out of the age which the personnel were reaching. Three of them, as I recall, reached retirement or past retirement age all at once, and there was one serious illness. We lost four almost at a stroke, and we replaced with four, almost at once.

Mr. Singer: This has to be expected, but surely it was no secret within the hon. Attorney General's office that these gentlemen were approaching retirement age. What causes me great concern is why arrangements were not being made as these gentlemen came closer and closer to retirement age, to find replacements for them. Why suddenly the emergent situation burst upon the hon. Attorney General; then we had the pause; then we had the crisis; then we had the resuscitation.

In the meantime, the problems were further complicated by the peculiar position of Mr. Kimber, who was wearing two hats and could not be in the master's office while he was in the securities office. Surely it must have been noticeable or obvious to the hon. Attorney General and to his officials that these men were getting older, that there was going to come a day reasonably soon when they were going to retire. Perhaps I am threshing old straw, but I wonder why this was not noticed—and this is particularly pertinent because I am concerned that this sort of situation might be mounting up in other jurisdictions, among other very important branches concerned with the administration of justice. Is there any sort of replacement system? Is there any sort of record kept; in sub-branch X, where four of your senior officials are getting awfully close to retirement age, are you bringing new ones on? What kind of an organization was that? Perhaps I cannot fault this Attorney General but certainly I can fault the system that allowed this to come about.

Hon. Mr. Wishart: I know that the hon. member wants to be fair in his criticism, but I think I should point out that I did not have much time to observe this situation. This Legislature rose last year, as I recall, on May 8, and I was then able to observe certain things; one of them was the master's office.

As I have mentioned, there were three persons there reaching retirement age. Mr. Marriott—if I may use his name—would have his time, in the ordinary course of events, extended. He would not have retired, as was the usual custom, but he would have been given an extension from year to year; and he would have continued except that his health

constrained him not to accept that arrangement. So we had four situations arising there. As you have mentioned, it was something which I felt was proper policy, to get a full-time chairman of the securities commission, and Mr. Kimber accepted that arrangement, but we were able to fill those positions. It takes a little time to get the proper type of very capable official, almost of the nature of a judge, whom you appoint to be a master or assistant master, so I do not think that it will arise again.

Mr. Singer: I quite agree that this is a very serious responsibility, but certainly there could be no greater indication of panic than the full-page advertisement that was inserted in the *Ontario Weekly Notes*.

Hon. Mr. Wishart: That was no panic—

Mr. Singer: Mr. Chairman, surely it is a most unusual thing? I do not know of any other precedent that even corresponds to this, where we advertise in the *Ontario Weekly Notes* in a full-page advertisement for the most important judicial official. You advertise for sheriffs; you advertise for registrars of deeds; you advertise for magistrates; you advertise for whomever you have to appoint; but here you must have been in a panic, you must have been in a crisis, to put an advertisement like that in the *Ontario Weekly Notes*.

Hon. Mr. Wishart: Mr. Chairman, if the hon. member considers that unusual, I will take responsibility for it and he can call it unusual; I think it was the best way to let the profession know, across this province and even outside the province, that we were looking for senior, capable officials and I think it worked; I think we have them.

Mr. Singer: Mr. Chairman, if the system is that good is he going to advertise for magistrates—because I think he has a similar crisis?

Hon. Mr. Wishart: I have a little different system in the magistrates. I have a chief magistrate looking over the field continuously, and they are pretty well known to us throughout the province.

Mr. Singer: Mr. Chairman, I did table an order for return concerning the correspondence involving the very short period of employment of Mr. Creighton. Is that correspondence going to be tabled?

Hon. Mr. Wishart: I doubt if it will be. I do not think it is really of interest to the House or to the public.

Mr. Singer: Mr. Chairman, it seems peculiar to me—

Hon. Mr. Wishart: I might add this: Mr. Creighton has advised that, in his view, it is personal to him and he sees no reason—

Mr. Singer: Well, Mr. Chairman, it seems peculiar to me that, in this time of crisis, one man—I have never met the man or talked to him personally but, as far as I know, he was highly regarded as an authority in relation to mechanics' liens and so on—took employment in the master's office. He closed up his office, gave up his lease and, I am advised, handed out his files. Then, some few weeks later, he decided that something had gone wrong and he left. I think that maybe there should be an answer—

Hon. Mr. Rowntree: You have heard that the man himself requested that it not be presented in the House. Have you no respect for him?

Mr. Singer: Mr. Chairman, the hon. Attorney General's answer will speak for itself.

Vote 207 agreed to.

On vote 208:

Mr. F. Young (Yorkview): I wonder, Mr. Chairman, if the hon. Prime Minister is planning to continue this session tonight because I have some rather extended remarks I want to make.

Hon. Mr. Robarts: We might take the next 25 minutes, Mr. Chairman.

Mr. Young: Mr. Chairman, the matter which I wish to raise is the matter of the emergency measures organization, as we have it in this vote. We are devoting a considerable amount of money to it. The emergency measures organization has existed for some time in this province and has, it seems to me, in recent years served only one purpose. That purpose has been to disperse certain moneys to municipalities for fire equipment. Perhaps this debate should have taken place earlier in the afternoon, after The Milk Act vote, because this is a sacred cow which gives perhaps no milk and which is a very expensive item to keep.

We have, time after time, had a verdict about EMO and its use. *Maclean's Magazine*, for example, on November 2, 1964, tells us something about the H-bomb and what we can expect:

For most people have now realized, they say, that a fallout shelter is simply a

prematurely dug grave, a hole to be buried alive in; no more effective against H-bombs than a silk umbrella against machine-gun bullets.

The programme for fallout shelters, as far as EMO is concerned, I think, is past; so we do not need to concern ourselves about that too much. But, in the Toronto *Daily Star* of very recent date, we have an article by Nicholas Steed, who says this:

Metro's emergency measures organization can do nothing to help you and me if a bomb drops on Toronto. The stark truth emerges that, after three years' work by Metro EMO, an expenditure of \$1.5 million of the taxpayers' money, EMO director, John Pollard, a small, wiry former wartime officer and civil servant, admits bluntly, "We can do nothing to protect individuals." And further, all EMO could do would be to try to rush as many local politicians as possible to its underground Aurora headquarters. What purpose that serves I am not sure. Its chances of doing even this would not be too good.

Interjection by an hon. member.

Mr. Young: That is right. Either one. These are local municipal politicians. I do not think they are concerned about us in this particular House. We can go up in smoke. And all the public could do would be to take cover and hope for the best, the article says.

Most Metro politicians feel EMO is a waste of money but they are reluctant to speak out for fear of losing what is, in effect, a federal subsidy to local governments. EMO, in effect, serves no use; that is my first point. It has, in the past, issued a handbook to our schools; that handbook, I find, is not known to a great many of our principals and is not used.

There are some rather pertinent quotes here telling about what children ought to do. It says there can only be a partial saving of human life if the bomb drops. Blind fear in the face of danger can paralyze or panic. Understanding can make possible protective measures in advance and effective behaviour in times of peril. They tell about children going to school, Mr. Chairman, and what should be done.

A different type of problem is involved in protection during the hours when pupils are going to and from school. Drivers of school buses should be qualified to look after large groups of children and each one should be thoroughly familiar with the possible emergency shelters on his regular routes, but since there are no emergency shelters on his

regular routes, we take for granted he does not become familiar with them. Then it says:

Pupils who walk to school should be made clearly aware of their responsibility for their own safety and in case of sudden danger they should seek the nearest available shelter. A survey to identify suitable buildings and other forms of protection should provide the information which each child might use in locating the places on his home-school route that would serve as a personal protection landmark.

And so we get the picture, Mr. Chairman, of the children heading for school. They look for the next landmark where protection might be and get to that, and then desperately look for the next one and get to that, and to the next one and get to that. So they are going from place to place and landmark to landmark, until such time as they reach school. The poor little souls are filled with fear and we hope that they get there safely before the bomb falls.

Interjection by an hon. member.

Hon. Mr. Wardrope: Be careful, that will be in *Hansard*.

Mr. Young: As far as the schools are concerned, we are told by Mr. Pollard that a survey has been made of the North York schools—that is my own municipality—where safety might be found, and he says a survey is in the process in determining fallout shelter requirements. Studies have been made and completed of all North York schools and 18 schools under the jurisdiction of the separate school board. In checking with the chairman of the North York school board, he first of all did not know anything about this, and when he checked with his officials he found that some little studies had been made two or three years ago but nothing had been done about it since and none of the schools seemed to know where the safety areas are. As far as this activity is concerned, affecting the school children, the only protection evidently is to make sure the bomb does not fall, because if it did fall EMO has accomplished nothing in getting these shelters categorized and even if they were categorized, the question is, how much use they would be.

I am not going to mention the matter of getting our people evacuated from the city. I understand that the hon. member for Downsview has a great deal of information, which came as an answer to one of his questions on the order paper, about the way signs are stored and how they will be put up and how eventually we will have, when the bomb hits, people running around putting

up signs and then showing us where to go—in spite of all the information and all the advice of Mr. Pollard here that it is useless and hopeless to get a few of the municipal politicians out there, that we are just not going to accomplish the job. But we are going to have the signs up, we hope, so that while the buildings are falling and the people are dying, the signs can go up to direct us in some way or other.

Hon. C. S. MacNaughton (Minister of Highways): What do they do about fallout protection in the Chamber?

Mr. Young: Pardon?

Hon. Mr. MacNaughton: Maybe we should have fallout protection in the Chamber.

Mr. Young: Well, this might be.

Mr. G. Bukator (Niagara Falls): I think what we should all do here is pray.

Mr. S. Lewis: Are you trying to evacuate the House?

Mr. Young: It might be a good idea for us to evacuate the House at this point and then continue this tomorrow. However, if we are going to continue, let us continue.

There is one function that EMO seems to be performing in this province which might be described as useful. Again, I question it. That is the supervision of grants for auxiliary fire pumpers. I have in my hand the emergency measures financial assistance programme of The Department of the Attorney General's emergency measures branch. That financial assistance programme outlines how fire pumpers may be bought for municipalities in various parts of the province and how certain grants may be given to them. The conditions of the grants are very interesting:

That the municipality does not have sufficient fire fighting apparatus and/or equipment which can be made available to train auxiliary fire fighters.

This is the first thing.

Hon. Mr. Wardrope: That will put the fire out.

Mr. Young: That is right, so the auxiliary fire fighters are going to be trained if this equipment is bought. Correct. That is the first thing we have to keep in mind. The second thing is that the additional fire pumper will not replace old or wornout existing municipal fire apparatus or equipment. That is important. It is not going to

replace it. It is going to supplement it—I think, Mr. Minister, this is the idea.

Hon. Mr. Grossman: Big Brother is watching. The fire chief is in the gallery.

Mr. Young: Big Brother is watching? I hope he does not turn the hose on. If he does, turn it on the government side so that we dampen down their enthusiasm for late-night meetings a bit.

The third condition, if I might have the floor again, Mr. Chairman, says that a municipality must have established a fire department under the provisions of The Municipal Act and have passed the necessary bylaws, named a fire chief and have regularly trained fire fighters and have a self-propelled motorized fire pumper. It must have that first to start with. Then of course a municipality must participate in the county so that it can go to any fire when it is called upon and all that. The municipality agrees to make the additional fire pumper available for any fire emergency measure or exercise approved by the fire marshal. If the fire marshal approves this exercise, and the EMO orders it, out it goes, and I presume at that time if there is only this one piece of equipment, then the arrangements are made that no fire occurs in that municipality.

In this whole matter, Mr. Chairman and Mr. Minister, I was very interested to—

Mr. G. H. Peck (Scarborough Centre): There is nobody in the press gallery.

Mr. Young: That is all right. We quite realize that and these are still important.

I would like to call to the hon. Minister's attention certain items which have been brought under these conditions and then to ask certain questions. First of all, we had a fire—I am sorry the hon. member for Renfrew South (Mr. Yakabuski) is not here because one of the first fire pumpers, I understand, was delivered at Douglas—and a clipping of July 23, 1964, from the Eganville paper tells us about the way in which the local people were on their toes. When they found out about this largesse of the senior levels of government, they immediately applied for and got a brand new fire pumper. Members of a fire committee are to be commended for their quick action in applying for the grant under EMO, under the provisions of the emergency measures financial assistance programme.

I understand they did have an old pump. It was under-capacity in one of those areas in that part of Renfrew county, but certainly

this fire pumper was not replacing any efficient kind of equipment. I understand now that Douglas and the surrounding areas have a nice piece of fire equipment which is looked upon as local fire equipment, not as supplementary.

I would like to ask the hon. Minister whether that old pumper is still in existence; if it is, that is, carrying out the letter of the law? But we see what happened here; the people said, "Now we are getting grants, we can afford the equipment, we are going to get it." I do not quarrel with that principle; I think that Douglas and these municipalities had every right to have some fire equipment, and perhaps they had every right to have grants from the provincial Treasury and the federal Treasury to get this equipment. My question is, what vital part did EMO have in securing this equipment? I ask the hon. Minister if a junior clerk in his own department could not have made the decision, could not have handled the paper, the application, and have put the stamp of approval on it.

The other thing that I would raise for the hon. Attorney General's consideration is this: I would think that these grants ought to go first of all—and there was a real scramble for the grants, I understand—to the areas that might be in greatest danger. Perhaps with the equipment and the plants up the Ottawa River, perhaps Douglas and that part of Renfrew county might conceivably have a bomb dropped on them at some future time, I do not know. But a rural area like this—

Hon. Mr. Wardrope: To protect the House of Commons.

Mr. Young: To protect the House of Commons, the hon. Minister of Mines says, so we see them scrambling down from Douglas to help the Ottawa fire department protect the House of Commons. Perhaps we can also call on them from up here—

Hon. Mr. Wardrope: We have a very efficient staff.

Mr. Young: But why in the world this rural area should get the first pumper, when it seems it is one of the minimum danger areas for the nuclear bomb to fall, is beyond my comprehension.

Then I would call the attention of the hon. Minister to another situation which I would ask his opinion upon and that is Belleville, where their pumper, an old 1949 pumper, was sold to Woodville. After that sale, the application was made for the new grant, for the new pumper, under these conditions. My

understanding in reading these regulations is that a municipality is not supposed to sell old equipment in this way. It is to maintain its old equipment, then it is to get this equipment as supplementary equipment. The town of Belleville got this new equipment after it had sold a piece of old equipment to the town of Woodville. I would like to ask whether or not this is carrying out the rules.

Hon. Mr. Grossman: That is two municipalities where you have lost their votes.

Mr. Young: I am not worrying about Belleville at this moment. We will worry about that a little later on.

Interjections by hon. members.

Mr. Young: In any case, Mr. Chairman, the hon. Minister perhaps can answer the question here as to why this took place, and what happened there.

There is one other question that I would like to ask him, and that is regarding Port Hope. Tenders were called in Port Hope in the usual way after the application was made for their pumper, and I understand that in Port Hope various companies tendered for the business. I would think logical in a municipality, that providing those tenders met the specifications—and I understand they all did—that they would have been interested in the lowest tender which was for \$15,065. But the pumper was bought for \$16,995.

Several hon. members: Shame! Shame!

Mr. Young: In other words, EMO sanctioned an extra \$2,000 of expenditure in this case of public funds which it had no business to sanction. So we are asking a question about Port Hope. I understand the firemen there are very concerned. They got their new equipment, but they could have saved themselves tax money in this case. And the voters could have saved a little money. But their point of view seemed to have been, "We are not worried too much because we are getting all this money from the federal and provincial governments so why not spend it?"

I call this to the hon. Minister's attention, and I ask him why it is that we need EMO for this one purpose of pushing paper across the desk, making certain assessments of this kind which any fire marshal or fire chief could make and then make recommendations. Surely he has men in his department who could look after this kind of a situation? When I see a statement like Chief Mackey made here a while ago, that if a disaster came, he was not going to give up his com-

mand of his police to any EMO chief, certainly the fire chiefs are not going to give theirs up and be co-ordinated by somebody who has not been doing this job.

So, Mr. Chairman, I ask this House, what purpose is served by this organization? What purpose is served by this grant of money? After all, we have efficient fire fighters, and we are co-ordinated across the province. We are getting more and more efficient police departments across this province and we are co-ordinating them.

Hon. Mr. Wardrope: Now you have lost all the municipal votes, and the fire chiefs.

Mr. Young: I hope one of these fine days we are going to have efficient regional municipal government, Mr. Minister of Mines. This will come, I think, in spite of the backwardness of some of the hon. members on the opposite benches.

Why do we need EMO to co-ordinate these efficient forces when EMO has demonstrated nothing yet of efficiency?

Interjections by hon. members.

Mr. Young: If asking for efficiency is losing municipal votes, Mr. Chairman, then I ask the hon. Minister to explain his statement.

An hon. member: Are you preaching for a call?

Mr. MacDonald: Mr. Chairman, if the hon. Prime Minister cannot keep the Cabinet Ministers quiet, I would suggest we should have adjourned at 11:30. This inevitably happens. We have had three Cabinet Ministers interrupting all the time.

Interjection by an hon. member.

Mr. MacDonald: Will you sit silent if you do not want to listen? The hon. Prime Minister has said we are to continue with the estimates.

Mr. Young: Mr. Chairman, if I could complete in two or three minutes, I could say I have talked to a good many people who have participated in EMO organization.

Interjections by hon. members.

Mr. Bryden: On a point of order, Mr. Chairman, I submit that this frivolous sort of heckling that goes on is quite out of order in this House. The hon. member for Yorkview has participated very little in this debate, he has important matters that he wishes to call to the attention of the hon. Attorney General and of the House. I think

it is regrettable that the hon. Prime Minister insists on them being dealt with at this time of night when his own members treat the whole proceeding of the House as a joke, and trample into the dirt the business of the House. I think this is most regrettable, but I submit to you, sir that you should at least keep them in order so that the hon. member can deal with the matters—important matters—that he wants to deal with.

Hon. Mr. Wardrope: You are the only joker in the House, Bryden.

Mr. Chairman: Order, Order!

Mr. MacDonald: Mr. Chairman, if you cannot get the hon. Minister of Mines to be quiet, then I do not think that this House should continue. I thought he had learned after the last few months that he opened his mouth too often.

Mr. Chairman: Order, order. The member for Yorkview will continue with his address.

Mr. Young: Mr. Chairman, if we ever had a demonstration of the futility of EMO and the low regard in which the hon. members of this House hold EMO and the whole organization, we certainly had it tonight. EMO, as far as this House is concerned, is a joke, and the House treats it as a joke. Then why should we be spending this amount of money on something which this House regards as nothing short of a joke?

When I talk to people who have participated in EMO organizations, they tell me they are sick of playing cards night after night and they have quit. They learned to be card sharks, but they did not learn anything about the business of protecting ourselves in case of an emergency.

This kind of thing has happened time after time, and we have seen the money of this province and of this Dominion frittered away in this organization. It is high time we faced up to the fact that this House looks upon it as a joke, and that this item ought to be cut out of this estimate.

Mr. Chairman, I move that items four and five be stricken out of this vote.

Mr. Chairman: I have no motion in writing.

Mr. Bryden: I move that items four and five of vote 208 be struck out. Is that clear enough?

Mr. Chairman: In writing.

Mr. MacDonald: All right, Mr. Chairman, if the rules are going to be strictly enforced

by the Clerk, then just give us a moment and we will submit it in writing. If you want to get technical around here, fine; we will just have to reduce the whole thing to a shambles. You are heading for it already.

Hon. Mr. Rowntree: Your remarks do not help the situation.

Mr. MacDonald: I agree. Did you listen to the hon. Minister of Mines? Do you think that helped the situation? Did you listen to yourself earlier in the evening? Did that help the situation? Look who is preaching now!

Hon. Mr. Rowntree: Let us have the amendment.

Mr. MacDonald: Right. Okay. Sometime you people will learn that you yourselves make a shambles—

Mr. Chairman: Order, order!

Mr. Bryden moves that items four and five of vote 208 be struck out. All those in—

Mr. Singer: No. This is a standard motion. There is a lot of debate to take place on it yet before the vote is to be called on this motion.

Mr. Chairman: All those in favour of the motion—

Mr. Thompson: Mr. Chairman, I will speak in connection with this motion and I have quite a few remarks to make on it. I concur wholeheartedly with what the hon. member who spoke before me has said. I am also going to say, sir, that if we come to this House in order to listen to remarks like yours, I would suggest that we might as well go to a vaudeville place.

Mr. Chairman: Order!

Mr. Thompson: I appreciate that you will have order here, sir, and some respect—it is the hon. member for Scarborough Centre to whom I am referring.

Interjections by hon. members.

Mr. Chairman: Order!

Mr. Thompson: May I start, Mr. Chairman?

I would say, sir, that we have a real question in connection with EMO. I think that there has been a great deal of confusion about what its role is. I think one of the very real questions has been that there was an impression that EMO was going to look after survival.

I remember, in previous discussions, where it was suggested by another Minister, who was in charge prior to the hon. Attorney General, that there would be an army of volunteers all around the province. This was when I first came into the House, and this Minister stood up and told us that he had this army of volunteers. Then, as we pushed further to find out just exactly where this mythical army of volunteers was, at that time the previous Prime Minister, the hon. Leslie Frost, came in. And, as he often did when a Minister got into difficulty or got a little too obstreperous, he stood up and took over from him. In this situation he stood up and said that, in a national emergency, the responsibility is that of the army, not of a voluntary group. So, just by his words, was dispelled a whole mythical approach which was being developed by the then Minister of Economics and Development.

Mr. Edwards: Mr. Chairman, could I inform the hon. leader of the Opposition of what happens up in Perth county?

An hon. member: How long does this have to go on?

Mr. Edwards: He has not been informed; they have an EMO in Perth county—

Mr. Chairman: Order, order!

Interjections by hon. members.

Mr. Thompson: I would suggest, sir, that this is reported in *Hansard*. I refer this to the hon. member and I would suggest it is a very—

Interjections by hon. members.

Mr. Chairman: Order!

Mr. Thompson: Mr. Chairman, I would say that I have heard a number of remarks from this—

Hon. Mr. Robarts: Mr. Chairman, I was rather hoping that your remarks would follow the remarks of the hon. member because I am quite sure that the hon. Attorney General will have some remarks to make too. This item is within his jurisdiction, and I am sure that he will want to explain the approach that the government has to it. However, I had hoped that these might follow some sequence so that we might have what could be termed an orderly debate, even though it might keep us here a little later than we may have been here previously, this evening.

I think we are going to have to extend the hours of sitting of the House: There have

been many remarks made about the relevancy of the items that are taking place in the examination of the estimates, and if it is going to take a long time we are going to have to sit longer hours. I would suggest to hon. members that a little more attention be paid to the relevancy of the debate to the items which are being considered in the estimates. The comments which have been made at the moment concerning EMO, I think, are very much in order. I cannot say that I can wholeheartedly support and say that a lot that has been said in the last few weeks in the estimates has been relevant; and if we are to have irrelevancies we will, of course, have to arrange for routines which will keep us a little closer to the rules. I simply say this; I do not want to place any restriction on what the hon. members have to say—and I think you will have to agree that a wide degree of latitude has been allowed—but, if it is abused, of course we will have to get back to somewhat more strict interpretation of the rules of the House.

I am going to move that the committee rise and report progress and, in so doing, I hope that all hon. members of the House will consider what I have said, with a view to a somewhat more speedy dispatch of the business of the House and some higher degree of relevancy in the remarks that are made here in this debate.

Mr. Thompson: Mr. Chairman, I would like to say, sir, that certainly during this debate, we have appreciated—and I certainly speak for my party on this—the thoughtfulness and consideration given by the hon. Attorney General to the questions which have been carefully researched over a period of time by my hon. colleague and others in my party. But what we have not appreciated is the fact that there has been a tendency for ridicule, and for a misunderstanding on the part of some of the hon. members, of the job as we see it as an Opposition—to raise questions. And if it takes longer, and if it is more inconvenient to us as members, and if we are going to have to spend longer, we still maintain that that is our duty.

We make no apology for the fact that, many of the suggestions we bring before the hon. Attorney General, which we have researched carefully, will take time. Because, you see, our role as an Opposition is not only to try to raise questions, but also to offer suggestions. We have appreciated—and I want to re-emphasize this—that you, sir, have stood out as an example, I would say, for some others to follow, in the very great co-operation and consideration, and gentlemanly

approach, with which you have conducted this debate.

Mr. MacDonald: On a point of order, the hon. Prime Minister has intervened rather quietly here. I am persuaded that the hon. Prime Minister is not any happier about the kind of situations which emerge in this House periodically than anybody else. But I would like to make this serious suggestion to the hon. Prime Minister.

If he wants to extend the hours of the House, I would much prefer that the House convene at two o'clock, and on even more nights a week. Indeed, I do not know whether the hon. Prime Minister is going to announce publicly that he has requested Monday nights from this point forward, other than the 24th. But I would much prefer that we meet at two o'clock in the afternoon, than trying to sit after 11 o'clock at night. It is surely evident, and must be evident after tonight, that it is impossible on the government side of the House to conduct an orderly handling of the business of the House as well as anything else. I am not being critical of them, because I think nobody should have to sit after 11 o'clock at night. If you want an extra hour or so, put it in between two and three in the afternoon; and I make that as a serious suggestion to the hon. Prime Minister.

Hon. Mr. Robarts: Mr. Chairman, just to complete this, on the question of sitting at 2 o'clock in the afternoon, I have given it a lot of consideration. But I would only indicate to you from my own experience—for instance in this week—as far as this side of the House is concerned, we have had three caucuses. We have had three Cabinet meetings that have run a full period of time, and my experience in other years is that if we sit at 2 o'clock in the afternoon, then you simply do not have the men in the House who are responsible for the administration of government. As soon as some of the workload dealing with legislation lightens and the committees are not meeting as frequently as they have been, I have every intention of moving the hours forward to 2 o'clock.

I will have something to say when I move the adjournment of the House, about the future business of the House.

I would just say in answer to the remarks of the hon. leader of the Opposition, that it is not my intent at any time to prevent the hon. members making what comments they want in this House. On the other hand, I would say this, that what I am asking for is for somewhat closer attention to be paid to the rules because I think many of these remarks that are made here might very well

be made in some other place, and I think that we are going to have to have, and ask for, a little more relevancy.

This is the point that I make. There is no desire on my part to prevent any hon. member from speaking about anything he likes. But there are places which are appropriate according to the rules, and there are others that are not. I just mention this, in the hope that some attention will be paid to it, and that we will not have to get into too strict an interpretation of the rules, which inevitably leads to a restriction of debate.

Hon. Mr. Robarts moves the committee rise and report progress and ask for leave to sit again.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of supply begs to report a certain resolution and asks for leave to sit again.

Report agreed to.

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, tomorrow we will conduct the debate on the report of the committee studying youth problems and the Budget debate,

and on completion of that, we will return to these estimates.

I would like to sit on Monday night and the House will not sit on Monday, May 24, which is a holiday. It is so long since this Legislature has been in session on May 24, that the physical difficulties in getting staff here and so on—because the buildings will be empty that day—I really think it would be simpler if we were not to sit on Monday the 24th, but we will sit on Monday night and every other Monday night thereafter.

Mr. D. C. MacDonald (York South): Could the hon. Prime Minister give us some indication of the estimate lineup? I understand there will be Public Works and Treasury and Civil Service. What is beyond that, or has there been any change in that?

Hon. Mr. Robarts: No, there has been no change. Public Works and then Civil Service and then Treasury; and there is some doubt at the moment as to what will follow those, but as soon as I have that resolved I will tell the House.

Hon. Mr. Robarts moves the adjournment of the House.

Motion agreed to.

The House adjourned at 12.15 o'clock, a.m.

No. 96



ONTARIO

Legislature of Ontario

Debates

OFFICIAL REPORT—DAILY EDITION

Third Session of the Twenty-Seventh Legislature

Friday, May 14, 1965

Speaker: Honourable Donald H. Morrow
Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

FRIDAY, MAY 14, 1965

The House met at 10:30 o'clock, a.m.

Prayers.

Mr. Speaker: We are pleased to welcome as guests to the Legislature today in the west gallery, students from Lynhurst public school, Aylmer.

Petitions.

Presenting reports by committees.

Motions.

Introduction of bills.

Hon. A. K. Roberts (Minister of Lands and Forests): Mr. Speaker, I am pleased to be able to announce that The Department of Lands and Forests has been informed that Spruce Falls Power and Paper Company, Limited, will undertake a mill expansion at its Kapuskasing plant which, we are informed, will involve expenditures of approximately \$20 million. It will mean that a new 100,000-ton annual capacity unit will be constructed, and the present 50,000-ton unit closed down. This will mean that about 60,000 additional cords of wood will be required annually, and employment for approximately 100 additional men in the woods is indicated.

The end result would be to bring the annual cut of the Spruce Falls Company, Limited, to about half a million cords a year. I am glad also to say that because of the regeneration agreement with this company which the department has, this type of increase can be undertaken with assurance that the supply of wood will be available for the future, the tree-planting programme being adequate to take care of the long-term future requirements.

The operations of this company began in Kapuskasing 40 years ago, and it has been a successful and well managed operation. The *New York Times* has a daily interest in it.

This latest move is in line with the further development of the facilities which this province affords to users of our forest products, and is but one of a number of projects

involving expansion of existing plants and facilities, and renewed and continued confidence in the ability of this province to keep pace in this particular industry.

Mr. Speaker: Orders of the day.

Clerk of the House: The third order, resuming the adjourned debate on the interim report of the select committee on youth.

Mr. S. Apps (Kingston): Mr. Speaker, I do not intend to make a prolonged speech today because when I tabled the report on April 9 I think I outlined at that time the scope of the work of the committee, and what we had accomplished so far.

However, I do want to put on record a small correction in the report on page 10, at the bottom of the page, and the words "15 years of age to 24 years, inclusive" should be deleted. That particular paragraph should now read:

The total labour force in Ontario June 1, 1961, was made up of 1,700,567 males, 692,448 females, formulating a total of 2,393,015.

I do want to reiterate again how impressed the committee has been with the interest that has been shown by those many people who are working with the young people of Ontario, and the tremendous help that they have been to our committee thus far. We feel that our work is only partially completed, and we feel that it is a most important work.

I would like at this time to ask that our committee on youth be reappointed so that we can carry on this most important work that we have begun.

Hon. J. P. Roberts (Prime Minister) moves that order No. 3 be discharged from the notice paper.

Motion agreed to.

Clerk of the House: The first order. Resuming the adjourned debate on the amendment to the motion that Mr. Speaker do now leave the chair and that the House resolve itself into the committee on ways and means.

ON THE BUDGET

Mr. R. F. Nixon (Brant): Mr. Speaker, the teaching of religion in the public schools of Ontario is based on a regulation secured by The Department of Education in 1944 which reads as follows:

Subject to the regulations two periods per week of one-half hour each, in addition to the time assigned to religious exercises at the opening of school, shall be devoted to religious education.

This is the basic regulation that has controlled this matter in the public schools of Ontario for the last 21 years. Further regulations set out a group of *Teachers' Guides*, published by Ryerson Press, that are to be used, and have been used, over this period of time in the classroom.

The teaching is done either by the regular classroom teacher or by a minister of the community invited to do this by the local board. We all know, Mr. Speaker, that municipalities may opt out of this programme as a whole, and, of course, any individual student may be excused from the instruction, but during the last few months the question of whether or not this programme—the only one of its type in Canada—should be continued, has been hotly argued by citizens and at the Ontario educational association a few weeks ago, and by editorial writers across the province.

The problem, I believe, has been presented to Judge McRuer for his consideration as a possible infringement of individual liberty. During the time of the educational convention in Toronto at Easter, some sort of announcement came from The Department of Education. It appeared almost from the back door. I believe the *Toronto Globe and Mail* got it first and featured it in its headlines on the front page, that the government itself was responding to some of this debate and discussion and was itself considering the institution of yet another committee to delve into the possibility of change or perhaps elimination of the instruction in religion in the public schools.

In my opinion, the government should examine its policy with a view to eliminating this form of teaching of religion in our public schools, and I would like to take some of the time at my disposal this morning to express my views to the House in more detail.

I do not want to take too extensive an historical approach, but I do feel that this should be a time in which I might emphasize the fact that the reading of the Bible, and prayer, in our school system has been estab-

lished for many years and should continue to be so established. Nevertheless, the relationship between church and state in Canada is different on the one hand from what it is in England where there is an established church, and on the other hand from what it is in the US. There, the separation of church and state is an absolute thing; it is placed in the Constitution and all of us have read with great care, I believe, not only the rulings of the Supreme Court of the United States, but the reaction to these rulings across the country wherein they expressed the view—and a view which would be followed in schools in the United States—that even the Lord's prayer, or any prayer, and the use of the Bible, is in fact unconstitutional in the schools in the United States.

This is not our background; this is not my proposal. There is nothing in my comments, and I would like to make this clear to begin with, that would eliminate the use of the Bible or the Lord's prayer, or any other suitable prayer, from use in our public schools.

As a matter of fact, the hon. Minister of Education (Mr. Davis) was good enough some weeks ago to send a copy of a very old textbook used in the schools of Upper Canada more than a century ago, in which it was quite clear that scripture verses and the morals that they carried were used in the readers of those days, and used, I am sure, very effectively; but we sometimes forget what our early customs actually were. There are several instances where Egerton Ryerson has been quoted on his views in setting up the education system of Ontario, and on whether or not religion should be a part of the curriculum, and I suppose his views are summed up in the regulation for which he was responsible, which states:

Pupils shall be allowed to receive such religious instruction as their parents and guardians desire.

This was the other side of the coin. The parents could direct the local school board to institute a programme of religious studies, normally outside of regular school hours. In other words, they could opt into such a programme. The way it stands now, the programme is established and the responsibility of the individual parents and the school board is to opt out, if they so desire.

Ryerson, in taking a survey of religious practices in the schools of the province in 1858, said that in his view not one in 20 of the schools of which he had knowledge had regular daily prayers and use of the Bible. It is interesting to note that when this assembly itself came into being in 1867, there

was no thought of opening our deliberations with prayers and it was not until some years after that, actually during the time that Mr. Blake, and later Mr. Mowat, were looking after the affairs of the province, that we find the resolution in the journals of the province that sets up a committee to study the possibility of this. It is interesting to read the committee report, in which they recommend the prayers that are used by Mr. Speaker daily and it is also interesting to note that the report permits outsiders, local ministers and presumably the clerk, to read the prayers to the legislative assembly if that is convenient, and it has been so during this very session.

Therefore, our traditions changed during the later Victorian era; the use of prayers and Bible readings in the schools became much more heavily entrenched than it had been up until that time. Of course, I was quite interested in reading some of the remarks made by George Brown, who was a foe of Ryerson in many ways. He criticized Ryerson's establishment of the school system, his centralization of control and what he called his Prussian ways, on every occasion. But he agreed with him in this matter, and in the speech that he gave just before Confederation itself, at Quebec City, his views were summed up in the view that religious instruction has no place in a mixed and public school.

As I say, I do not want to dwell too long on the historical background but I think many of us in this Chamber would be interested in the events in 1944, and 1945, which established the regulation that controls the teaching of religion in our schools as it presently exists.

In the years just before the war, an organization in Ontario went from community to community urging the local school boards to opt into the religious instruction programme. They had great success, as school after school decided that they would institute this programme of religious teaching. But it was not until the change of administration in 1943, that Mr. Drew, the new Prime Minister, brought in the regulation that presently governs this affair. In the year following, in the second session of the new administration, it is interesting to note that in the debate that ended in the defeat of the government on another motion, the motion put forward by the second Opposition party, which at that time was the Liberal Party, was critical of the government for introducing this measure.

It is interesting also to note, Mr. Speaker, that the government was sustained through the votes of their own supporters and the

votes of a large segment of the then official Opposition, the CCF Party. As a matter of fact, in the very next vote, as I read the record of the day, the government was defeated; and in the subsequent election, in which I suppose the teaching of religion in the schools was one of the issues, the government was returned with a large majority. Obviously the citizens of the province approved of the change that they had made.

Nevertheless, 21 years have passed. Our population has changed dramatically. We now have people with many ethnic and religious backgrounds in all areas of the province. We look to our public school, certainly with established Bible reading and the use of prayer, as an institution in which no religious practice as such should be an established religious practice. We see that, since Confederation and before, the Roman Catholic citizens of the province, and in other areas of the country, have had the privilege of having separate schools, particularly for the teaching of religion in this special way. But, over a number of years, other parochial schools, which do not have the advantage of public support, have been established.

In my own community, we have Dutch Reformed Church schools; we have a small but growing Amish community, which does insist on having its separate school system; and it seems to me that, with a large variety of religious and ethnic backgrounds in our country, the way it is now, it is our overriding responsibility to see to it that the public schools are, in fact, completely public and completely democratic and take no established position which could in any way offend any of these groups and, in fact, urge them or give them the compulsion to look to the establishment of their own parochial schools. I feel that this is something that we should consider very seriously when we see the tremendous expenditure on education to which we are already committed.

I would like to say that, in my opinion, there is much good teaching of religion in the schools of the province. I attend the United Church in my community and my own minister takes part in this programme, so my personal objections should be viewed perhaps in that light. But it is true that in many schools the regular classroom teacher has this responsibility and, in others, the local minister comes in.

Both of these groups are directed to teach the curriculum, or the course of religious studies following a very definite curriculum laid down by The Department of Education. But, in a news report, one of the more interesting ones dealing with this matter, that

appeared in the *Globe and Mail* of April 23, 1965, I believe, on a discussion at the Ontario educational association, Reverend Frank Peake, director of religious education for the Anglican diocese of Huron, from London, Ontario, said that the books used are based on English text and have been changed very little. I quote:

They represent a monopolistic assumption on the part of Christianity that we are no longer prepared to make.

He further said that he does not know why they have not been changed, and in fact we should ask Mr. Davis about this.

I do not want to dwell on this point, but I can remember asking the hon. Minister of Education about this in the past, and he assured me and assured the House that the matter was under constant review. Now, what that meant, I do not know. But here is someone who is obviously qualified to pass a comment, and he says that it is seriously out of date and is taking a monopolistic approach to religion that simply is inadmissible today.

Further on in this same article, one of the teachers who is not named in this report indicated that, although the curriculum is available, he himself does not use it. As a matter of fact, I quote his words: "I threw the guide book away 20 years ago." And this is the point: Although there is good religious instruction offered in our classrooms, in most cases it is a personal view, not only of the religion itself, but of what should be presented.

In the case of the layman, I submit that he does not have the deep religious faith, or in many cases he would not have the deep religious faith, that would make this instruction meaningful to the young people. In the case of the cleric who attends the classroom to deliver this instruction, I am quite sure that, if he is worth his salt, it would be very difficult for him to be hidebound by the watered-down version in the books that are prescribed — which, in fact, represent the lowest common denominator of more or less accepted Protestantism. On the one hand, it does not do justice to the faith which a good many of us in this Chamber respect so deeply; and, on the other, it is an intrusion into the democratic and civil liberties of the individual parents and the students who are exposed to the programme.

So, as I have said, it is often a personal point of view on the material provided, or as to what should be provided. My understanding is that there is very little inspection of what goes on in these classrooms. I have

also heard, since it was in the news a few weeks ago, that there has been a great deal of tightening up by the individual school boards. I have talked to a number of teachers who are responsible for the programme, and they have indicated to me that over the years they have more or less established a course of their own that they feel would be useful in presenting ethics to the young people under their care. Apparently there is recently a much more rigid inspection of what is going on, because I suppose those with responsibility in this matter realize that what they are doing is going to be looked into rather carefully, if the government proceeds in their announced plan—I believe it is an announced plan—to set up a committee to examine it.

Certainly the aim of the programme is not to proselytize, but to teach Christian morals and ethics. I am quite sure that this can be done by example in the school and in the home, and certainly the main responsibility lies with the Christian church itself in our community.

The Public School Act at one time, and up until very recently, set out these responsibilities — the responsibilities to act as an example — in very interesting terms. The teacher was instructed to inculcate, by precept and example, respect for religion, and the principles of Christian morality, and the highest regard for truth, justice, loyalty, love of country, humanity, benevolence, sobriety, industry, frugality, purity, temperance and all other virtues.

Mr. V. M. Singer (Downsview): Sounds like the government.

Mr. Nixon: It is interesting to note that the statute was originally framed, and I believe this part has not been changed, to provide for visitors to the public schools. All of us as members of this assembly are visitors to the local public schools, and we can enter at will and take part in any exercise that is going on, and we are free to address our remarks to the teachers and the students on any matter that we feel would be of some importance. I think this is a responsibility that not all of us take to heart or take too seriously, but it is interesting that this is in the statutes and would permit that sort of activity.

But I do feel that the watered-down approved version of Protestantism that is presented in the teachers' guide, does not do justice to the deep faith that Christianity must have. On the other hand, I believe that the inclusion of religious instruction in our curriculum is, in many ways, an infringement

on the democratic nature of the public education system.

Nevertheless, in closing this part of my remarks, Mr. Speaker, I believe that moral and ethical values are essential in our school system. The teaching of these values cannot be left to chance. If a committee could come up with some type of instruction that would effectively inculcate these values in our young people, it would receive the whole-hearted support of everyone. But until such a course of instruction is devised, I believe that the regulation defining religious instructions in our public schools should be rescinded.

Mr. Chairman, I would like to take a few moments to deal with one other matter that has some application in the curriculum of our school system. I suggest to you, Mr. Speaker, that we in the Legislature should authorize the Minister of Education to undertake a compulsory, specific, and certainly effective educational war on alcohol in our school system.

As a member of the committee on commissions, I have had an opportunity to question the officials of the liquor licence board of Ontario and the liquor control board of Ontario as to their views on the rising number of cases involving juveniles and alcoholic beverage; where the law has been broken in any one of a number of ways; in traffic accidents and in street brawls. It is apparent, and the statistics would bear this out—although they are not as complete in these commissions of the government as they should be—that this is exploding into a tremendous problem affecting the young people of Ontario, and I suppose of every other jurisdiction.

As I say, the statistics are not complete, but report after report from different provinces of Canada, would indicate that those agencies that deal with young people, not only the schools but the YMCA, and this sort of thing, are recognizing the problem as a great one and a growing one.

In my experience in teaching, it has become apparent to me that young people, particularly in the early grades of high school, are very impressionable about this sort of thing. I would not suggest that a course be set up that would frighten them into temperance or abstinence, simply that the facts of the use of alcohol beverage be made known to them in a very straightforward way—the statistics associated with alcoholism; the statistics associated with traffic accidents; what actually happens to the human body when alcohol is taken into its system. If this is made known to the

young people of Ontario, then I feel their decision, and it must be a personal decision as to how they are going to use beverage alcohol, could then be made on a basis that we could accept. It would not simply be under the compulsion of mass advertising. It would not simply be the response to group psychology, although this would of course always play a part in it. If it were effectively presented in the schools of the province of Ontario, not as a great temperance programme, but simply as a factual programme available in their science or health courses, and not dependent just on a single teacher who might be interested in it, or a teacher who finds time for the subject, but something that would be definitely presented to each student, then I am sure it would have a great effect in at least partly coping with the problem that is before us.

I have been very much impressed by the work of the alcoholism and drug addiction foundation in the province of Ontario. I have seen the large advertisements, in the newspapers and on television, that are released in the province of Ontario, and they would certainly be of the type that would give young people and parents pause to think about the necessity of leadership of our young people in this matter. This is the agency that could provide schools with pamphlets, filmstrips and precise courses of study, which, when properly applied, would be of great aid to our young people in meeting this emergency problem that is developing in such great proportion.

So, Mr. Speaker, I would say that a mandatory and factual course would assist our young people in meeting this great problem of our society.

Mr. M. Gaunt (Huron-Bruce): Mr. Speaker, in the interim between my last Budget appearance and this one, my friend, the hon. Minister of Health (Mr. Dymond), has introduced his Medicare bill, the introduction of which has confirmed my fear that the chiropractors and optometrists would not be included in the bill. It is against this background that I would like to make a few remarks this morning.

I think it is obvious to the government that we are going to be under the greatest kind of pressure in this province to provide for the health-care workers of all kinds who will be needed to meet the increasing demand for health services on the part of our people.

We shall be directly involved, not only in helping people pay their medical bills, but also in finding someone for them to pay them to. This, to my way of thinking, is just as

important as the financial one, from a health-care standpoint. It does not matter how universal, or how generous insurance, benefits for health care may be. If the individual must wait months for services of health care, then it is of no use, or no value.

Providing medical or other forms of health benefits without providing for sufficient personnel in the field, is like selling a ticket to a theatregoer and then telling him that he has no place to sit down. Although there is no doubt in my mind that the present government step to increase our supply of health-care workers is coming too late, nevertheless I believe we should be grateful that the government has announced this plan to do something to provide more doctors, dentists and nurses for the province. Even so, we will not have enough professional health workers.

Even if the government's programme had come in time, even if we had stretched our resources to the utmost, even then, we would still be facing a crisis for the next few years. It is no secret, for example, that most doctors already work intolerable hours. I think my hon. friend would agree with that—perhaps intolerable and dangerously long hours.

Dr. Claude Gendron, past president of the college of general practice, said recently:

Answering patients' requests kept me working 85 hours a week, but I do not think I was carrying a heavier load than most other general practitioners.

The man who works 85 hours a week has no time left to increase his professional competence. He has no time, for that matter, to renew his own health and spirit. Fatigue and pressure, in all but the most exceptional, lead to a reduction of their competence when they are on the job for hours. This is the situation today with the medical profession, and to my mind, the handwriting is on the wall, but it will get worse before it gets better.

Under this kind of pressure, both the doctors and the patients will suffer. In this situation, it is our obvious responsibility to do everything we possibly can to reduce the pressure on our doctors.

One giant step that can be taken in this direction is to be found in the encouragement of the paramedical profession; in the provision of health workers who talk about it in almost production line terms, who can be produced faster than MDs.

Obvious ones leap to mind: Medical technicians, nurses, registered nursing assistants—a whole host of professions and subprofessions, which work with the doctors in the provision of health care. I believe we have

been extraordinarily neglectful in this field. I believe we have failed almost totally to tackle this branch of our health-care problem.

In his Budget speech, my hon. leader (Mr. Thompson) talked about this problem and suggested ways in which we could take steps to increase the supply of nurses and registered nursing assistants. I should like to speak briefly about another area in which we might more fully utilize the resources at our disposal. As hon. members undoubtedly know, Mr. Speaker, practitioners of chiropractic have been making a substantial contribution to the solution of specific kinds of health problems for more than half a century. It is no secret that chiropractors have been plagued on the one hand by opposition from the senior branches of the medical profession, and on the other hand by the reluctance of the government to recognize the profession and to give chiropractors the necessary legislation in order that they might be able to police their own profession more adequately.

I do not propose to talk about the scientific discussion which rages over the theory and practice of chiropractic. This is outside my competence. However, I do believe that the profession has amply demonstrated that it has a contribution to make to the health of the nation. I believe, too, that the chiropractic profession is ready, even eager, to assume a more definitely defined role in health services. This has been done very recently in the province of Saskatchewan, as is pointed out in this article. It is dated April 6, 1965, in the *Regina Leader-Post*. It is entitled:

LEGISLATURE APPROVES CHIROPRACTIC INCLUSION

The Legislature Tuesday approved unanimously a resolution moved by Henry Baker, CCF, Regina East, recommending the government consider the inclusion of chiropractic services under The Saskatchewan Medical Health Insurance Act.

The two CCF and two Liberal members who spoke on the motion appeared in rare accord on the subject, which took only 20 minutes to gain the assembly's approval.

Health Minister Steuart said he had already met members of the profession in Saskatchewan about the possibility of having their services considered in the Medicare plan.

Then the article goes on to say, in part:

Chiropractors are the third healing profession in the world, after medicine and dentistry, and they made 5,000 service calls

in Saskatchewan last year, he said. He said he hoped their services would be included in the plan this year, if possible.

He added that the provinces of Manitoba and Alberta have legislation allowing the chiropractic services to be included as insured medical services.

Mr. Speaker, Saskatchewan has recognized the role of the chiropractor. I think an appropriate question at this juncture would be: Why not Ontario? The best review of the present situation with regard to the status of the chiropractor that I have seen is contained in the report of the Hall commission on health services:

The controversy has been going on for upwards of half a century and is one that ought to be faced and resolved in the public interest.

The report goes on to state that:

It was considered that an independent scientific study be undertaken to resolve the issue. However, such a study is currently being conducted in Quebec by Mr. Justice Lacroix of the Supreme Court of Quebec, and his inquiry is still proceeding.

If the study now being carried on concludes that the position taken by the medical profession is the correct one, then all Canadians should be made aware of it. If, on the other hand, the claims of the chiropractors are found to be valid, then they should be incorporated into and integrated with the teaching of health sciences in universities. No good can come from warring factions between competitors in the health-care field.

The Hall commission states:

It is, in our view, fundamental to good health care that all who labour legitimately in the field should do so in harmonious co-operation.

The chiropractors feel that they are justified in requesting that patients should be free to choose chiropractic services, even without a physician's prescription, and not have to suffer the financial penalties by using services not authorized under Medicare legislation.

The chiropractors point, for example, to the fact that patients can choose chiropractic treatment under The Workmen's Compensation Act, without suffering financial penalties.

To expect a doctor to recommend that a patient go to a chiropractor just will not happen. For many, many years the medical profession took every opportunity to criticize

chiropractors and their method of practice. Today, overwhelming proof of the effectiveness of the chiropractic principle is to be found everywhere, and even medicine finally realizes that it cannot continue to dismiss volumes of evidence as poppycock.

The problem arises for the local medical doctor. More and more of his patients are asking about chiropractic services because they have a backache, a headache or a slipped disc. His professional association tells him that it is unethical to associate with a chiropractor in the treatment of a patient, or to refer patients to him, so he remains ethical by doing a number of things: he tries another pill; he tries perhaps to manipulate the patient himself; he tries a few weeks of physiotherapy, and if that fails then the patient will undoubtedly go to the chiropractor in the end, in any case.

Who suffers from this, what I term, rather ridiculous situation? Certainly not the medical doctor who has more than he can do now; certainly not the physiotherapist, and certainly not the chiropractor, because the patient eventually comes to him anyway. The only one who suffers under these circumstances is the patient. He suffers both physically and financially. Until organized medicine comes to grips with this problem and decides that the time has come for an end to this conflict in the health service field, we will continue to witness this rather ludicrous situation.

As it now stands, the chiropractic profession operates under The Drugless Practitioners Act, an Act that embraces, I believe, at least three other professions. If a charge of improper or unethical conduct is laid against a chiropractor by the chiropractic association, it has to be done under The Drugless Practitioners Act.

Hon. M. B. Dymond (Minister of Health): Mr. Speaker, may I put the hon. member straight in this matter? This is not fact, Mr. Speaker. The chiropractors some years ago were given, by legislation, the right to separate themselves from the supervision of The Drugless Practitioners Act. They are ruled by their own board, they have their own powers of policing, and only a little more than a year ago, I believe, they were given the regulations which they deemed were necessary to control unethical advertising in their own profession. But they are not subject to the direction or control of the board of drugless practitioners.

Mr. Gaunt: Mr. Speaker, may I ask the hon. Minister then, am I right in saying that

we do not have a chiropractic Act in this province as such?

Hon. Mr. Dymond: They do not have a chiropractic Act, but the chiropractors are controlled by a board of their own people.

Mr. Gaunt: But they do not have an Act?

Hon. Mr. Dymond: They do not have an Act. They operate under The Drugless Practitioners Act but they are controlled by their own people, and disciplined by their own people.

Mr. Gaunt: Mr. Speaker, I was unaware of this and I am glad of the interjection of the hon. Minister of Health, who clarified this particular point.

However, I would at this point go even further. I think that the chiropractors should have an Act of their own. I think they should have a chiropractic Act to, perhaps, more carefully define the area of professional competence of the chiropractor, to provide for closer supervision of professional training.

In my earlier remarks about the critical shortage of health-care workers with which we will be faced in the immediate future, I said that we should make maximum use of the paramedical personnel and thereby reduce the situation that all general practitioners and other professions have to face. It is in this context that I would like my suggestion on the chiropractic profession to be reviewed. I do not want my remarks to be seen as another scrimmage in the long and very unpleasant battle between the chiropractors and the MDs. That would not serve the public good. What will serve the public good is our determination that we leave no stone unturned in our effort to ensure that the people of Ontario will have available to them the widest possible variety, and the greatest possible quantity, of genuine medical services.

It is upon this basis that I would strongly recommend that chiropractors be included in any proposed medicare legislation; and, as we know, up until this point, it has not been. The hon. Minister has not included it in his bill which he presented just this week.

In the same connection, I would like to put in a word for the optometrists in this province. As I stated before, a medicare plan would provide health-care benefits and, as such, requires the participation and co-operation of health-care professions. In Bill 163, coverage of refraction benefits were included only when provided by a physician. However, let me point out that there are three times as many optometrists as ophthalmolo-

gists in Ontario. At present, optometrists perform 65 per cent of the refractions in Ontario. In addition, in 60 per cent of the Ontario communities in which optometrists practise, they are the only practitioners available to provide the service of refraction.

I would strongly suggest that, unless optometrists are included in any medicare plan, it would mean a decrease in availability of vision-care services and subsequently a lowering of vision-care standards. Certainly, with this kind of situation, it will not enhance the health care in the province of Ontario.

In conclusion, I would strongly urge that my hon. friend take into consideration the inclusion of such professions as the optometrists, the chiropractors, yes, even the dentists, at the earliest possible date. I noticed in the Toronto *Daily Star* dated May 12, 1965, headed, "Dentacare, Opticare next, says Dymond":

"Ontario's medical care plan will be extended gradually to include dental, optical and similar services," Health Minister Matthew Dymond told a group of Brantford clergymen today.

Hon. Mr. Dymond: I rise on a point of order. I would like to put the hon. member straight. This was not what I told the ministers.

Mr. Gaunt: Well, in any case, that is what it said in the paper and I had presumed that it was right.

Regardless of what it said in the paper, I would strongly urge my hon. friend to consider the inclusion of optometrists, chiropractors and dentists, for that matter, at the earliest possible date.

Mr. R. Welch (Lincoln): Mr. Speaker, in rising to participate in this debate, I want commend the hon. Provincial Treasurer (Mr. Allan) for placing before the Legislature a budget which I feel is firmly based on a realistic assessment of our existing circumstances and a full appreciation of the future needs and aspirations of the people of the province.

The allocation of public funds as projected in this budget will enable the government to play its essential role in the realization of our full potential for the advancement of Ontario and its people.

I am particularly impressed with the tremendous investment proposed in human capital—looking at the estimates for Education, University Affairs, Health and Public Welfare, just to name a few. It is interest-

ing to trace this government's recognition of the need for governmental participation in promoting the development of our nation's "human capital."

To the sizeable expenditures to which I have already referred, for health, education and public welfare, we can list the many select committees of this House which have been charged with the responsibility of reporting on the general welfare of the people of Ontario, for example, the select committees on: juvenile delinquency, 1954; manpower training, 1963; cost of drugs, 1963; youth, 1964; and aging, 1964—to name only a few.

It is obvious that this government recognizes that it has a critical role to play in promoting an effective human-resource-development programme, for it continues to pay attention to our enormously valuable stock of human capital.

It is the custom for a private member to utilize an opportunity such as this to voice some personal, as well as some riding, views. The great county of Lincoln, from which I come, and the surrounding area continues to grow by leaps and bounds. Ships of practically every nation sail through the riding as they use a facility which traces its history back before the federation of British North America itself. By demonstrating that an escarpment 326 feet in height could be scaled by sailing vessels capable of traversing the Great Lakes, the Welland ship canals opened the way for the St. Lawrence seaway. Without question, the Welland ship canal is a navigational facility unequalled anywhere in the world today. It is my opinion that, because of the very existence of this canal in the peninsula, the whole area would benefit greatly with the development of harbour facilities on an adequate scale. Local chambers of commerce and boards of trade should be approached and, perhaps, our Department of Economics and Development would be prepared to give some leadership to such a programme.

The canal also attracts thousands of tourists each year. The tremendous implications for the district are clearly recognized and the St. Lawrence seaway authority is providing an observation area at the location of Lock 3. The province, working with a local committee, allocated funds as well to do a preliminary survey into the development of a third Welland canal park. A very interesting report has been produced, and I hope The Department of Lands and Forests and The Department of Tourism and Information will continue to encourage this project.

Reference was made earlier in these remarks to the advantages associated with the development of harbour facilities in this part of the province. I would also hope that we might find some way to help financially such co-operative efforts as the Niagara district airport, as it is viewed in the light of regional development. There might be some point in the departments of Economics and Development, Transport, and Municipal Affairs, considering what might be done to assist such facilities without getting involved in the jurisdictional question surrounding air transport. The emphasis should rather be on the economic growth potential of the area, stimulated as it will be by having the advantage of such facilities in the area.

Now, Mr. Speaker, I would now like to turn to some other matters of general and particular interest.

Under the heading of agriculture, I would point out to you, and through you to the hon. members of the House, that agriculture forms a very essential part of the economy of the riding of Lincoln. Many of my constituents depend on this activity for their livelihood and the whole province—and indeed beyond—depend on these same constituents for the products of orchards, vineyards and farms. An interesting statistic for example is the fact that 65 per cent of the grapes grown in Canada are grown in Lincoln county.

I have a tremendous respect for the individuality, determination and independence of my rural friends. Many problems are, however, pressing in on these hard-working people. There are farms in certain sections of the riding which are going unattended as the head of the house finds his way into the "better paying industries" of the area. Many feel a sense of frustration as they toil long hours, only to see their financial rewards decrease under the pressure of higher costs which are not being offset by a corresponding increase in their prices on the market.

Little wonder, then, that there is certain resentment on the part of these people toward those who travel the area beating the drum with the theme "to save the fruitlands" and other related slogans.

The solution to this particular problem is a very simple one—if you want to save the fruitlands of the Niagara peninsula make it profitable for a man to carry out this activity. If we look far enough ahead, it is in the national interest to make sure that our rural people earn a decent living while they produce the food, not only which we need, but which is also needed by a hungry world.

Much could be said here of the efforts

being made by the agricultural people of my riding to help themselves. I have been privileged to work with them as they approached this level of government for assistance and advice. An excellent recent example is the support given by the government to efforts by local growers to bring in much-needed farm labour from the British West Indies. The question of farm labour is a real problem, and in this regard our people are quite prepared to work with the federal government to provide job opportunities for our Indian people as well as a long-range project. However, we are faced with the immediate need to harvest our crops.

I do not hesitate in pointing out that the hon. Minister of Agriculture (Mr. Stewart) is highly respected by my rural constituents, and he and his department work in their interests. The leadership of our county agricultural representative, and the great work at the horticultural station at Vineland are worthy of mention here. To single out one of our large agricultural activities—the fruit and vegetable industry—there are serious problems, many of which fall within the jurisdiction of the federal government. Internationally, we are faced with subsidized canned fruit coming from Australia at little or no duty on entering Canada. Low United States freight rates from California to Canada handicap movement of canned goods from point to point in Canada. Huge overproduction of such things as clingstone peaches and sweet and sour cherries in the United States can disrupt our market at any time.

While United States producers are protected by generally high tariffs, the surplus is sent to Canada and although not technically “dumped” is sold at the prevailing US distress prices.

At home, our growers supported overwhelmingly the proposal to give the Ontario tender fruit growers’ marketing board the power to determine the prices of tender fruit. While this will not solve all grower problems, it is felt that it will enable a new approach to the industry’s difficulties of negotiation and arbitration. It should, of course, never be overlooked that we, as consumers, can do much to help our grower-brethren, as well as those who process these products. In the spirit of the Ontario trade crusade we can be sure that we buy Ontario canned fruit and vegetables, asking our wives to watch the labels very carefully.

Perhaps this is the point where tribute should be paid to the hon. Provincial Secretary (Mr. Yaremko) for his efforts to have home-grown products form part of the menus at dinners and receptions paid for out of the

provincial hospitality fund. May I assure him that our grower groups could provide him with some interesting recipes if he runs out of ideas.

And it should be pointed out here that grower and producer alike share a pride in the reputation of our domestic wines which, in the opinion of those who claim to know, need not take a second place to any imported product. Many new Canadians from other lands have brought with them an appreciation of this beverage used in conjunction with meals. And yet, it will only be as the result of the continual demands of the consumer which will force some of our leading hotels, restaurants and other eating establishments to stock the local product.

Mr. J. H. White (London South): We are doing our best for you.

Mr. Welch: I appreciate that, Mr. Speaker. A certain status symbol seems to attach to the label—not to overlook the larger tip for the higher-priced bottles of imported wine to the maitre d’.

Needless to say, much more could be said with respect to agriculture, this vital part of our economy. We are obliged to do everything possible to stimulate these activities and to give these people purpose and incentive.

Turning to the question of legal aid, Mr. Speaker, life is I think becoming very complicated with all the laws and regulations which are enacted. It is little wonder that many of our people become confused and bewildered. Perhaps it is really too much to expect that people should be presumed to know the law. The problem is made more serious, in my opinion, when you consider the reluctance of many people to seek proper legal advice—obviously concerned about the cost or, even worse, just unable to pay anything. In this connection I am always concerned about the lot of many abused married women who feel they have to resign themselves to their lot in life because of the obvious lack of financial means to have their rights properly defined. Other human examples could be listed.

Most lawyers—and I speak, Mr. Speaker, as a practising solicitor in the province—will tell you that many people who do eventually come to them could have been saved a great deal of mental distress—not to overlook other serious consequences—if they had only come to them sooner. You see many people just need the secure feeling that comes from knowing what their rights are. In other words, if people could be encouraged to seek advice early enough, they might not get themselves

so involved in such serious problems—financial, domestic and otherwise.

This, of course, raises the question of legal aid in which the lawyers of this province must be willing to give some sound leadership. We now have the report of the joint committee appointed by this government to study legal aid in the province. And it is a most excellent report. It must be pointed out that there has, in fact, been a legal aid programme sponsored by the law society of Upper Canada. This programme has performed a very useful function. But in doing so, we must also admit that the present plan is not good enough for today's needs—it must have very drastic revision.

In England, it would appear, as we read in this report, that legal aid has fared much better. Under the legal aid advice bill of 1949, legal aid is administered by a board of lawyers and laymen, and I would point out that this lay representation is most important. If entitled, a person has the right to choose his own lawyer from the list of lawyers who have consented to do legal aid work, and the fee of the lawyer so chosen is paid out of the funds provided for this purpose.

The legal profession itself would perform a most valuable service if local county Bar associations, as a matter of good public relations and community service, encouraged people to come in with their problems by agreeing to charge a very minimum fee for the short interview. It would of course be necessary that this service be well advertised in the area. Many lawyers in the province do this work already, but surely the time has come to do it on a more organized basis—even regular public clinics.

The legal rights of an individual in a democratic society should, I feel, be as important as his physical health. The appointment of the civil rights commission by this government was a most significant step, and one which will no doubt have far-reaching results. As our population grows and the rules increase, we must be on guard to make sure that nothing stands in the way to guarantee that the individual understands those rules. Not only must right be done—it must appear to be done as well.

Then, Mr. Speaker, I would like to turn to another area, for there is a growing area of concern with respect to certain care provided for under the Ontario hospital insurance plan. This has to do with the difficulty of drawing a clear line between those who need a hospital-type care, and persons who require home-type care.

In providing accommodation for the elderly, I believe a distinction can, and should, be made between those who require attention because they are ill, and others who need care because they are old. The treatment, control, alleviation or cure of disease in a person of any age is, of course, a health problem. The institutions housing such cases should be of the hospital type.

In contrast to the old person in actual ill health, there is the incapacitated man or woman. The incapacity may be due to the aftermath of illness, or to the mental or physical feebleness of age. Then, the primary need is for domiciliary care. This is a welfare responsibility and the institution should be home-like where personal attention is given to the routines of everyday living.

In summary, the treatment of disease in the aged is a health problem; the care of the enfeebled aged is a welfare responsibility. I believe that the welfare responsibility has largely been fulfilled through the present system of public and private homes for the aged. These homes admit people who have reached the stage where they can no longer look after themselves in the community. The homes are well staffed and equipped to provide a good life for the residents. They are divided into various sections, for normal care, special care, and bed care, so that there are facilities for persons at the several stages of incapacity brought on by age. Individuals who require active medical treatment are not suited to a home for the aged, because such a centre of residential living cannot undertake hospital functions. But, the municipal and private homes do serve the group of aged who need long-term accommodation and attention, due to the incapacities of age. The cost is not a factor of difficulty, since it is proportioned to the actual ability to pay.

When we turn to the situation of the aged who are properly health cases, we find there are certain provisions for their care. The acutely ill, are, of course, in active treatment hospitals, usually paid for by their Ontario hospitalization. For those with a chronic illness, there are chronic hospitals, and here too the insurance is usually available. Then there is the group of elderly persons with various degrees of illness, not acute enough for an active treatment hospital, not judged admissible to a chronic hospital, yet certainly in need of fairly intensive nursing and medical attention and here is where the problem lies.

People in this group are often found in the commercial nursing homes. Sometimes the hospital insurance will accept the case as

qualified for insurance coverage; sometimes the degree or kind of illness is not recognized as coverable and the person must either pay his own way or become a charge on the municipality.

Thus, there are patients occupying beds in nursing homes who have their per diem rates paid for by our hospital commission, while in the next bed, a friend or neighbour has to pay the per diem rate himself because he is excluded from the terms of the insurance, and this does create a great problem.

Both patients have paid hospital insurance premiums faithfully, since the beginning of the plan, and one patient cannot understand why he should not have the same benefits as the other patient in the next bed, in the same establishment.

The question seems to be one for the health authorities. It is ill health that is the primary cause for people being in nursing homes and it is the presence of a more or less active disease that prevents them from entering residential homes. The question is whether the terms of the hospital insurance plan should not be widened to cover a broader area of ailments and health conditions.

Perhaps one solution would be convalescent and interim care establishments, built in connection with both acute and chronic hospitals. These additions would not be so costly as a hospital, since the more elaborate facilities such as operating rooms, and so on, would be unnecessary. For old people, this would serve as intermediate accommodation and treatment if they are not ill enough for a hospital bed, yet have a health condition which makes them unsuitable for a residential home.

A system of different levels of institutions seems to be needed in the health field to match the various levels of disabling illness. Chronic hospitals, convalescent and interim care establishments and nursing homes, each would serve a very useful purpose.

Medically great strides are being made in geriatric studies. This is particularly evident in the geriatric study centre sponsored by The Ontario Department of Public Welfare and Metropolitan Toronto. The department also obtained a grant, as you know, some years ago, to open a geriatric ward at Toronto Western hospital. This spring, a conference on university training for geriatric study in Toronto attracted experts from the United States and other provinces. It is apparent that we are gaining more knowledge of the care and treatment of the aged. Ontario is a centre of progress in geriatrics, and I think that the welfare authorities will put these

findings to good use for the present and future benefit of our elderly citizens.

Financially, our senior people face the problem of living on fixed incomes, while the cost of living reduces the purchasing power of those incomes. There are those who need financial assistance, and I want to pay tribute to the provincial Department of Public Welfare for the efficient manner with which it carries out its duties in this regard.

Now that the federal government has announced a programme to reduce the qualifying age for the old age security pension to 65, I wonder if the time has come for the province to consider the possibility of gradually changing the basis for old age assistance—on the same year-by-year steps—to finally make it available to all at age 60 under the same arrangements as the present programme for widows and single women.

I appreciate that there are other matters related to this scheme, namely, hospitalization and medical cards. However, this aspect of financial assistance is related to need, and it would seem that the needs of these people are quite real for many in this age group now being covered by general welfare assistance from the municipalities.

Socially, it goes without saying that in an age which stresses the prestige of youth and the importance of working for a living that many of our retired elderly feel quite lonely. Many church and community groups are anxious to take advantage of provincial grants to help make life interesting for our senior people.

The Elderly Persons Social and Recreational Centres Act now offers them an opportunity to develop such facilities. A proposition is now before the St. Catharines city council to establish a recreational centre. Many other examples could be cited.

I am sure we are all looking forward to the report of the select committee on the problems of aging which was set up at the last session of the Legislature. This is a most important area for government consideration and under its able chairman I am sure many worthwhile suggestions will be coming forth. I consider it to be morally incumbent on each generation adequately to look after its elders.

Perhaps this is also the point where some concern should be expressed about the problems being faced by many whom we might not consider to be elderly as such, but are middle-aged citizens who are experiencing difficulty in obtaining employment these days. There are people in their late 40s and early 50s who are being told that they are

too old to work and, at the same time, too young for provincially supported pension help.

And then one could not take part in a debate representing an area such as the one from which I come, Mr. Speaker, without saying a word or two about an appreciation of history and tradition. For one privileged to represent the historically rich county of Lincoln in this House would indeed have to mention the importance of tradition and the need for an appreciation of history.

Indeed, in the light of comments which have been made both in and out of this House in recent months, it is well that we stand up and be counted on a subject such as this. For I represent an area of this province where blood was spilled to protect the form of government on which our present system is based—a people who live in a true spirit of friendship with neighbours who are the successors to those who invaded our borders; an area which fully understands the concept of a constitutional monarchy.

And it was at Queenston, in our riding, at a dinner on October 15, 1962, marking the 150th anniversary of this conflict along the banks of the Niagara river, that the Hon. J. Keiller Mackay, then Lieutenant-Governor of Ontario, reminded his audience in words such as these:

Out of this agony and from this sanguinary scene there have arisen rich and ennobling traditions. Nor indeed should we speak lightly of tradition. Tradition is the sum of those enduring values which have been kept alive through all mutations. It is tradition which gives continuity, stability and direction to life and reflects the "ceaseless whisper of permanent ideals." Far from stifling growth and progress, it is tradition which gives sustenance and nourishment for their germination. Indeed, one of the greatest of all is the tradition of growth and adaptation, in harmony with the fundamentals drawn from the lessons of the past; and it seems to me that we should have every young mind understand that there is such tradition, and that we wish him to be part of it and get strength from it and, if it lies in his power, to make it still richer and fuller in his day and generation.

Our very way of life, based as it is on our traditions and historical heritage, is the very essence of what we all come to know as something worth fighting for.

I do not want this section of my speech to sound like a history lesson, but it cannot be overemphasized that every facet of our country's life which contributed to our

present state of development can be described simply as living history.

I say "living" deliberately, Mr. Speaker, since nothing of consequence that has occurred in the past ever really dies. We Canadians have been somewhat lax in recognizing our traditions and our historical heritage.

I commend the hon. Minister of Education (Mr. Davis) for the recent study of his department on this whole subject, and would draw the attention of the House to the programme started in St. Catharines schools this year with the designation of a special Canada Day to draw the pupils' attention to their country and its background.

As responsible citizens it is, in my opinion, our sacred duty to teach our children our past and an appreciation of the lessons to be learned from the experience of our forefathers. And as a history professor said recently: "If properly taught, history provides an excellent opportunity for a student to think for himself and form his own opinion from the facts presented."

This Legislature is a successor to that first Legislature which was convened at Niagara-on-the-Lake — then called Newark — on September 17, 1792. The legislative achievements of that Parliament make very interesting reading.

Perhaps the hon. Prime Minister (Mr. Robarts) would consider, as part of our Centennial celebrations in 1967, the suggestion that a special session of this Legislature be convened at Niagara-on-the-Lake to mark as well the 175th anniversary of the meeting of the first Parliament at Newark. Research could be started now in order that special publications be prepared to commemorate the occasion. These publications would be available to all our citizens, both in and out of school. Pupils in the schools of the area could be encouraged to produce special programmes in anticipation of the main ceremony and history could be re-enacted in the streets of Niagara.

I would also urge the government to give special consideration to proposals already introduced in the House to assist in the acquisition of some of our historical treasures. Perhaps this could be in the way of grants to societies and groups, who in turn could raise private money for this purpose.

However, Mr. Speaker, it may be government assistance and leadership would be most necessary here.

Needless to say, much more could be set out in a speech such as this, including the plea of my wife and other parents that the

hon. Provincial Treasurer find some way to avoid having sales tax paid on the purchase of certain articles of clothing worn by children.

Mr. K. Bryden (Woodbine): We have taken that up time after time.

Interjections by hon. members.

Mr. Welch: If you just give me a chance, I will repeat it and then I will underline it. It is the general principle that children's clothing is exempt from such tax, but I am advised that a chunky 11-year-old member of our family requires clothes described as "husky size 14" and that such purchases are considered taxable. Other families, I am told, have been faced with similar situations.

In order that I may go home this weekend and live in peace and harmony, I promised my wife I would make this public plea to the hon. Provincial Treasurer.

In closing, Mr. Speaker, I would like to pay tribute to the hon. Prime Minister for the leadership he is giving in this province, and to the statesmanship he exhibits throughout the entire nation. There are many examples before us where issues have been settled by the hon. Prime Minister of Ontario, not on narrow and cheap politically partisan grounds, but rather in the national interest, putting Canada first.

In a period where politics and those in political life are being held in some disrepute because of the publicity being given to certain events and behaviour, I openly admit my pride in having the opportunity to serve the people of this province under the leadership of Prime Minister Robarts—a man with a deep sense of patriotism and political morality.

Mr. E. G. Freeman (Fort William): Mr. Speaker, I have to get down to more prosaic things today than the previous speaker. I must admire his forthrightness in paying tribute to all of those to whom he feels he should pay tribute. I think this is fine, but—

An hon. member: He did not leave many out.

Mr. Freeman: Not too many. But today I would plead with you, Mr. Speaker, and to those of the hon. members who are present in the House, I would plead the cause of a large number of people, a very large number of people in this province, as a matter of fact, in excess of 125,000 people.

To begin, I would say that today in Ontario the small businessman—he it is of whom I

speak—is in trouble. A variety of developments in our economic system are menacing his future. To survive, small businessmen are going to have to be assured of much more accessible short-term credit. They must have access to information and technical assistance which are now beyond their means. The small businessman is going to have to turn to government for this help.

Let us be absolutely clear what we mean by a small business. When a group is undefined, it usually does not exist for purposes of positive action. Of the definitions which have been bandied about, some have been needlessly vague and some of them positively misleading. The definition which seems to fit best has been offered by the newspaper, the *Independent Businessman*. A small business is one with a net worth of \$1 million or less and whose shares are not listed on the stock market. This means, in effect, a business which must look to the banks for credit.

Most people would be astonished to realize the proportion of the economy in the hands of small business. The Porter commission studies have estimated that in any one vertical industry—and this is important—in any one vertical industry, 94 to 100 per cent of the businesses are small businesses. In the government brief to this commission, it was estimated that half the work force of the province is either self-employed or working for firms employing less than 15 people. By the definition quoted above, it has been suggested that three-quarters of the work force is involved in small business. Even in an unusual one-industry city like Oshawa, where 12,000 work for one huge company, another 8,000 find their livelihood in an enormous variety of smaller businesses, and Oshawa is very much an exception in Ontario cities.

In achieving industrial expansion and diversification, small businesses have an important economic role to play. While the present government does not appear to oppose the steady flow of industry from the smaller centres to the metropolis of the Golden Horseshoe, I suggest to you that a New Democratic government would. Our plans for regional development will work best from smaller industries and development.

Ontario, and particularly in the north, has had too much experience of one-industry towns. It is plain bad sense to have any population centre's existence dependent solely on a single industry. The people of the city or town are at the mercy of distant economic forces and sometimes of distant management as well. Many will recall the

effect on the Brampton area some years ago when the Avro plant was closed.

In small centres economic commonsense would demand the diversified industrial pattern based on a variety of small enterprises in different fields. North Americans have a tendency to worship size, yet there was a real sense in which there was a social virtue in smallness and independence. If Ontario is to live up to its slogan as the province of opportunity, individuals must have a chance to set up their own firms and have a chance for success. Provided a worker finds decent working conditions and the security of the union contract, he or she can find greater challenge and satisfaction as a participant in a small firm than as an anonymous element in a huge corporate undertaking. The philosophers of the industrial revolution and early socialists like Robert Owen and William Morris were never more perceptive than when they condemned the alienation of the industrial worker deprived of a sense of fulfilment. In a small business, this can often be restored.

For all its importance in the economy and community life of this province, small business has been ignored by this government and by the federal government as well. There is no department in this government, not even a branch, with the specific job of considering the needs of small business. This province pays to send representatives abroad to find markets. When they are sent they are representatives of big business. This province pays for a very limited amount of research to be done. When it is examined, it is research work for large undertakings. Perhaps this is understandable when we observe that the hon. Minister who should be concerned has himself come from the management of a very large business.

In the United States a small business administration has been set up for many years to help in this particular area. Nothing like this has been done in Ontario. Instead, we find a variety of boards and commissions, often shrouded in secrecy, and meeting behind closed doors, making decisions which affect small business. The tariff board of the federal government meets in public and publishes the reasons for its decisions. It would be hard to find a single licensing commission, board or authority, under the direction of this government which does as much, yet the decisions of these bodies often have an enormous effect on small businessmen.

One example is already well known. It is the case of the service station and restaurant near Brampton which has been wiped out

because of a decision to alter the course of a highway. As an editorial in the *Independent Businessman* has noted, if a mill is set on a river and the government alters the course of the stream, the miller must be compensated. Not so the independent businessman who in this case just sees his investment wiped out. More recently small businessmen led by Gordon Stanley came to Toronto to protest a government decision which will establish a service centre on Highway 400 near Orillia. This decision may well wipe out these small businessmen.

There are few groups in this province which have received more generous helpings of platitudes from this government than the independent businessmen. There are few groups which have received so little else. It is not really enough to condemn this government. We would also have to condemn some small businessmen who have shared the belief that the government has no obligation to help them. Certainly large corporations are under no such illusion, as we see every day in the close identification of their interests and their thinking with our government. For their own sake and, indeed, the survival of small independent business, we are going to have to look to government action for our preservation.

New Democrats are working to establish what is called a mixed economy. There are many different ways of controlling economic undertakings. There are examples of nearly all of them right here in Canada. Canada has been a pioneer in one form of ownership, the Crown corporation. Mr. Speaker, we do not believe that one form of ownership, be it public, private or co-operative, is suited to every part of the economy. There are some areas which cannot be subject to competition and which are needed by the whole community. The best examples of these are the public utilities, such as Ontario Hydro, or the Toronto transit commission. These are under public ownership now. There are other enterprises which are under co-operative ownership. We believe that this is a good and valid form of management and we would like to help co-ops to become more efficient and to provide better service to their members and to the public.

However, most of the economy is under private management. New Democrats can see no reason why it should not remain so. In many areas it is by far the most effective way that we have found to provide goods and services to the consumer. This is not our experience alone. In Sweden, a country which has enjoyed a social democratic government for well over 30 years, a higher

proportion of the economy is in private hands than is the case in Canada today. If the example is not too far-fetched, even a communist country like Poland has been forced to allow private enterprise in the retail field and in agriculture.

A belief in a mixed economy will allow us to work in the best interests of all Canadians, because we are free of any doctrinaire commitment to any particular form of ownership, whether it be private, public or co-operative. If we are going to have a genuine mixed economy, we are going to have to look to the slogans of competition much more seriously. New Democrats do not condemn genuine competition; they do suspect and oppose private concentrations of power in any part of our community. There are areas of the economy where competition would be meaningless or foolish. We do not need two rival telephone systems in Canada; it would be silly to have two rival gas or electricity systems providing services along the same street. In these cases there can be no reasonable competition. The protection of the consumer must be provided in other ways; through very strict regulations, or preferably, through public ownership. The management of these enterprises can only be held responsible to the people through this Legislature.

We are all familiar with the traditional threat to competition, the combine and the monopoly. Many small businessmen live at the mercy of these concentrations of power. The federal government has legislation to deal with monopolies and combinations in restraint of trade. It is the view of our party, as it was of the CCF before us, that the legislation is ineffective, and it is enforced but it is feeble because present and past governments want it to be that way.

There was another, more modern threat to genuine competition in the private sector of the economy, the conglomerate trust. This is a form of holding company which may amass real estate, chemical factories, iron mines, a soft drink company, and, perhaps for a little spice, a newspaper or a radio station.

In the United States a senate sub-committee has been investigating these conglomerates. Some of their discoveries are quite fascinating. I suggest Borden's, for example—and I suggest to you also to forget the "contented cow." Including only some of the big parts of the empire, Borden's now controls two sea-food producers, five canned fruit producers, one each in dehydrated vegetables and pickles, two confectionery companies, one in coated fabrics, two in

plastics, and two in plastic products. There are two in printing inks, one in glue and gelatine, one in toilet preparations, and one in surgical appliances. This collection helps to make Borden's one of the 200 largest corporations in the United States.

Mr. D. C. MacDonald (York South): No wonder it is a "contented cow."

Mr. Freeman: It should be a "contented cow." I wish our dairy people in the province of Ontario could approach that degree of contentment.

Hon. W. A. Stewart (Minister of Agriculture): Give us time; we are on the way.

Mr. Freeman: In the fullness of time, the hon. Minister says.

It is not hard to see how conglomerates would be even more effective than monopolies in eliminating competition. Instead of having to collect a large part of an industry under one management to control it, ownership of merely a significant element can give enormous control. A shrinking number of holding companies is doing for industry what food processors have done to agriculture. Vertical integration is no longer a phrase reserved for the farm industry.

The private concentration of economic power creates a far more dangerous situation than might be imagined by any Conservative critic of public ownership. In both cases, Mr. Speaker, competition as a factor is eliminated, but in one case the power passes to a government which here, at least, is responsible to the people. In a private industrial empire, power is wielded in the interests of a small and politically irresponsible group of managers. It is possible that competition and profits cannot coexist.

Professor V. C. Fowke, a perceptive commentator on the business community, once wrote:

Profits exist where competition has been stifled. The search for profits is the search for ways to impair competition—

Mr. MacDonald: This is reality, not the myth you live by.

Hon. C. S. MacNaughton (Minister of Highways): Does the hon. member think profit is sinful?

Mr. Freeman: I like profit.

Hon. A. Grossman (Minister of Reform Institutions): He means when somebody else is making it.

Mr. Freeman: May I repeat, for the edification of the hon. Minister of Highways. He probably is listening with only one ear—it is better to lend both to it; this is important:

Profit exists where competition has been stifled.

Now, follow a little further:

The search for profits is a search for ways to impair competition—

I am sure you are with me this far:

A free enterprise economy is one in which those persons compete who cannot avoid doing so.

Hon. Mr. MacNaughton: I have been listening with both ears.

Mr. Freeman: Did the hon. Minister get the impact?

Mr. MacDonald: He is with us now—fine. Progress.

Mr. Freeman: Now, let us go just a bit further:

For the sake of the consumer and of the private sector of the economy, competition must be restored.

Now I know you are with me.

Mr. K. Bryden (Woodbine): Not really.

Mr. Freeman: I continue:

The only force in the land with the power to act is the government.

Again, I am sure you are with me!

In the folklore of childhood, Mr. Speaker, there is little law and order. Princes win princesses in fairy tales because of their wit, courage and good looks; dragons are not kept in zoos and wizards are not sent to psychiatrists.

Hon. Mr. MacNaughton: I am all the way back now.

Mr. Bryden: Which direction has the hon. Minister been going in?

Mr. Freeman: In the folklore of free enterprise, similar principles are admired. The world is a jungle where only the strong and quick-witted can make their fortune—and I pay tribute to you, sir, as being strong and quick-witted.

Mr. MacDonald: Look at the stock exchange as being a good example, for example.

Mr. Freeman: There one cannot miss.

Hon. Mr. Grossman: With \$100 of stock, the hon. member is one of the guys who are loaded.

Mr. Freeman: Overloaded. It is just as well that most children outgrow these fantasies, however. So do most people with experience of the free enterprise myth; and now we are getting into something in which I think the scant number of people who are in the House today may be interested—and I think it could be of tremendous interest to the small businessmen in the province of Ontario. And I am sure that the small businessmen in the province of Ontario would appreciate you, who are here today, giving some attention to the problems with which they are faced. And they are serious, very serious problems.

Hon. Mr. Grossman: You want to help them make a profit, do you not?

Mr. Freeman: Indeed, I do.

Hon. Mr. Grossman: He is saying that he can't make a profit without sin.

Mr. Freeman: No, no, no. The hon. Minister is not even listening with one ear. I suggest he take the cotton batting out of his ears.

Hon. Mr. Grossman: The hon. member is so confused. He is a good capitalist!

Mr. Freeman: Let the hon. Minister get his mind on what is being presented today and forget about business downtown.

It is just as well that most children outgrow these fantasies. So do most people with experience of the free enterprise myth. Since the earliest known systems of human government, business has been seeking protection for itself through public action. Practical legal systems were cast in the language of business obligations; medieval laws about quality, and fair weights and measures, existed as much at the behest of merchants as of their customers. In our day, no businessman would deny that he demands transportation facilities, tariff protection and even marketing assistance from the government.

Mr. MacDonald: The original welfare state was for big business.

Hon. Mr. Grossman: No interruptions.

Mr. Freeman: A favourable climate is not created for business by government policies of laissez faire. It is promoted by genuine policies of economic expansion through government action. It is promoted by government

policies which redistribute income so that lower income groups have more to spend on goods and services, and even the hon. Ministers cannot deny that.

Hon. Mr. MacNaughton: I will buy that.

Mr. Freeman: Even the hon. Minister cannot deny that.

Mr. MacDonald: He said he bought it.

Hon. Mr. MacNaughton: No, I said I cannot buy that.

Mr. Freeman: The hon. Minister cannot? But he has been buying it for years, and has not realized it. What a shame!

When the mass of workers survived on subsistence wages it was impossible for them to demand the sophisticated products made available by the industrial revolution. The rise of trade unions revolutionized the income pattern of our workers and today they are playing an incalculable part in liberating our economy from the plight of scarcity. In the past, and to a large extent even now, government has joined short-sighted interests in the community in opposing the growth of the labour movement and a consequent expansion of consumer spending. Every member of the community, and most emphatically the small businessman, can rejoice that these government measures have been unsuccessful.

When governments fail to grapple with problems like unemployment or lagging economic growth, they are robbing businessmen of the possible sales turnover from a prosperous consumer population. When governments leave the rise and fall of the economy to natural forces, they are costing ordinary businessmen money in bad investments in capital equipment and stock.

A planned expanding economy under a New Democratic government would be the best guarantee of prosperity for the independent businessman. And while that sinks in—

Mr. Bryden: It will take a long time.

Mr. Freeman: I know it will take a long time but it will eventually reach the more reasonably minded people.

When governments fail to grapple with problems like unemployment or lagging economic growth, they are robbing businessmen of the possible sales turnover from a prosperous consumer population. When governments leave the rise and fall of the economy to natural forces—and I am sure you must agree with this—

An hon. member: The hon. member said that before.

Mr. Freeman: I wanted to impress it upon hon. members.

When governments leave the rise and fall of the economy to natural forces, they are costing ordinary businessmen money in bad investments in capital equipment and stock, and this is so tragically true, so tragically true. A plan of expanding economy—and I say this again—under a New Democratic government would be the best guarantee of prosperity for the independent businessman.

A favourable economic climate would help all business. I am sure that hon. members will all agree with that. A favourable economic climate will help all business, large and small.

It will not guarantee the survival and expansion of the small entrepreneur. For him there are two basic problems—funds for long-term or equity financing, and managerial assistance. The traditional source of capital for the small businessman has been the savings of its operators, reinforced by credit. Today that is no longer enough. The small businesses do not attract private capital. There are many reasons for this. Many have a short history and a record of limited profits. It is true of most small businesses. Many are owned individually or in partnership and there is no guarantee of continuing sound management. Even when a business is entirely credit-worthy, it remains a long and expensive proposition to persuade a lending institution to place trust in it.

The one source of credit at reasonable cost is the system of chartered banks, yet these are very often difficult and even impossible to deal with. There can be few small businessmen who at one time or another—and I am sure many who are here today realize this full well—have not seen their future jeopardized by a banker's decision. I can add in a way of a personal note that I have a very keen recollection of not too many years ago, during the days of very tight money, which we all remember, I had stock valued at certainly more than \$100,000 but when I approached my own bank with regard to a line of credit for spring purchasing, because of the tight money situation my banker explained that it was impossible to extend the line of credit so I had to use other resources.

Interjections by hon. members.

An hon. member: Planned by the wrong people.

Mr. Freeman: And in the wrong way.

Interjection by an hon. member.

Mr. Freeman: No, I had some friends who were in the insurance business.

I suggest to you, Mr. Speaker, that I, at that particular time—like many other people in today's picture and in years past and in years to come—could have been completely taken out of the retail business picture because of the decision of that bank. And if that is planned economy, I will not buy it.

Interjections by hon. members.

Mr. Freeman: However, let us get down to something that may be of interest to the hon. Minister of Reform Institutions. I am not going to talk about his particular department but something that he may be able to advise some of his clientele in future years.

Hon. Mr. Grossman: It is so long since I have seen a client, I would not know how to talk to one.

Mr. Freeman: The task of solving this problem, Mr. Speaker, lies largely with the federal government—we understand that thoroughly. We believe it lies in the expansion of the Industrial Development Bank. In its brief to the Porter commission—

Hon. Mr. MacNaughton: That is not a Tory government.

An hon. member: It is indeed, the most Tory in Canada.

Mr. Freeman: We believe it lies in the expansion of the Industrial Development Bank. In its brief to the Porter commission, even the Ontario government—this I would call to your attention—was moved to comment of this institution that, and this is a quotation from your government:

It is obvious that it has at time out-banked the bankers in caution.

I repeat:

It is obvious that it has at time out-banked the bankers in caution.

And believe me, that is caution, that is real caution.

Another alternative might be to allow the interest ceiling for the chartered banks to be raised from six per cent to eight per cent. Those of us in business on very many occasions would be willing to pay a higher rate when the investment seemed justified. I think any businessman would go along with that type of thinking, when the investment seems justified.

The only alternative now is to accept the usurious interest rates of the finance companies. The consequence of this kind of borrowing is all too often disastrous, with a businessman forced to hypothecate every-

thing to get cash—even to selling below cost—and this is done every day across this province in order to realize immediate cash to take care of obligations. It probably works out to the benefit of some of the individual consumers—to shoppers—but in the long run I suggest to you, Mr. Speaker, that it cannot fail but cause difficulty to many of the small business people. There must be some way to reduce the gulf in credit costs between the banks and the finance companies.

Raising the interest rates will not be satisfactory unless we can make sure that capital will be available for small business needs. Raising the interest rate ceiling from six to eight per cent solves nothing if large corporations are the only beneficiaries of more available credit and the consumers are the sole losers through higher prices. Regulations must require the chartered banks to make a proportion of their credit available to businesses which have a net worth of less than \$1 million. We all know the story, of course, of going to the bank when the banker knows full well that you have on deposit a very large sum of money and he is pressing you to borrow money to expand your business, and of going when the account is a little bit short and the banker is not so interested in whether your business is going to expand or whether it is going to expire.

A third alternative, one which has never been seriously explored, would be to use the machinery of the chartered banks to grant further credit to small business while having their liquidity protected by guarantees from the Industrial Development Bank. This would take advantage of the local facilities and the great resource of experience available in the chartered banks, while liberating credit for this vital sector of the economy.

The problem of credit may be primarily a matter for the federal government but there is nothing to prevent the provincial government taking its own initiative in this area. Credit need is urgent enough to deserve substantial government initiative.

Another major problem which faces the small businessman, is information and professional knowledge. By his very essence, the small businessman must be his own expert in many aspects of his own business. He must make decisions about processes, publicity, merchandising policy and office management. If he is an expert in design and fabrication, he is equally supposed to be an expert in accounting. The fact is that no businessman or woman can hope to be such an expert. Businessmen need help in keeping up with the developments in their field and in the

economy generally. They need information about markets, about new ideas in management and merchandising, and suggestions about better financial control. They need help in dealing with the seemingly infinite variety of regulations, questionnaires, rebates, and other chores which the government has seen fit to drop in our laps. When I was operating a business I found that I was also a tax collector, for both federal and provincial governments, and as well a faithful participant in DBS surveys.

In the United States, help in this field comes from the Small Business Administration. Among other services, it employs 250 representatives, most of them recently retired executives who have had long experience in various fields of management. Their services are available on request. In Canada, we have long recognized that one area of independent business needs a regular source of ideas, information and guidance. In Ontario, the agricultural representative service is one of the most important parts of the extension branch of The Department of Agriculture. We need business representatives who can provide the same kind of assistance to small business as the ag. rep. now gives to the farmer.

By the very nature and scope of his business, a small businessman simply cannot afford to have this kind of expertise in his own organization. For himself, he cannot have the time and the capacity to absorb and assess the flood of information and promotional material which crosses his desk. A business representative service would be the basis for providing small business with a solution to the problem of information.

Again in the United States, the patent office publishes a regular report of new inventions in various fields. For firms interested in modernization and development, this publication has enormous value. In Canada, no such publication is issued. Once again, large corporations have the means to search out developments and to evaluate them. Small businesses do not. Again, there is scope for government action to relieve the shortage of information.

In its publicity, The Department of Economics and Development claims that one of its jobs is to form co-operatives of small businesses for more effective export undertakings. Once again, we return to a government which has a certain facility with phrases and a proved incapacity for bringing them to realization in this field in particular. Ontario government assistance in the export programme has gone overwhelmingly to the

larger corporations, precisely those which need the help least. Here again, there is need for redress and emphasis.

As a model of all the problems we are considering in connection with small business, let us look at one industry, the tourist business. This is one of the major segments of the Ontario economy and one of the largest earners of US dollars and funds from other countries. At the same time, no one would say that this industry is helping our image. Some of our major tourist centres have been described—and I know it seems brutal, very brutal—as looking like hobo jungles, with dilapidated accommodation, inadequate facilities and unkempt surroundings. The mass of operators in this field are small businessmen, struggling to make a lean living in a short season. The bankruptcy rate in this field is proportionately higher than in most areas of small business and it is not hard to see why.

In few fields is credit more necessary or harder to come by. There has been only limited government initiative to promote co-operation among resort operators to improve the general appearance of holiday areas outside provincial parks, and as a result, some resort areas look like hucksterism gone mad. It seems sad that the government should spend more than \$1 million to inveigle tourists to this province and then do so little to help them have satisfactory accommodation when they arrive.

A variety of suggestions have been made for government programmes to assist the small businessman. They will come to nothing unless they are presided over by a Cabinet Minister and administered by a single government department. We believe the time has come to eliminate the somewhat unhappy Department of Tourism and Information and to replace it with a department of business and tourism, presided over by a Minister with a direct knowledge and experience of small business. Since between half and three-quarters of the work force of Ontario must be in this category, it would be a rare Prime Minister who could not find such a Minister among his followers.

A department of business and tourism would have a direct responsibility for creating and developing a business representative service, bringing information, experience and professional knowledge to the service of Ontario's small businessmen. It would also assume responsibility for Ontario development agency financial assistance to small businesses, operating this service with considerably more imagination and dispatch than is now felt to

be the case. The department would also have a research unit, organized to back up the business representatives and to provide information on economic, technical and managerial problems. Such a service should be provided at cost.

There has never been any suggestion that small businessmen are not proudly determined to pay their own way. The new department would, of course, continue the programmes of the present department in the area of tourist promotion, but it would take a much greater interest in facilities and services available to tourists on arrival. This would be its link with other sections of the department.

As for the present information role of The Department of Tourism and Information, the current session of the Legislature has drawn sufficient attention to the dubious nature of many of the services provided. Each department of government continues to have its own information service and there is no need to create the machinery for the expensive duplication and effort in operating in other departments.

Most businessmen would recognize that there was a community of economic interest with consumer and producer. In the age of scarcity, most attention has been concentrated on the human being as the producer. With the approach of an age when demand is persistently running behind supply, the human being as consumer is gaining in importance. New Democrats are keenly concerned about this transition. They are convinced that the small businessman has a vital role to play in the economy. They know that he will benefit from policies of higher consumer income and from measures to protect the consumer from the deceits of the unscrupulous merchandiser. They also know that the small businessman will need positive government action for his own survival.

I have outlined four major proposals for legislation to protect and encourage men and women who represent such a massive proportion of our economy: one, a department of business and tourism under a Minister with personal experience in small business and administering agencies of government directly assisting small businessmen; two, a business representative service providing information, expert advice and assistance to small businessmen; three, provincial government action to provide credit to small business and provincial representations to the federal government to take early action in this field; four, legislation to provide boards

and commissions whose decisions may affect the livelihood and property of individual citizens, to conduct their deliberations in public and to offer reasons for their decisions in writing.

The notion that government has a role in assisting small business may strike some Conservatives as strange; it will not surprise realists in business and to many of us with personal experience in business, it seems long overdue.

In conclusion, perhaps I might again add a brief quotation from an editorial in the *Independent Businessman* and I quote:

Today, application, honesty and hard work are not enough to ensure a businessman's future. Today, he must have a combination of genius, blarney and witchcraft to survive, let alone to succeed. This need not be; this should not be.

Mr. R. J. Harris (Beaches) moves the adjournment of the debate.

Motion agreed to.

Clerk of the House: The ninth order, resuming the adjourned debate on the motion for second reading of Bill No. 127, An Act to establish the Ontario institute for studies in education.

Interjections by hon. members.

ONTARIO INSTITUTE FOR STUDIES IN EDUCATION

(continued)

Mr. D. C. MacDonald (York South): Mr. Speaker, I am not going to speak at great length on this. In face of those interjections, it is obvious that the quality of the contribution is of no concern in this House—as long as it is reduced as short as possible.

Mr. Speaker, what I was about to say was that there is obviously great value in co-ordinating research in the field of education. Indeed, this is long overdue. We have had a tendency to a piecemeal approach to research; it has been fragmented; it certainly has been inadequate in its overall scope; and therefore, it seems to me that the first step in getting an adequate research programme must be one which will seriously co-ordinate what is going on in the field at the present time. I assume that one of the major objectives of this new body is to do just this and therefore I think it commends itself for that, if for no other reason.

When I move into the next area that my friend, the hon. member for Brant (Mr.

Nixon), raised, I must confess that I am still a little puzzled as to many of the worries that he expressed. I do not want to get into an argument with him. Indeed, I am anxious to hear what the hon. Minister of Education (Mr. Davis) has to say in case there is some validity in what the hon. member for Brant has raised.

At the moment, I just cannot see it. I will agree that theoretically, research, if it is handled by an independent agency that has no relationship with government, might conceivably be better research. Sometimes, however, there is a rather precious approach taken by people who are in business or in the academic world—that if the government happens to have some relationship to a project of this nature, inevitably this is going to reduce its quality.

I do not think that this necessarily need be the case. Indeed, when the hon. member for Brant presumably was clinching his case of the inhibiting or crippling factors that might be introduced by having a research programme that came so directly under the Minister, he cited two possible areas in which there might be a desire for research, and because of the constitution of the governing body, these would be vetoed. He suggested, for example, that they might want to research the Minister. Forgive me, Mr. Speaker, but I think the hon. member for Brant was really reaching on that occasion. Or they might want to research—

Mr. R. F. Nixon (Brant): They might want to research the development of educational television and the Minister's role in it.

Mr. MacDonald: He also raised the proposition that they might want to do research into one of the teachers' federations and its role, and if they were on the board of directors, they would veto it. Again, these do not strike me as too convincing, but I look forward to the hon. Minister's comment on this particular aspect of the observations that the hon. member for Brant raised.

Let me just say in the final portion of my comments, Mr. Speaker, one reason why I have no objection, or why a very great need can be met in a research programme that is going to be tied pretty directly to the Minister and The Department of Education, is that I think if one were to go back—one could talk for an hour on this—to an analysis of some of the major steps and developments in education that this government has made in the last few years, one would find it has made pathetically little preparation, let alone research, or any activity that could

be dignified by the name research. I remember that dramatic occasion, ironic occasion, shocking occasion, of sitting in a standing committee of the Legislature when the hon. member—

Interjections by hon. members.

Mr. MacDonald:—when the hon. Prime Minister (Mr. Robarts) was Minister of Education and introduced what is known as the Robarts plan. There was a bit of a mad scramble to get this explained so that people might know what it was, and there came before us one of the top officials of The Department of Education who, for his own benefit, I shall leave unnamed. Somewhat indiscreetly, he commented that on one occasion he had been sitting with the Minister and the Minister had commented to him, "Well, fine. Now we have made arrangements for all of these buildings through using the funds that were made available federally, what are we going to teach in the buildings?"

Hon. J. P. Robarts (Prime Minister): Oh, no, no, no!

Mr. MacDonald: This protest is about five years too late.

Hon. Mr. Robarts: Mr. Chairman, I am delighted to see that the hon. member has a big grin on his face when he makes this statement. I think I could go back, with a little research, and point out the time-tabling on this thing to show that the hon. member's statement simply could not be. And, anyway, I never heard him raise it before. That is quite a few years ago—

Mr. MacDonald: I have raised it two or three times in this House and I am very intrigued that the hon. Prime Minister should jump at this point. However, I do not want to go back and go into the details—

Hon. Mr. Robarts: Neither do I.

Mr. MacDonald: It illustrates the point that I raised in this House the first time I came into the House in 1956—before the education estimates—about the great gap in our educational system, for example, in the provision of trades training and the fact that we had not implemented the programme mapped out by Dr. John Seath in the first decade of this century. I can recall making a speech when the former Minister of Education in this House was listening. As I said before, it was like throwing a snowball against

a stone wall—it just collapsed and fell in a heap. Two or three years later, with the hard core of unemployment, with the “sputniks” in the sky from the other side of the Iron Curtain, with the provision of funds from the federal level to be able to catch up on this great gap, we certainly catapulted ourselves ahead and caught up a generation at least in the physical structures for this aspect of our educational system.

The hon. Prime Minister simply cannot deny the reality of this, and frankly, he cannot deny the reality of the fact that there was painfully little research as to what was going to go into the research programme. Indeed, they called in the teachers to explain it to them, arguing that a few teachers had been involved in the shaping of it prior to that.

Mr. Speaker, I could take many other aspects of our educational development in the last five years in which I think we are now facing difficulties because of an inadequacy of approach. Therefore any kind of an institution like this which would, in a more organized and consistent fashion, in a much broader and more comprehensive way, tackle the educational research problem for our present system and for its future development and expansion, I think is extremely necessary. It is a little late, but better late than never.

Hon. W. G. Davis (Minister of Education and University Affairs): Mr. Speaker, just to reply very briefly to the observations of the hon. member for Brant who endeavoured to raise two or three matters in his remarks yesterday. I must confess that I am not impressed with the validity of his suggestions as to the constitution of the board, nor the question of independence. I think it is obvious that the intention here is to give the new institute a substantial degree of autonomy, otherwise it could be done entirely within the department itself. Yet at the same time I think it must be obvious to the hon. member that—and the hon. member for York South, I think, agrees with this, Mr. Speaker, we badly need research in the field of education today and we have adopted this vehicle as being the appropriate way. We are, I think, quite encouraged by the response to date.

I should point out that some reference was made to my remarks about the London school and I was looking through my statement and I have yet to find it. I think this probably was referred to in some newspaper editorial.

We have also studied the Harvard school of graduate education, and I think if the

hon. member looks at this carefully he will find that it is not really used to assist the board of education of the state of Massachusetts, it is financed primarily on foundation funds, private moneys and perhaps some federal assistance through The Defence Training Act. These resources are not available to us in this jurisdiction. Substantial sums of public money must be spent on building up the type of research institute that is necessary here in this province.

Mr. Nixon: If I might ask, is there any other source of money going to be made available to this institute, other than the money we vote from here?

Hon. Mr. Davis: If the hon. member looks carefully at the bill itself, he will see that there is provision for other money. Whether it comes from private sources or foundations, there will be no limitation on the money that will be available—

Mr. Nixon: Is the hon. Minister aware of any?

Hon. Mr. Davis: No, I am not aware of any, and this is why we are doing it. We think it is absolutely necessary that this be done. Private industry and foundation money—the hon. member should know this—for research in Ontario is not as plentiful as it was two years ago because of the policies of the federal government in Washington—not in Ottawa—and this has made the situation somewhat difficult. We think that public funds must be available and as a result this institute must be in a position to do work for The Department of Education.

I had no hesitation—the hon. member mentioned this—in putting in the legislation that the Minister shall nominate the first directors. I do not care how elaborate an administrative structure you have, Mr. Speaker, certainly the key to the initial success of something like this lies in the personnel. I have every confidence that Dr. Jackson is as able as, if not more able than, any single individual whom you might select for this particular position, so I had no hesitation at all in putting this in the legislation.

The hon. member also referred to the field of graduate work and I should point out to the hon. member that this legislation does not give the institute the right to grant degrees. It gives it the right to prepare people for degrees, but obviously any degree-granting institution—and in this case it will be initially the University of Toronto—will have some considerable interest in the personnel who are appointed to the staff and who will

be lecturing or giving courses in the degree field.

In fact, we have had discussions already with the dean of the graduate school of the University of Toronto and the president of that university. A committee will be established so that members who are to be appointed in the graduate area will be done so on the recommendation of this committee to the board. We are just as interested, and Dr. Jackson is just as interested, in maintaining a very high academic quality in the field of graduate study as, I am sure, the hon. member for Brant is. Therefore, this really is not a problem, in that the institute does not have the right to grant degrees; they must be granted by some degree-granting institution.

Mr. Nixon: Has the hon. Minister ever suggested that it would evolve into an independent degree-granting status?

Hon. Mr. Davis: No, it has been suggested it become independent but not necessarily for degree-granting purposes. Mr. Speaker, I shall not stand up in this House either and predict what the function of this institution will be ten years hence, or the functions of many other educational institutions. I think this would be very foolish.

I think these were really the main objections or observations that were made by the hon. member for Brant, and I think, Mr. Speaker, that what we are initiating here is sound—from an academic standpoint. Of equal importance, I think it will fulfill a function that is necessary in this province and quite frankly one that I personally support enthusiastically.

There was one other area that was raised. The hon. member suggested that I had enunciated the areas for research. This is not the case. I named some of them; there is no limitation on what other areas the board might decide or the director might decide to pursue, although I did notice, as did the hon. member for York South with some interest, the possibility that the hon. member for Brant suggested, that the teachers' federation should examine its own administration. Quite frankly, I question whether the research institute would ever become involved in such a study. This has never crossed my mind before.

Mr. Nixon: Mr. Speaker, on a point of order, I should make it clear that the suggestion was that this group might be examining the role that the teachers' professional organizations play in education. No one has suggested that their administration needs any examination, nor that—

Hon. Mr. Davis: I apologize if I took that inference, but I think if the hon. member reads what he said, it is quite obvious that one could.

Mr. Nixon: I am very pleased that the hon. Minister does not feel that they need this examination.

Hon. Mr. Davis: I do not think, Mr. Speaker, there is anything more that I can usefully add unless the hon. members opposite have any other specific questions.

Mr. MacDonald: We cannot ask on second reading.

Motion agreed to; second reading of the bill.

THE CORPORATIONS TAX ACT

Hon. J. N. Allan (Provincial Treasurer) moves second reading of Bill No. 130, An Act to amend The Corporations Tax Act.

Motion agreed to; second reading of the bill.

THE LOGGING TAX ACT

Hon. Mr. Allan moves second reading of Bill No. 131, An Act to amend The Logging Tax Act.

Motion agreed to; second reading of the bill.

THE INCOME TAX ACT, 1961-1962

Hon. Mr. Allan moves second reading of Bill No. 132, An Act to amend The Income Tax Act, 1961-1962.

Motion agreed to; second reading of the bill.

THE RETAIL SALES TAX ACT, 1960-1961

Hon. Mr. Allan moves second reading of Bill No. 133, An Act to amend The Retail Sales Tax Act, 1960-1961.

Motion agreed to; second reading of the bill.

THE SUCCESSION DUTY ACT

Hon. Mr. Allan moves second reading of Bill No. 134, An Act to amend The Succession Duty Act.

Motion agreed to; second reading of the bill.

Hon. Mr. Robarts: Mr. Speaker, before moving the adjournment of the House, there is an announcement perhaps I could have the indulgence of the House to make.

The Flag Act, 1965, which received Royal Assent in this House on February 14, 1965, will come into effect by proclamation on Friday, May 21 next. On that date, commencing at 9:30 in the morning before the House sits we will hold a ceremony on behalf of the people of the province in order to raise the flag of Ontario in front of the Parliament buildings.

The Royal Canadian Regiment band will be in attendance from London, and the civil service choir. There will be a guard of honour composed of our own provincial police. The Lieutenant-Governor will be in attendance and the proclamation bringing into effect the Act adopting the flag, which I might say has now been approved by Her Majesty the Queen, will be read by Donald Morrow.

There will be a programme worked out and circulated, but I would like to stress at this time that this symbol of our identity as a province is not intended to in any way be a substitute for any other flag or flags which will be flown, of course, on proper occasions when such flags should be flown. I would say, notwithstanding any speculative discussion—and there has been some—that in accordance with custom the new Canadian flag will take its honoured place on the new flagpole which is being erected outside, according to the protocol of flags—which is not an easy thing to get at, I might say.

The new flagpole that is being erected, according to the protocol, will give pre-eminence to the flag of Canada. Our provincial flag will fly on the flagpole where the flag of Canada is presently flying.

I do not want anyone to think that by this shift of flags we are moving the flag of Canada to a secondary position because we are not. If there are two flagpoles, according to protocol, as I can determine it, the

right hand flagpole looking down University Avenue is the senior flagpole and on that flagpole will fly the flag of Canada.

Mr. V. M. Singer (Downsview): It is dependent on whether you look from the north or the south.

Hon. Mr. Robarts: As I say, this is the protocol as far as I am able to establish it. The whole question of flags, banners and ensigns is shrouded in the mist of antiquity and it is very difficult to establish these things. But I just want to make it very clear that as far as I can establish, this is the precedent.

I would say that in adopting the provincial flag, as I have said before, we bear in mind our own traditions, our own heritage, our own historical background. We think that this flag will help to give us a strong and united Canada.

Mr. Speaker, on Monday we will resume the estimates of The Department of the Attorney General and we will sit Monday evening.

Mr. MacDonald: Mr. Speaker, could the hon. Prime Minister indicate whether it is his intention to call Bill No. 136 on medical insurance next week?

Hon. Mr. Robarts: Mr. Speaker, I want to make sure that it has proper circulation, but I can assure the hon. members I will not call it without at least two days' notice. It is a very important piece of legislation and there will be no attempt on the part of this government to hurry this legislation through this House.

Hon. Mr. Robarts moves the adjournment of the House.

Motion agreed to.

The House adjourned at 1.05 o'clock, p.m.

The first part of the report deals with the general situation of the country and the progress of the war. It is noted that the war has been a long and hard one, and that the country has suffered many hardships. The government has done its best to provide for the needs of the people, but there is still much to be done. The report also discusses the state of the economy and the progress of the war. It is noted that the war has had a great effect on the economy, and that the government has had to take many measures to deal with the situation. The report concludes with a number of recommendations for the future.



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